PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 77

HOUSE OF COMMONS

OFFICIAL REPORT

SECOND SESSION OF THE FORTY-NINTH PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
THIRTY-FOURTH YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 1984-85

COMPRISING PERIOD
15 APRIL—26 APRIL 1985

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IN THE SECOND SESSION OF THE FORTY-NINTH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

THIRTY-FOURTH YEAR OF THE REIGN OF HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 77**

ELEVENTH VOLUME OF SESSION 1984-85

House of Commons

Monday 15 April 1985

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRANSPORT

Airports Inquiries

1. **Mr. Cartwright** asked the Secretary of State for Transport how many representations he has received concerning the report of the inspector on the airports inquiries 1981-83; and if he will make a statement.

The Parliamentary Under-Secretary of State for Transport (Mr. Michael Spicer): I wish, first, to convey the apologies to the House of my right hon. Friend the Secretary of State for his absence on export business in India.

The reply to the hon. Member for Woolwich (Mr. Cartwright) is that between 10 December 1984, when the inspector's report was published, and 1 April 1985, my right hon. Friend received 1,164 written representations on this subject.

Mr. Cartwright: Does the Minister accept that airports policy has a major impact on wider issues of economic development? Will he therefore try to ensure that when the Secretary of State is making his decision, full account is taken of the need to encourage economic investment in parts of Britain other than south-east England?

Mr. Spicer: My right hon. Friend will take into account all the evidence that was put to, and the recommendations of, the inspector in respect of the regional dimension which the hon. Gentleman mentions.

Mr. Soames: Will my hon. Friend assure the House that the main consideration that will be given when arriving at a conclusion will be that of the national interest?

Mr. Spicer: Certainly, Sir.

Mr. J. Enoch Powell: Will the Minister convey to his right hon. Friend the message that export business is no valid excuse for failing to be at the service of the House?

Mr. Spicer: I shall convey the right hon. Gentleman's view to my right hon. Friend. I must, however, remind hon. Members that India imports about £800 million worth of goods from this country and that it is the duty of a Minister of the Crown to assist that business.

Mr. McCrindle: Luton airport was outside the terms of reference of the inspector's inquiry, but will my hon. Friend confirm, nevertheless, that it will be in order for those who wish to see the expansion of that airport, perhaps rather than the contemplated expansion of Stansted, to make representations accordingly, and have any been so made?

Mr. Spicer: Luton is an integral part of the London airport system and was mentioned in the inspector's report. Any development there would be subject to the appropriate planning procedures.

Mr. Haselhurst: Will my right hon. Friend's decisions on the applications that are at the heart of the inspector's report be subject to the approval of the House?

Mr. Spicer: No, Sir. The Secretary of State has already said that there will be a debate on airports matters, including the matters to which my hon. Friend refers, subsequent to the announcement of the decision by him and my right hon. Friend the Secretary of State for the Environment.

Mr. Campbell-Savours: What proposals does the Minister have for the further development and expansion of Carlisle airport?

Mr. Spicer: Carlisle airport is a good airport, which the hon. Gentleman espouses rigorously and vigorously, and which I visited recently. It has certain problems, notably to do with Customs and Excise, into which we are currently looking.

Mr. Adley: Did my hon. Friend say that the House would not be further consulted by his Department about the development of Stansted? If so, is he aware that some of us will take no notice of that but will regard it as nothing less than our duty, in the national interest, to do what we believe to be right, when his Department has made up its mind, on an issue that affects the whole nation?

Mr. Spicer: The statutory planning procedure now requires the two Departments, of the Secretaries of State for Transport and of the Environment, to produce their decisions to the House.

Bus Services

2. **Mr. Willie W. Hamilton** asked the Secretary of State for Transport what representations he has received from Scotland in the last three months concerning the likely effects of the new policy on bus transport; and if he will make a statement.

The Parliamentary Under-Secretary of State for Transport (Mr. David Mitchell): I have received representations from several organisations and members of the public in Scotland.

Mr. Hamilton: Does the Minister not understand that there is virtually unanimous opposition in Scotland to the terms of the Bill, not least among the old and the disabled, whose interests will be jeopardised severely by the privatisation of bus services? Does the Minister understand also that the Government have no mandate for the Bill and that there is opposition not only in rural areas in Scotland but elsewhere throughout the United Kingdom?

Mr. Mitchell: I have no doubt that the hon. Gentleman is correct in referring to widespread opposition to our proposals. That opposition is based largely upon misinformation, much of which has been distributed widely by the hon. Gentleman's parliamentary colleagues.

Mr. Viggers: Is my hon. Friend aware that the manager of the Gosport depot of the National Bus Company, Mr. McQuade——

Mr. Speaker: Order. The question relates to Scotland.

Mr. Viggers: Mr. McQuade came from Scotland, Mr. Speaker. Is my hon. Friend aware that Mr. McQuade has made representations about guarantees for the ex-employee pensioners of the NBC after privatisation? Is he yet in a position to make a statement on this issue?

Mr. Mitchell: Like Mr. McQuade's family, my own and many others spread from Scotland south of the border. My hon. Friend is right to draw attention to pensions, which is an area of some unease. The company will have to make proposals to the Government. We accept fully that the position of the staff has to be protected.

Mr. Flannery: Does the Minister realise that transport was municipalised in Scotland and in the rest of the United Kingdom after private ownership many years ago, which utterly failed the people? That is why it was municipalised and, ultimately, nationalised. That was done in the interests of the people.

Mr. Mitchell: The hon. Gentleman portrays the Labour party's ongoing approach, which is to look back instead of looking to the future. It is not prepared to face the challenges of the present and to recognise that past systems have failed and that the industry has been in a state of chronic decline. That decline is well demonstrated in Scotland by the fact that in the past 12 years no less than 43 per cent. of jobs in the Scottish NBC have been cut. If the hon. Gentleman wants to continue to defend a system which is declining as rapidly as that, he will not find much support.

Bus Safety

3. **Mr. Parry** asked the Secretary of State for Transport what recent representations he has received concerning the safety of the public on transport following deregulation of buses.

The Minister of State, Department of Transport (Mrs. Lynda Chalker): Since the publication of the Transport Bill at the end of January we have received about 800 letters and a number of petitions about various aspects of the policy, including the implications for safety.

Mr. Parry: Is the Minister aware of the great concern of the general public and of workers in the industry over the great dangers that will result from poor maintenance following the privatisation of the buses? Do the Government intend to employ more staff to keep tabs on cowboy operators, who will flourish when the Bill is enacted?

Mrs. Chalker: There is always concern about safety standards. It is because of that concern that, quite apart from the Bill, we have been reviewing numbers and priorities for both vehicle and traffic examiners. I shall be having meetings about the issue later this week. The Government are already committed to making additional resources available for vehicle and traffic examination. Following deregulation, the quality of long-distance services has improved immeasurably. There is no reason why services cannot improve, irrespective of the operator, provided that they are supervised properly, and that will be done.

Mr. Forth: Does my hon. Friend agree that the safety standards of many municipal and public services leave much to be desired and that the steps that are being taken by herself and her ministerial colleagues will ensure that the safety standards of private operators in future will be an improvement on those which now exist in the public sector?

Mrs. Chalker: The comments of the chairman of the West Midlands traffic commissioners and others, which take into account the experience of private operators as against public and passenger transport executive operators, suggest that the private operator is generally no worse and no better than other operators. There is variability. In 1983, pass rates for private operators were about the same as the average pass rate but well above the rates of the PTEs and, at that time, of London Transport. I have no doubt that proper vehicle examinations annually

and spot checks will ensure that safety can be as good as at present, if not better, and we shall ensure that it is improved.

Mr. Meadowcroft: Does the Minister agree that the present regulations will not be able to cope adequately with both the large number of companies and the small companies? Does she agree that if the regulations are inadequate the spot checks will be completely useless, no matter how many more people are put into the inspectorate?

Mrs. Chalker I am aware of some concern about the regulations. I would review those regulations regularly in any case. Clause 31 of the Transport Bill, which is being considered in Standing Committee A, provides for the extension of the public service vehicles prohibition powers to those vehicles which are not for hire or reward. There are nearly 10,000 such vehicles. We are already doing what the hon. Gentleman asks.

Mr. Evans: Surely the Minister must acknowledge that there is growing concern about the fact that the deregulation of buses will result in a vast reduction in expensive maintenance services, especially in inner-city areas, and will be liable to cause breakdowns and accidents in busy city streets.

Mrs. Chalker: Just because the hon. Gentleman keeps on repeating his concern and keeps on whipping up concern among people who do not know the facts, he cannot expect—any more than I do—dead silence on the issue from the press. There is a need for improvements in maintenance standards, but that need is in no way restricted to private operators. We are in the business to ensure that the maintenance standards of all operators are improved.

Mr. Adley: Why are the safety requirements on carriage for hire and reward that are laid by the House on British Rail so much more stringent than those laid on coach operators?

Mrs. Chalker: In the past, more people—sadly, not as many today—chose to travel by British Rail, and I am sure that that aspect was considered in framing the original legislation. I have made it clear to the House this afternoon that the safety standards imposed on buses should not be lower than those imposed on British Rail. That is exactly what we are working for.

Mr. Snape: Did the Minister see the party political broadcast last week on behalf of the Conservative party? Does she agree that the bus shown in that broadcast does not operate in Hereford, despite the commentary? Is it a fact that one of the two passengers concerned is an active member of the Conservative party? Is it true that the other passenger admitted afterwards that she had never used a bus? Is it not disgraceful that the Conservative party should seek to mislead the country in this way? Bearing in mind this type of appalling conduct, how on earth is the House supposed to accept the hon. Lady's views on future safety standards?

Mrs. Chalker: I have sufficient confidence in my party not to have to be persuaded by party political broadcasts on its behalf. I did not watch the broadcast, but I am delighted that the hon. Gentleman did so. Conservatives and members of every other party, including many hon. Members, regularly travel by bus. There are others who do not travel by bus regularly, but do so at times. I am sure that if the hon. Gentleman analysed the antecedents of some of the actors in Labour party political broadcasts he would find them wanting. The hon. Gentleman knows well enough from past debates and discussions that what I have said about safety is absolutely correct. We are not prepared to have safety standards that do not meet the regulations. We shall increase the staff by the number necessary when we know how many private operators will come forward. Their buses will need to be checked on an annual and spot-check basis.

M25 Motorway

4. **Mr. Chapman** asked the Secretary of State for Transport what is his latest estimate of the date of the completion of construction and opening of the last link of the M25 London orbital motorway.

Mrs. Chalker: The last contract, for the length from the A405 to the A6, is due for completion in November 1986.

Mr. Chapman: If there is no slippage in the timetable for the completion of London's orbital motorway, my hon. Friend will know that fate, if not, her Department has decreed that the last link to be completed will be near to my constituency and deeply affect my constituents. In view of the undoubted and exceptional congestion that will take place on the roads in that area during that period, may I have my hon. Friend's assurance that there will be personal monitoring at ministerial level of the congestion of those roads so that exceptional and temporary traffic management schemes can be introduced if necessary?

Mrs. Chalker: My hon. Friend may not be aware that last month I did a tour with the Hertfordshire police of the A405, the M25, the A1, the A1(M) and the new section that is being built. I have discussed traffic control and traffic signing with the police and my traffic engineers. I can assure my hon. Friend that we will check the matter regularly and, in particular, when the junction 8 works on the M1 have to take place for up to a fortnight at the beginning of July. I shall keep in touch with my hon. Friend and with the travelling public through the media about those works.

Mr. Tony Banks: As the Minister's Department will be able to "trunk" roads in London without a public inquiry, will the hon. Lady tell the House what motorway-style improvements are planned for London? Will she tell us something about the future of the west cross route?

Mrs. Chalker: First, let me make it clear for the umpteenth time that there are no proposals for motorway building in London. Secondly, the assessment studies currently being carried out, which include the possibility of a west cross route along the line of the railway, are not complete. Thorough consultations have been carried out and comments are still being received by the consultants. When I can make a statement about that, I shall do so. For the present, the hon. Gentleman knows, as well as I do, that there is a finite date by which the ownership of a limited 65 miles of road will be transferred. It means no more "trunking" than the transfer of ownership to my Department.

Mr. Higgins: Is my hon. Friend aware that, before its completion, the M25 has become a dangerous race track,

in particular during the rush hour? What consultations has she had with the Home Secretary about the necessity for adequate policing of that motorway? Are the present resources being used less than those advocated by the chief constables involved?

Mrs. Chalker: My right hon. Friend is right about the standard of driving on some sections not just of the M25 but of other roads. Unfortunately, because people tend to use the M25 for short runs only, they do not adjust to motorway driving as quickly as they should. I have already had meetings with the chief constables of the home counties and with my hon. Friend the Minister of State, Home Office about adequate policing. I am in correspondence with them to ensure that there is adequate enforcement on the motorway.

Heathrow (Fifth Terminal)

5. **Mr. Jessel** asked the Secretary of State for Transport if he will make a statement on the extent of his responsibilities in relation to the decision on the application for the construction of a fifth terminal at Heathrow.

Mrs. Chalker: My right hon. Friend has responsibility for overall policy on the future of Heathrow, but it is my right hon. Friend the Secretary of State for the Environment who will take the decision on the existing application from Uttlesford district council.

Mr. Jessel: Will the Government attach great weight to the strong feelings of large numbers of people around Heathrow, not just about aircraft noise, but about the huge traffic jams, to which the inquiry inspector had no satisfactory answer?

Mrs. Chalker: The feelings of the local people and the travelling public will be given proper weight in our considerations. The inspector made a number of recommendations for improvements to the roads in the vicinity of Heathrow. He also recommended that a working party be set up to study the improvements required to provide a satisfactory highway network to serve the airport, regardless of whether a fifth terminal is constructed. I assure my hon. Friend that those recommendations will be carefully considered.

Mr. Greenway: Does my hon. Friend accept that for many years the people of Ealing and west London have suffered unbearable aircraft noise and pollution as well as the traffic congestion to which my hon. Friend the Member for Twickenham (Mr. Jessel) referred, and that a fifth terminal would make life intolerable and must be resisted at all costs?

Mrs. Chalker: I cannot comment, as I think my hon. Friend knows. My right hon. Friend the Secretary of State for Transport and my hon. Friend the Minister for Housing and Construction will make their decision as soon as they can.

Mr. Campbell-Savours: Will the Minister accept that the development of a fifth terminal will act as a positive incentive for regional airline operators such as Ecosse Air, which now flies from Carlisle to London? Because of the success of the airline on that route, will the Minister put it to Ecosse Air that the people of Cumbria need a jet link from Carlisle to London? Will the Minister support that principle?

Mrs. Chalker: I have noted very carefully what the hon. Gentleman said, but, as I said earlier, I am afraid that in the light of the decision to be taken on the Eyre inquiry I cannot comment further.

Mr. Tim Smith: What representations have been received by the Department of Transport from those living in the area around Heathrow? Is my hon. Friend aware of the deep concern about the environmental impact of a fifth terminal on an area of the green belt which is already under severe pressure?

Mrs. Chalker: Just as the inspector at the inquiry was well aware, so also are we well aware of those representations. However, I cannot comment further. All the representations will be borne in mind.

Bus Services

6. **Mr. Pike** asked the Secretary of State for Transport what further representations he has received regarding the Transport Bill.

Mr. David Mitchell: Since the publication of the Transport Bill at the end of January we have received around 800 letters and a number of petitions about various aspects of the policy.

Mr. Pike: If the Minister will not consider the widespread opposition to the Bill and drop it, will he at least give an assurance that no person who enjoys concessionary fares at present will be detrimentally affected by the passage of the Bill? Will he also assure the House that those employed in the industry will not find that their pay and conditions are worsened when the Bill becomes law?

Mr. Mitchell: Concessionary fares are a matter for local decision by locally elected people. The hon. Gentleman is already aware that it is not for the Government to dictate what pattern they choose to follow.

Mr. Lawrence: Is my hon. Friend aware that those who enjoy the meanest and most unsatisfactory of bus services are easy fodder for the distortions of the Oppostion, in particular since Labour councils have promised that when the Bill becomes an Act no financial support will be given by county councils to existing bus services? Is it not time for a more determined effort to be made to present the virtues of the bus policy nationwide so that people may be satisfied that their services, particularly in rural areas, are likely to be improved, not destroyed?

Mr. Mitchell: Ministers are undertaking a series of visits to explain the Government's policy and proposals in order to combat the widespread distrotion to which my hon. and learned Friend has referred. So widespread and so extensive is it in some parts of the country that local authorities have been spending not hundreds, not thousands, but in some cases over £100,000 of ratepayers' money on campaigns to distort and discredit the Government's proposals.

Mr. Madden: Is the Minister not aware that Conservative Members of Parliament have been telling those who are very concerned about losing their concessionary fares that they have nothing to worry about? The Minister seems to be peddling a new line from the Dispatch Box. Will he give a clear assurance that if the

Transport Bill is enacted all bus operators will be required to preserve concessionary schemes in those areas which now operate them and that they will be no worse that existing schemes?

Mr. Mitchell: Two separate matters arise from this question: first, the scale of the concession; and, secondly, the operators through whom it is available. The Bill provides that concessions through operators will have to be available to all operators and not, as at present, be reserved to the municipal operator or to the other favoured son of the rating authority. As for the level of concessionary fares, I repeat the point that I made earlier: it is for the local authority to decide what it believes to be right in the light of its own local circumstances.

Mr. Kenneth Carlisle: My hon. Friend has already said a little about the pension rights of the various bus operators' employees, but is he aware that there is great concern about pensions and that it must be a matter of principle for pension rights to be fully protected after the Bill is passed? Will he therefore say a little more about this matter?

Mr. Mitchell: It may be helpful if I say that I understand that the matter will be debated fully in the Committee examining the Bill. I am sure that all the more detailed points in which my hon. Friend is interested will be brought out then. It is for the National Bus Company to make the proposals which it believes to be appropriate in relation to its staff and their pensions. We fully accept that the position of the staff has to be protected.

Mr. Freud: As the Adam Smith Institute would appear to be the only organisation supporting the Transport Bill, will the Minister have another look at the 800 representations that he has had and heed the voices of more moderate groups such as the Women's Institute?

Mr. Mitchell: A number of groups, particularly those representing the consumer, have expressed support in principle for the Government's proposals. Moreover, the hon. Gentleman should be aware that there has been widespread misunderstanding and distortion as to what the Government's proposals actually envisage.

Mrs. Dunwoody: Will the Minister explain to the general public that, far from writing in safeguards either for those who work in the industry or for consumers who at present have concessionary fares, he is removing the few safeguards that exist? Why did he agree to remove from the Bill, more than two thirds of the way through the Committee stage, a safeguard which would have enabled the public to make representations to the traffic commissioners about the quality of the operators? Is that what the hon. Gentleman calls offering safeguards? Is he not just, as always in the Bill, seeking to perpetrate an enormous confidence trick on the public?

Mr. Mitchell: The hon. Lady knows perfectly well that what she is suggesting is not true. The position is that we removed, under pressure from my hon. Friends, a clause in the Bill which was otiose, unnecessary and repetitive, and the right of being heard by the traffic commissioners that remains.

Channel Link

8. **Mr. Roger King** asked the Secretary of State for Transport when he expects to be in a position to invite applications to build a fixed Channel link.

Mrs. Chalker: Guidance was issued to promoters on 2 April following a statement in the House.

Mr. King: Many colleagues on both sides of the House will welcome the statement that at long last, after nearly 200 years of discussion, something concrete will happen with regard to the Channel link. Will my hon. Friend give the House an indication as to how many people will be employed, not just pouring concrete, but in the steelworks?

Mrs. Chalker: I thank my hon. Friend for what he has said. However, it will depend on the project—if there is a project—as to how much employment the building and operation of the link, if it is to go ahead, will provide. The structure will also affect where the employment will be. However, steel, shipbuilding yards, traffic control, signal makers, for both road and rail routes, the construction industry, the heavy goods equipment industry—all such industries—could benefit if the decision is made to go ahead.

Mr. Anderson: What special efforts will the Department make to ensure that we get our fair share of the contracts involved?

Mrs. Chalker: I presume that the hon. Gentleman is referring not to the United Kingdom generally but to Wales in particular. Obviously, we are bound, if the project is going ahead, by the rules within Europe, but we shall do all that we can to make sure that the British tenders, if they are called for, are——

Mrs. Dunwoody: If they are called for?

Mrs. Chalker: If the project is to go ahead. Such a decision has not been taken, as the House is well aware. We shall do our best to ensure that all the British tenders are among the best tenders. That will ensure that the jobs will come to Britain if the project is to go ahead.

Mr. Skeet: Is my hon. Friend aware that between the French and British systems there is an entirely different trend in planning procedures, and that on the British side there will be no planning inquiry? Does my hon. Friend not regard that as a defect in the arrangements, and how will the ordinary people in the street be able to express their view if it is to be only by private Bill procedure?

Mrs. Chalker: The Bill procedure in the House, as my right hon. Friend the Secretary of State said when he made his statement on 2 April, would be by a Government Bill, which would be a hybrid Bill. That would cover the planning procedures necessary. However, we are giving full consideration to the most appropriate form of consultation if and when proposals satisfying all the requirements in the guidelines have been received from the promoters.

St. Pancras to Sheffield Line

9. **Mr. Flannery** asked the Secretary of State for Transport if he has recently held discussions with the chairman of the British Railways Board regarding the further electrification of the St. Pancras to Sheffield line.

Mr. David Mitchell: No, Sir.

Mr. Flannery: Is the Minister aware that the deep, abiding, and growing concern about the future of this vital line has resulted in the past year alone in three conferences

of all the councils along the line? Rather than accentuating people's fears by stating that the line is not in danger, when everyone knows that it is, will the Minister now allay those fears by stating that it is intended to carry out the planned electrification of the line beyond Bedford and gradually further up over the years?

Mr. Mitchell: If there is deep concern, it is because the hon. Gentleman and some of his hon. Friends have been peddling it. There is no cause whatever for such concern. British Rail has shown its faith in the line by introducing high speed trains on it only two years ago, resulting in a 20 minutes faster run to London and an increase in the number of passengers of between 15 and 20 per cent. Against that background, the hon. Gentleman should know that it is inconceivable that the ideas that he has been peddling should ever come to fruition.

Mr. Parris: Is my hon. Friend aware that Derbyshire county council, no doubt with local elections in mind, is planning yet another conference on electrification of the railway? Will he let the council know that there are cheaper ways of communicating with British Rail and with the Department?

Mr. Mitchell: My hon. Friend is right to point out that the future of the line, the way in which it is managed and operated and any investment proposed for it are entirely matters for British Rail. He is thus also right to suggest that if people are worried or concerned about the line they should address themselves to British Rail, which will provide the same reassurance as I have given today.

Air Traffic (Holland-United Kingdom)

10. **Mr. Robert B. Jones** asked the Secretary of State for Transport what has been the effect of the more liberal air services agreement with the Dutch Government on traffic between Holland and the United Kingdom.

Mr. Michael Spicer: Excellent. In the first eight months, London-Amsterdam traffic was 16 per cent. higher than it was a year before, compared with an average growth in air traffic of 9 per cent. between London and Europe as a whole. Six more services have begun between the United Kingdom and the Netherlands and a further 10 are proposed.

Mr. Jones: I am grateful to my hon. Friend for that answer, which fully illustrates the beneficial effects of deregulation and competition. Having already achieved the same deal with Luxembourg, will he now try to negotiate similar arrangements with other countries, such as France and Italy? May we look forward to further progress in that respect?

Mr. Spicer: I am grateful to my hon. Friend for mentioning the Luxembourg agreement, which we hope will be a model for future agreements with other countries. We are especially pleased with the arrangements whereby the airlines can set their own tariffs, subject only to the very rare cases in which both Governments disagree with them. In the case of Luxembourg, the lowest return fare has already fallen from £98 to £73.

Mrs. Dunwoody: If the Minister is really such a great believer in free enterprise, why has British Airways been offered a subsidy of £7 million to run a doubly expensive air service to the Falkland Islands? I should have thought that if the Royal Air Force could run services more cheaply than British Airways——

Mr. Speaker: Order. That is a little wide of the question—unless the Dutch aircraft go there, too.

Bus Services

12. **Mr. Roy Hughes** asked the Secretary of State for Transport what representations he has received from Newport borough council and Gwent county council on the deregulation of bus services.

Mr. David Mitchell: We have received representations from Gwent county council and Newport borough council opposing various aspects of the proposals in the White Paper.

Mr. Hughes: Is the Minister aware that the inadequate protection of pension benefits is a serious bone of contention? Does he agree that the Bill fails to provide the "no-worsening of protection" which employees and pensioners of local authority undertakings and the National Bus Company are entitled to expect?

Mr. Mitchell: I have already answered two similar questions. I appreciate the hon. Gentleman's difficulty, but I can give him the assurance that we have fully in mind the pension needs to which he refers.

Bedford Midland to Leicester (Electrification)

14. **Mr. Peter Bruinvels** asked the Secretary of State for Transport if he has received any proposals from British Rail for the electrification of the route from Bedford Midland to Leicester or for works to facilitate such electrification; and if he will make a statement.

Mr. David Mitchell: We have received no such proposals from British Rail.

Mr. Bruinvels: Nevertheless, is my hon. Friend aware that a conference was held on 15 March at Leicestershire county hall to consider the future of electrification? Bearing in mind that there is already electrification as far as Bedford, will my hon. Friend talk to British Rail about the matter? The minutes of the conference show support for further electrification. The line is already electrified between London and Bedford, and there has been a doubling of the service.

Mr. Mitchell: British Rail is involved in the electrification of the east coast main line, the Cambridgeshire service, the Tonbridge-Hastings service and the East Anglia service. I understand that BR is considering a proposal for the electrification of the Bedford-Kettering section, with a possible link with Corby, but I have not yet received a formal proposal on the matter.

Mr. Snape: Will not the Minister accept that it was only pressure from Sheffield city council, Members of Parliament and others that persuaded BR to run high-speed trains in the first place? British Rail opposed the proposal for a considerable time. Many hon. Members on both sides of the House believe that the Midland main line is treated as the poor relation among BR's main line services and that if it is left to the BR management to make such proposals the citizens of Sheffield and other stations on the line will wait for a long time for an electrified service.

Mr. Mitchell: The hon. Gentleman says that the Midland line is a poor relation, but in view of the substantial investment, the introduction of modern rolling

stock and HSTs and all the other ways in which BR has improved the service, I believe that many other parts of the country would be glad to be treated in a similar way.

ATTORNEY-GENERAL

Coal Industry Dispute

20. **Mr. Peter Bruinvels** asked the Attorney-General if he will update the figures given to the hon. Member for Leicester, East on 18 March, *Official Report*, column 629, regarding cases heard by the courts and cases outstanding in connection with the recent coal mining dispute to the latest available date.

The Attorney-General (Sir Michael Havers): My reply to my hon. Friend the Member for Leicester, East (Mr. Bruinvels) on 18 March was based upon statistics compiled by the national reporting centre, which has now closed down. I am therefore unable to say exactly how many cases outstanding at the conclusion of the dispute have yet to be heard. The available figures, although not covering all courts, show that a very substantial number of cases have been dealt with, and I would like to congratulate the magistrates and the court officials on the magnificent way in which they have dealt with this extra burden.

Mr. Bruinvels: I thank my right hon. and learned Friend for that answer and join him in congratulating the magistrates who have handled that shocking catalogue of outstanding cases. May I ask my right hon. and learned Friend to find out how many cases are still awaiting charge and trial? Victimisation is now occurring again at pits between working miners who never went on strike and miners who returned to work, and there is a need for a deterrent in future.

The Attorney-General: Where cases of harassment have occurred since the end of the strike, police inquiries are under way. In the case of Mrs. Watson, the Director of Public Prosecutions has advised that certain charges be preferred. If there is any continuing harassment, I do not want those who perpetrate it to feel that they will escape justice.

Mr. Nicholas Brown: The latest available figures—those made available before the closure of the national reporting centre — show that out of 9,808 persons arrested only 7,917 have been charged to date, and that of those 1,335 have so far been acquitted. At least 1,000 cases remain to be heard. The overwhelming majority of the cases involve trivial charges against previously law-abiding persons. That being so, I urge the Attorney-General to think again about the answer that he gave me on the last occasion when the matter was raised at Question Time, and to make a general statement, which could provide guidance for those pursuing such prosecutions, at considerable expense to the taxpayer, and to the detriment of respect for the law in mining constituencies. Will the right hon. and learned Gentleman issue a general statement telling those people to ease off?

The Attorney-General: The grant of an amnesty is not within my powers, as in most cases the chief constable is responsible. Even if it were within my powers, it would be highly inappropriate, and not conducive to the preservation of the peace during industrial disputes, for me to give such guidance. It would also be unfair to those already convicted. There must be a number of borderline cases. One saw that recently in Nottingham, when a number of cases were dropped.

Mr. Speaker: Mr. Geoffrey Dickens.

Mr. Dickens: Might I ask my right hon. and learned Friend—did you say "Jester", Mr. Speaker.

Mr. Speaker: No, Mr. Geoffrey Dickens.

Mr. Dickens: I should like to ask my right hon. and learned Friend, without jesting, whether he agrees that incidents during the miners' strike rather tarnished the good name of the country? That being so, is it not important that justice is seen to be done and to be dispatched quickly? Was that not the very reason why our Prime Minister thought it necessary to assure our friends in the middle east that we had come to grips with this problem?

The Attorney-General: I also misheard you, Mr. Speaker, when you called my hon. Friend. I shall not discuss anything that my right hon. Friend the Prime Minister has said abroad. There is no doubt that what happened during the picketing and the harassment during the strike did nothing for the good name of Britain. However, many people have been prosecuted — the conviction rate overall is about 75 per cent.

Several Hon. Members *rose*——

Mr. Speaker: Order. May I simply say to the hon. Member that if I did say that, it was a term of endearment.

Administration of Justice

22. **Mr. Spearing** asked the Attorney-General if he is satisfied with the speed of the administration of justice in relation to civil cases; and if he will make a statement.

The Attorney-General: Although I am satisfied that cases are heard as quickly as possible given the resources at present available and the existing procedural rules, the Lord Chancellor, with the full co-operation of the judges, is always seeking ways in which to improve procedure and administration and has recently set up the major inquiry known as the civil justice review. The speed with which a case comes to trial depends to a very substantial extent on the efforts made by the parties.

Mr. Spearing: I thank the Attorney-General for that answer and information. Is he aware that the legal procedures relating to the original collapse of Ronan Point in 1968 are still moving through the courts and have some way to run? Might the review that he has mentioned be of assistance in this matter, and does its ambit extend to the Official Referee, with whom I understand the case now stands?

The Attorney-General: I am grateful to the hon. Gentleman for telling me what he would follow his original question with, as I have been able to do a careful inquiry to give the detailed reply which I think he should have. In this case, as in all civil proceedings, the responsibility for carrying the action forward rests with the parties. Although the writ was issued in 1970, the case was not ready for trial for many years and, as late as November 1978, the defendants obtained leave to amend their defence. The trial took place on 25 February 1980—10 years after the writ. The judgment was appealed against,

unsuccessfully, on 9 July 1981. The question of quantum was referred to an official referee. A preliminary issue raised by the defendant was dealt with by the official referee, but, here again, the decision was appealed against. Bundles of documents for the appeal were not approved until March this year. It is plain that the complexity and importance of the issues and the amount of documentation have made preparation a lengthy task. One explanation might be that an affidavit lodged by the defendants refers to the disclosure of more than 100,000 documents.

All of those matters are within the control of the parties, but procedure generally will be part of the civil justice review, and I hope that such matters will be looked into. There is a remedy for the plaintiff. No plaintiff needed to let this take 10 years to get to trial. He has certain remedies which could force the case on much earlier.

Mr. Viggers: Following the original question, might I put it to my right hon. and learned Friend that there is a delay of about two years in settling a date for trial for commercial cases in the commercial court? Bearing in mind the significance to our international trade of the availability of British justice, will my right hon. and learned Friend consider devoting more resources to this area of activity so that the trial process can be speeded up?

The Attorney-General: In a sense, the problem is rather ironic as it is a testament to the court's popularity that many contracts, parties to which—*[Interruption.]*It will be seen that that is right. Many entirely overseas contracts, neither party to which has any connection with Britain, have written into them a provision that any dispute is to be settled in accordance with English law. That is a great tribute to our commercial court, but it has led to an enormous increase in the court's work. The Lord Chancellor is well aware of this, and he and the commercial court committee are considering the question of delay with a view to reducing it.

Uninsured Defendants

23. **Mr. Nicholas Brown** asked the Attorney-General why it is intended by the proposed amendments to the Supreme Court rules submitted to the Supreme Court rule committee by the Lord Chancellor's Department to exclude from the operation of section 6 of the Administration of Justice Act 1982 plaintiffs taking action against uninsured defendants other than public authorities.

The Attorney-General: This restriction follows the recommendation in paragraph 240 of the report of the Law Commission, No. 56, which led to the enactment of section 6. A similar restriction applies in Scotland. The matter is now one for the Supreme Court rule committee, which is now considering it.

Mr. Brown: Surely the issue is that some defendants may be able to pay compensation even though they are not insured. There does not seem to be any good reason for securing the position of such people, because if it is secured they are better off than they would have been had they followed the law and got themselves insured.

The Attorney-General: The rule committee is looking at that and all the other attendant problems which follow —for example, who is to be exempted, should it be just those recommended by the Law Commission, or should we widen the scope? The probable thinking behind the Law Commission's recommendation is that there must be some finality, particularly for the uninsured defendant who has the possibility of an enormous claim hanging over him for perhaps the rest of his life. That is one of the matters which obviously caused the Law Commission to make that recommendation.

OVERSEAS DEVELOPMENT

Food Aid

24. **Mr. Parry** asked the Secretary of State for Foreign and Commonwealth Affairs if he is satisfied with the amount of food and aid currently being distributed in Eritrea and Tigre; and if he will make a statement.

The Minister for Overseas Development (Mr. Timothy Raison): Although food and other relief supplies are arriving in Ethiopia in large quantities, I believe that there is a serious shortfall in Eritrea and Tigre. The United Nations co-ordinator is discussing this with the Ethiopian authorities. At the United Nations conference in Geneva last month the Ethiopian Foreign Minister gave a solemn pledge that relief supplies would be distributed to all those in need, without diversion, delay or discrimination. Together with other donors, we are working to ensure that that pledge is honoured.

Mr. Parry: I thank the Minister for that reply, and I am glad to hear that the Government intend to maintain pressure on the Ethiopian Government. Is the Royal Air Force still dropping supplies in Eritrea and Tigre?

Mr. Raison: The RAF is still carrying out its food aid operation, and we shall carefully consider its continuation.

Mr. Prentice: May I ask about the impact of this programme on the rest of the aid programme? While we appreciate that my right hon. Friend has a contingency fund for emergencies, does not the size and scale of this year's disaster in east Africa and the length of time it is likely to last make a case for an upward revision of the entire programme? Is my right hon. Friend aware that there will be much support from some Conservative Members if that could be arranged?

Mr. Raison: I understand my right hon. Friend's point, but I have already announced at the Geneva conference a provisional figure for the quantity of emergency relief which we expect to provide as a minimum, and we can contain that figure within our aid budget.

Mr. Alton: Does not the present crisis and what the right hon. Gentleman said about the United Nations demonstrate the need for an overall strategic policy for the distribution of food? Does the right hon. Gentleman agree that there is now a need to turn loans into grants in respect of the 30 poorest countries, and does he further agree that there is a need to diversify in the nine African countries which rely on just one crop for 70 per cent. of their income?

Mr. Raison: The hon. Gentleman has asked a diversity of questions. This country and quite a number of other major donors already turn loans into grants, and quite right too. As to overall strategy, we are thinking very carefully about the totality of our policy in Africa, where many of the greatest problems clearly lie.

Ethiopia

25. **Mr. Jessel** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the famine in Ethiopia.

30. **Mr. Chapman** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the famine in Ethiopia and future United Kingdom Government plans for aid and assistance.

Mr. Raison: Several million Ethiopians remain at risk. Relief supplies are reaching many of those in need but distribution and other problems persist. Pledges of food aid to Ethiopia for 1985 total more than 1 million tonnes. We shall continue to provide emergency and food relief, both directly and through the European Community.

Mr. Jessel: What part in total has Britain played in bringing about any improvement, how great is the remaining need, and what more can we do?

Mr. Raison: In recent months we have made a significant contribution to Ethiopia amounting to some £34 million. We have provided food aid, the RAF Hercules detachments, trucks, other transport and other supplies. We have also met our share of the substantial European Community contribution. The needs remain considerable, and we intend to play our part for the remainder of this year.

Mr. Chapman: Is it not obvious that the problem in Ethiopia is not one of insufficient food—because there are ample supplies, at least until the end of this year—but of distribution? In commending both public and private contributions from the United Kingdom to that unfortunate country, is it not a matter for condemnation of the Ethiopian authorities that they cannot distribute the food? In many cases they have inhibited other countries which have offered to distribute that food to the people who need it.

Mr. Raison: My hon. Friend is broadly right. The overall quantities pledged to Ethiopia look as though they should be enough for this year, but there are serious problems about internal distribution. In our view the Ethiopian Government need to fulfil their promise of nearly 4,000 vehicles for relief and rescue operations on food movements. We also believe that too great a share of their resources are at present going on resettlement.

Mr. Deakins: Is the Minister aware that there are many lessons to be learnt from the handling of the famine in Ethiopia? Will he assure the House that those lessons will be appreciated by all the aid donors, the multinational organisations and volunteer agencies, in order to be ready for the next famine in another African country?

Mr. Raison: I assure the hon. Gentleman that we have thought hard about what has been happening in Ethiopia and Sudan. Tragic though the experience is, I am sure that we shall learn from it.

Mr. Stuart Holland: The Minister will be aware that the problem in Ethiopia also relates to refugees in Sudan, whom the House debated earlier. The problem relates to debt. Recently we have seen a fall of the Government in Sudan largely because of the debt crisis. What advice has the Minister given the Chancellor of the Exchequer, who will attend a joint meeting of the International Monetary Fund and the World Bank about this issue later this month, to ensure that meeting Africa's needs is a priority issue and that there is a debt write-off or, at least, a grant funding of some of the debts so that those countries can tackle the appalling drought problem?

Mr. Raison: The debt problem in Sudan is a different matter from the famine in Ethiopia, to which the question relates. My right hon. Friend the Chancellor of the Exchequer will be thinking hard about how to handle debts in the meetings which take place in Washington this month. No one doubts the importance of that, although, as I have already said, one of the positive features of our aid programme in Africa is that for poor countries aid takes the form of a grant and, therefore, does not generate debts.

European Development Fund (Contracts)

27. **Mr. Baldry** asked the Secretary of State for Foreign and Commonwealth Affairs what is the share of contracts from the European development fund won by British companies.

Mr. Raison: Twenty-five per cent. of EDF contracts are placed in African, Caribbean and Pacific countries. Of those placed in Europe, our cumulative share at the end of 1984 was 19·2 per cent. For the first time that exceeded our contribution of 17·76 per cent.

Mr. Baldry: I thank my right hon. Friend for what is essentially good news. How do the 1984 figures compare with those of previous years? Does he agree that Third world countries depend for their growth as much on vibrant trade with nations such as Britain as on development aid?

Mr. Raison: The 1984 figure of 19·2 per cent. was nearly 2 per cent. more than the 1983 figure. As my hon. Friend said, that is an encouraging tendency. He is absolutely right to stress the importance of trade.

Mr. Madden: Does the Minister not regard it as a great tragedy that in places such as Bradford there are large numbers of skilled engineers who could be put to work manufacturing tractors, irrigation and agricultural equipment, trucks and other items which would help to combat the food crisis in Ethiopia and elsewhere? What are the Government doing to invest in manufacturing projects in the United Kingdom, which would put British engineers back to work and help to alleviate starvation in the world?

Mr. Raison: Almost 80 per cent. of the money that we spend through our bilateral aid programme finds its way back to Britain in the form of either goods or services. It is also a fact that the European development fund, the World Bank and other multilateral organisations offer many opportunities, which are often taken up, for British manufacturers to make goods to be sent to the Third world.

Leeward Islands Air Transport

28. **Mr. Rhodes James** asked the Secretary of State for Foreign and Commonwealth Affairs whether Leeward Islands Air Transport has yet reached an agreement with British Aerospace for the purchase of Super 748s with an aid grant from Her Majesty's Government.

Mr. Raison: Leeward Islands Air Transport has entered into a contract with British Aerospace, subject to finalisation of ECGD support and the conclusion of a formal agreement between LIAT and Her Majesty's

Government on the terms of the proposed aid grant for two Super 748s. LIAT has already accepted the broad terms of the Government's offer.

Mr. Rhodes James: While thanking my right hon. Friend for that useful and welcome reply, may I ask him, first, what is the sum of money involved and, secondly, whether there are any other sources of finance for this welcome order?

Mr. Raison: We have offered an aid grant from our aid-trade provision up to a maximum of £3·83 million. I understand that the Caribbean Development Bank is providing resources for two other 748 aircraft.

African Governments (Debt Burden)

29. **Mr. Stuart Holland** asked the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with African Governments concerning the impact of their debt burden on the effectiveness of aid programmes.

Mr. Raison: My discussions wih African Governments about aid policy from time to time take into account, as appropriate, their debt burdens. Debt problems normally feature within the analysis of aid needs and economic policies considered at each World Bank-led consultative group.

Mr. Holland: The Minister will be aware that at least £42 billion worth of debt affects African countries as a whole. Since we have this useful chance to further the issue, would he now care to say whether and on what scale in the IMF and World Bank meetings there will be pressure from the Chancellor to write off a proportion of that debt, without which there will be no way in which countries such as Ethiopia or Sudan can overcome their debt problem?

Mr. Raison: I do not believe, and nor does my right hon. Friend the Chancellor of the Exchequer, that the wholesale writing-off of debts is the right answer. However, we have made it clear that, to help countries with balance of payments difficulties, we are willing to consider providing programme aid if they can come to an agreement with the IMF.

Prime Minister's Questions (Printing)

3.30 pm

Mr. Speaker: I have a short statement to make about the printing of Prime Minister's Questions. The House will wish to know that I have approved the recommendation in the first report from the Select Committee on Procedure regarding a shortened form of printing Oral Questions tabled for answer by the Prime Minister. I have also approved a resolution of the Services Committee which endorses the scheme that has been proposed. Arrangements are being made for the new format to apply to all notices of Questions given from tomorrow onwards. This means that the first Order Paper in the new form will appear on Tuesday 30 April. I am obliged to both Committees for their advice.

Gas (Northern Ireland)

3.31 pm

Mr. Peter Archer (Warley, West): I beg to ask leave to move the Adjournment of the House under Standing Order No. 10 for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the rejection by the Government of the proposals of the gas industry joint working group and the consequences of that for the future of the gas industry in Northern Ireland."

The matter is specific. Last autumn, the Government announced that the project for the purchase of natural gas from the Kinsale field was not to proceed. The then Minister of State added that the Government were not prepared to continue to provide a subsidy for the industry and that since, as he said, the Kinsale project had appeared to offer the only prospect for a viable gas industry, they would have to take stock of the position. He meant that they were preparing legislation to wind up the industry, but he invited representations from the interests involved.

At once, the Northern Ireland Gas Employers Board and the gas trade union group established a joint working group, which produced a plan to rescue the industry. That plan was examined by two independent firms of consultants, which confirmed, first, that it would offer gas to the people of Belfast at a price 25 per cent. below the current price and, secondly, that no subsidy was involved, since over eight years it would be self-financing, with a positive overall profit of £261 million.

That plan was submitted to the Government. On Good Friday, the Minister of State gave his Easter offering to the people of Northern Ireland. He announced that he had rejected the plan and he confirmed that that would mean the end of the gas industry in Northern Ireland.

There is no doubt about the importance of the matter. The closure of the gas industry will cost more than 1,000 jobs in the industry itself, in addition to those which will be placed at risk in industries that depend on gas. The effect on consumers may be demonstrated briefly by the fact that the cost of electricity in Northern Ireland is, admittedly and unashamedly, held by the Government at the price level in the highest-priced region of Great Britain.

In considering whether the matter should have urgent consideration, Mr. Speaker, you may wish to have in mind the timing of the announcement. On Thursday 4 April, the House rose for the recess. On that day, Ministers were answering Northern Ireland questions and hon. Members from Northern Ireland were in the Chamber. If it was not considered appropriate to give the information in answer to a question, there would have been no difficulty in making a statement. No mention was made of the matter. The announcement was made the next day, after the House had risen. It would be difficult to recollect a more calculated or deliberate slap in the face for this House.

I believe that it is not yet too late to save the industry. Clearly, the Government intend those in that and other industries to make any future decisions on the basis that gas as a form of energy will no longer be an option. With every day that passes, the prospect of saving the industry recedes.

I invite you, Mr. Speaker, to permit the House an opportunity to make its voice known before the knife is finally driven home.

Mr. Speaker: The right hon. and learned Gentleman asks leave to move the Adjournment of the House to discuss a specific and important matter which he believes should have urgent consideration, namely,

"the rejection by the Government of the proposals of the gas industry joint working group and the consequences of that for the future of the gas industry in Northern Ireland."

I listened with great care to what the right hon. and learned Gentleman said. As he knows, my sole duty in considering an application under Standing Order No. 10 is to decide whether it should have priority over the business already set down for this evening or for tomorrow.

I regret that I cannot find that the matter that the right hon. and learned Gentleman has raised meets all the criteria laid down in the Standing Order. Therefore, I cannot submit his application to the House.

STATUTORY INSTRUMENTS, &c.

Mr. Speaker: By leave of the House, I shall put together the Questions on the three motions relating to statutory instruments.

Ordered,

That the Town and Country Planning (Compensation for Restrictions on Mineral Working) Regulations 1985 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Specialized Agencies of the United Nations (Immunities and Privileges) (Amendment) (No. 2) Order 1985 be referred to a Standing Committee on Statutory Instruments, &c.

That the draft Eumetsat (Legal Capacities) Order 1985 be referred to a Standing Committee on Statutory Instruments, &c. —*[Mr. Lennox-Boyd.]*

Orders of the Day

Surrogacy Arrangements Bill

Order for Second Reading read.

3.37 pm

The Secretary of State for Social Services (Mr. Norman Fowler): I beg to move, That the Bill be now read a Second time.

The first point that I should make about the Bill is that, although I believe that its aims are important and have been widely welcomed on both sides of the House, it is a measure that is strictly limited in its extent. Basically, it seeks to prohibit the operation in this country of commercial surrogacy agencies and the advertising of surrogacy services.

What it does not do is attempt to deal with all the issues raised in the Warnock report which I published last year. As the House knows, those issues range from the legal status of surrogate children to the proposals concerning a statutory licensing authority to oversee research. Many of the issues are complex, and there is deep division about some of the issues, which has been expressed in many of the responses that we have received to the Warnock report.

The Government accept that the proper way to handle these issues is by a comprehensive piece of legislation. Work on that is now taking place, with the intention of introducing such comprehensive legislation as soon as practicable and as soon as the parliamentary timetable permits.

On commercial surrogacy, the question that the Government had to consider was whether it would be better to leave that issue also to the main Bill or whether action could be taken ahead of it. We decided that legislation could and should be introduced. The main reason for that was the considerable concern following the Baby Cotton case in January. The House will recall that Mrs. Cotton received payment from a commercial agency acting on behalf of the commissioning couple. The baby was subsequently made a ward of court and, indeed, remains so. However, Mr. Justice Latey gave care and control of the child to the commissioning parents with permission to take the child out of the jurisdiction of the court.

The case illustrated the kind of difficulties and dangers that the Warnock committee had already drawn to the attention of the public. The Warnock committee was in no doubt about commercial surrogacy, and stated:

"We have considered whether the criminal law should have any part to play in the control of surrogacy and have concluded that it should. We recognise that there is a serious risk of commercial exploitation of surrogacy and that this would be difficult to prevent without the assistance of the criminal law."

Similar views have been expressed by many other bodies.

In the consultation which followed the publication of the Warnock report, the overwhelming response was to the effect that commercial arrangements should be prohibited. Over 90 per cent. of all comments received opposed surrogacy undertaken on a commercial basis. That included the churches, women's organisations and professional bodies such as the Royal College of Obstetricians and Gynaecologists, the Royal College of General Practitioners and the Royal College of Nursing.

The arguments against commercial surrogacy are overwhelming. When it comes to adoption, we do not allow commercial arrangements, for the good reason that the paramount concern must be the interests of the child. The same argument applies here. However sympathetic we may be to the commissioning parents, the interests of the child must come first.

Many would argue against all surrogacy arrangements, but it is clear that the presence of commercial agencies risks the exploitation of women by agencies with a financial incentive. Frankly, I believe that it is simply unacceptable to sell children, whether before or after birth.

Mr. Harry Greenway (Ealing, North): Is my right hon. Friend aware that the individual woman appears not to be covered by the Bill, because she would not, as an individual acting privately, be an agency? Could she not exploit herself by offering herself for gain as a surrogate mother? Does he agree that that would be wrong and that a provision to cover that possibility should be included in the Bill?

Mr. Fowler: The House will have to make a judgment on that. Our judgment is that it would be wrong to involve the woman in that way, first because of the possibility of the taint of criminality on the child and, secondly, because it is just as likely that the woman would herself be exploited. That is why we have not extended the concept of criminality to the mother. However, it is a point that the House can consider.

The case for acting now is overwhelming. If the Government were to wait to make regulations under a comprehensive Warnock Bill, the result would be a delay in which more births would be likely to take place into what everyone agrees is a lebal limbo. That could lead to one of the tragic cases which have occurred in the United States, for example, of a handicapped baby born and disowned by both his mother and the commissioning parents. A Bill now can do something to prevent such problems from arising.

The legislation therefore has the limited but vital objective of prohibiting the further development of commercial surrogacy in Britain. It will also ban the advertising of surrogacy services by agencies, surrogate mothers or commissioning parents.

Clause 1 defines a number of terms for the purposes of the Bill, in particular "surrogate mother" and "surrogacy arrangement". Clause 2 provides for the prohibition of commercial surrogacy agencies, and subsection (1) lists the activities in relation to surrogacy which the Bill prohibits if done on a commercial basis. These involve initiating, or taking part in, negotiations with a view to making a surrogacy arrangement or compiling information with such a view. An important provision of clause 2 is subsection (2), which excludes surrogate mothers — to whom my hon. Friend the Member for Ealing, North (Mr. Greenway) just referred — and commissioning parents from an offence under subsection (1).

Our prime aim in this measure is to outlaw commercial agencies. It is not part of the purpose of the Bill to penalise the infertile couple who may be driven by their plight into making a surrogacy arrangement. Nor do we want to penalise the surrogate mother, who may genuinely consider that she is helping another woman who is unable to carry a child by making parenthood possible for her. We must guard against the possibility that such women might be exploited by commercial agencies. We have therefore concluded that it would be best not to penalise the surrogate mother.

Mr. John Butterfill (Bournemouth, West): Has my right hon. Friend considered that charities might be established for the express purpose of operating a surrogacy agency, which would not be covered by the Bill? Such organisations might even be funded by the GLC, for example.

Mr. Fowler: I shall leave aside the last part of my hon. Friend's intervention, as I do not particularly want to enter into that issue. The House has a choice, because we could leave the provisions that are set out in the Bill until a more major Bill is introduced that encompasses the recommendations of the Warnock committee. I think that it is right to take limited action now, as a matter of urgency. We have tried to frame a Bill that will find agreement on both sides of the House and I think that we have achieved that.

Mr. Peter Bruinvels (Leicester, East): Does my right hon. Friend agree that there is concern about any kind of surrogacy, irrespective of whether money is passed? I have read the Bill carefully and I cannot find any provisions in it that cover non-commercial surrogacy. A woman might lend out her body, as it were, for a friend. Are there any plans to introduce provisions that will cover that circumstance?

Mr. Fowler: Many of the individuals and representatives of organisations which have given evidence to us believe that surrogacy generally should be prohibited. There are many issues, including the practical steps that can be taken to prevent it happening. That is part of the consideration that we are giving to the report of the Warnock committee.

Sir Bernard Braine (Castle Point): Am I not right in saying that the Warnock committee recommended making all surrogacy arrangements illegal? The House would be more persuaded by my right hon. Friend if he could say when his comprehensive Bill is likely to come before us. It cannot be introduced until the next Session at the very earliest, which means that it cannot become law until the summer of 1986 at the very earliest. The present arrangements will continue until then unless my right hon. Friend is seized of the fact that many hon. Members and the country generally are deeply concerned about the distasteful practice of surrogacy.

Mr. Fowler: I hope that my right hon. Friend is seized of the fact that the Government are concerned about these matters and, as an exceptional measure, have introduced the Bill. It would be wrong for my right hon. Friend and me to fall out over this issue, as we both want to achieve the same result. The more major Bill that is to be introduced will be designed to implement many of the recommendations of the Warnock committee. I say to my right hon Friend, in the spirit of friendship, that it would be wrong to attack the Bill on the ground that it does not go far enough. As I said in my first sentence in introducing the Bill, it is a limited measure that has been introduced to deal with a specific abuse. The Government hope that it will receive the consent of both sides of the House.

Mrs. Anna McCurley (Renfrew West and Inverclyde): Is my right hon. Friend suggesting that there are boundaries to the law within personal arrangements in society and that to go beyond certain boundaries could be construed as officious?

Mr. Fowler: I am suggesting that in the area covered by the Bill there is almost total unanimity. That is the impression that I was given by the evidence that I heard. The views on commercial surrogacy which have been expressed by the Warnock committee and by virtually all the organisations which have given evidence to us accord with the provisions set out in the Bill. We are trying to take action urgently following the Baby Cotton case. I do not think that any of us wants to see a repetition of that sort of case. That is why the Government are acting urgently. We are not pre-empting any further action that might be taken. I am entirely seized of the point expressed by my hon. Friend the Member for Castle Point (Sir B. Braine), about the need for an urgent response.

I shall continue with my exposition of the Bill. The provisions in clause 2 to which I have not yet referred deal with offences. If a body of persons receives payment for a surrogacy arrangement or a person knowingly takes part in the management and control of a body which acts commercially in these matters, they or he will have committed an offence.

Clause 3 deals with advertising. It makes it an offence to advertise surrogacy services where the advertisement is made by an agency, by commissioning parents or by a surrogate mother. This provision is cast more widely than clause 2 and so applies to the commissioning parent and the surrogate mother. This is because advertising may well be a first step towards commercial activities of the kind that the Bill is designed to prohibit. We have framed this provision to catch all the main forms of advertising, whether in newspapers or periodicals published here or on radio or television intended to be received here.

Clause 4 deals with penalties and provides that an offence relating to agency activities carried out on a comercial basis—an offence under clause 2—carries a penalty of three months imprisonment or a fine not exceeding £2,000, or both. Offences under clause 3, relating to advertising, carry a penalty of a fine only not exceeding £2,000. Clause 4(2) provides that prosecutions need the consent, as appropriate, of the Director of Public Prosecutions in England and Wales or the Director of Public Prosecutions for Northern Ireland for cases in Northern Ireland.

Clause 5 provides that the Bill shall extend to the whole of the United Kingdom. As there is no specific commencement provision, the legislation will come into force after receiving the Royal Assent.

We believe that the publicity that there has already been about our intentions in this measure will have been sufficient to forewarn many people who are already involved in the activities that the Bill will prohibit or any who might have been contemplating setting up commercial surrogacy agencies. I have been encouraged by reports that the major commercial surrogacy agency operating in Britain has already decided to stop functioning in the expectation of the enactment of the Bill.

We know that there are several surrogate pregnancies already arranged by commercial agencies which clearly cannot be affected by the Bill. To take account of these and other surrogate births, we recognise that there may be a need for guidance for local authorities on the action that they should consider if they become aware of a surrogate birth.

When I made my initial statement, my hon. Friend the Member for Renfrew, West and Inverclyde (Mrs. McCurley) asked what could be done for those who are

[Mr. Fowler]

involved in a similar tangle to that of Baby Cotton's parents. A similar point has also been put by Mr. Justice Latey who dealt so expeditiously and sensitively with the case of Baby Cotton. The judgment in that case made it clear that the High Court has powers to protect the interests of children born as a result of surrogacy arrangements and that it will use the powers where necessary. In addition, local authorities have powers and duties to protect children who may be at risk.

My Department will therefore shortly issue a circular of guidance to local authorities. The guidance will set out the general principles on which local authorities should operate—not just in cases that this Bill seeks to prevent but in other cases where there is no commercial element. An authority that knows that a baby has been or is about to be born in its area as a result of a surrogacy arrangement will wish to make inquiries to satisfy itself that the baby is not or will not be at risk. Obviously, the circumstances can vary widely in individual cases. An authority's overriding concern in deciding what, if any, action is needed will be the child's welfare. In that sense, surrogacy does not differ from any other situation in which a local authority becomes aware that there is a possibility that a child needs protection.

The guidance will deal with the legal issues involved and the steps that a local authority should take where it believes that the child may be at risk. It will draw the attention of authorities to the court judgment in the Baby Cotton case. The judgment commended the advantages in similar unusual and complex cases of making a child a ward of court. We shall be sending this advice to authorities as soon as possible.

We hope that, because of this Bill, surrogacy cases where a local authority has to intervene—as it did in the case of Baby Cotton—will in future be rare, but there are difficult matters, and I hope that authorities will find it helpful to have that advice available.

Mr. Frank Field (Birkenhead): So that we can be clear about the nature of the measure, is the Secretary of State saying that he will not return to the House later with a measure to forbid surrogacy arrangements in which there are no financial gains for the parties involved?

Mr. Fowler: That matter is part of the consideration that the Government are giving to the wider issues raised in the Warnock report. As I have already made clear, the Government intend to bring forward a major Bill, which this does not pretend to be, to deal with all those issues. I believe that that would be in the interests of the public and is what the House would require to be done.

Mr. Michael Meacher (Oldham, West): When can we expect such a Bill?

Mr. Fowler: The Bill and its preparation are extremely complex and subject to the demands of the parliamentary timetable. No decision on that has been made. I cannot guarantee when it will take place, but I should like to see such legislation brought forward as soon as possible. I cannot give a guarantee, because there has not yet been full consideration of the legislation.

The purpose of the Bill is to tackle the issue of commercial agencies and the advertising of surrogacy services. The Bill does not tackle all the major issues raised in the Warnock report. The Government recognise that a major Bill will be necessary to achieve that. I emphasise that point. Nevertheless, action on commercial surrogacy is important and urgent. It has been supported by a range of outside bodies. It will go a long way towards preventing abuse and, above all, to placing the interests of the child first. It is upon that basis that I ask for the support of the House.

3.55 pm

Mr. Michael Meacher (Oldham, West): As the Secretary of State has been at pains to point out, this is a limited Bill targeted exclusively at outlawing the commercial dimension of surrogacy about which, as he said, there seems to be widespread abhorrence. Let me say immediately, speaking as an individual on a moral issue which will be the subject of a free vote, that I accept and support the principle underlying the Bill.

I believe that the measure is, however, unfortunately motivated by some over-reaction to the Baby Cotton case. It is a pity that for that reason the commercial aspect of surrogacy is being divorced—if that is the word—from a wider consideration of the general framework within which surrogacy should be handled.

The case for criminalising commercial agencies that procure surrogate motherhood is clear. It is based upon the genuine risk of the exploitation of desperate couples and the risk that poor women would be induced into pregnancy, at least in some cases, for the money. To put it another way, the commercial inducement to offer one's womb for rent exposes low-income women to exploitation as rich peoples' baby farms. Not only is that utterly unacceptable in itself: it raises the likelihood that the natural mother may, in due course, argue that she was pressurised into parting with the baby.

I should be the first to agree that such distressing "tug-of-love" conflicts already occur in some adoptions and cannot be excluded in cases of non-commercial surrogacy. I am sure that the House will agree, however, that the cash pressure makes that far more likely in commercial cases.

There is another fundamental reason why I believe that commercial surrogate motherhood should be made illegal. It is that matters can easily go badly wrong. The commissioning father may come to believe that the child is not his—at least he cannot disprove that the surrogate mother was already pregnant at the time of impregnation; or the surrogate mother may refuse to hand over the baby after birth, as happened, as the Secretary of State mentioned, in the celebrated case in Pasadena, California, in 1981; or the baby may be severely handicapped at birth, with neither party willing to take it; or the surrogate mother may become ill during pregnancy and take certain drugs which damage the foetus.

For all these reasons, where the situation is exacerbated by impersonal surrogacy, undertaken for payment, it is wholly wrong to believe that commercial contracts, however carefully they may be drawn up by Miss Blankfield, who is the person we normally speak of in that regard, can be proof against highly damaging consequences not only for the parties to the contract but, more seriously, for the resulting child. For that reason, too, I should be glad if commercial surrogacy were ruled out.

Given my support for the Bill on those principles, I recognise that its drafting reflects some ingenious microsurgery on the part of the Department of Health and

Social Security in separating out the commercial considerations from the wider moral issues. It performs well the technical function of closing loopholes which some had thought would make a ban unworkable. The case of Kirsty Stevens which *The Observer*, in a celebrated article of 13 January 1985, thought would be untouched by any likely legislation, will, if I am right, be prevented in future by the ban on advertising, even by private individuals. At the same time, family arrangements will not be affected by the Bill, which I am sure is right, but it will be extremely difficult, if not impossible, for strangers to become known to each other, given the constraints of the Bill, as willing participants.

I have one technical criticism about the drafting of the Bill. The imposition of strict criminal liability on newspaper proprietors and editors who unwittingly publish advertisements—I quote clause 3(1)—

"containing an indication (however expressed)"

that surrogate arrangements may be sought or may be available seems to me to be unduly harsh and oppressive.

However, I confess to some unease about a legislative strategy which is geared to focusing upon a practice which may well be on the decline, anyway, while at the same time it defers, perhaps for longer than is now being suggested—I did not take too much heart from the reply of the Secretary of State to my question—the real issues which go to the heart of the matter.

It is perhaps significant that surrogate agencies in the United States recently have experienced a marked falling away in their trade. It was reported on 7 January 1985 in *The Daily Telegraph* that one non-profit-making group in the United States, which claimed at the end of 1982 that it had signed on 400 young women willing to serve as surrogate mothers, is no longer active. It was stated in the same report that in state legislatures right across the United States there is no longer any noticeable pressure to draw up laws to regulate this matter, partly because experience had shown how many things can go wrong, partly because there had been several disputes about paternity which wound up in the courts and partly because costs — amounting not just to £6,500, as in the Baby Cotton case, but to about £20,000, taking account of everything — were proving for many infertile couples to be a prohibitively expensive way to start a family. Britain is not, of course, the United States. However, all this suggests to me that over-reaction to the Baby Cotton case may have been a trifle premature and that there may be an element in the Bill of trying to bar the stable door after the horse has bolted.

Be that as it may—I am no more aware of the full statistics than are the Government—the real weakness of the Bill is that it still leaves unresolved the surrogacy issue. The questions asked by the Secretary of State's hon. Friends demonstrate that fact, and I agree with them. Even if surrogacy is not outlawed, it still leaves open the question whether professional involvement in surrogacy arrangements should be outlawed. If it were to be outlawed, parents would be left in a counselling and advice vacuum. The child could still be placed in a vulnerable position. I suspect that back-street networks would almost inevitably emerge. On the other hand, a doctor in private practice who offered to supply a surrogate and then took a consultation fee could be said to have acted in a way that was very little different from that of a commercial agency.

Having listened to the speech of the Secretary of State, it is disappointing that the Government have given no hint about their own views regarding the involvement of money in the surrogacy relationship. My view is that the involvement of money, other than for reimbursing the carrying mother for the necessary costs of nine months of pregnancy, is in principle undesirable and wrong. That view commands almost universal acceptance. However, the use of surrogacy where money is not involved as an option for the treatment of infertility should not, in my view, be wholly ruled out, although it should be considered only as a final resort.

Mr. John Ward (Poole): Will the hon. Gentleman give way?

Mr. Meacher: When I have finished this part of my speech.

For example, a woman with functioning ovaries but a damaged womb can achieve children who are genetically hers as well as those of her husband after laparoscopies for ovum recovery, in vitro fertilisation and then embryo transfer to a surrogate. Hon. Members may say that such examples are rare, and I am sure they are, but they seem to offer a significant warning against any law that is designed to suppress surrogate services altogether. I shall now give way.

Mr. Ward: I am grateful to the hon. Gentleman. I hope that in qualifying his approval of the Bill he is not assuming that all of us necessarily want legislation to be introduced for all forms of surrogacy. I believe that the hon. Member for Holborn and St. Pancras (Mr. Dobson) agrees with me. There are certain issues about which we should legislate only after long consideration and after having listened to all the relevant arguments. Because most of us are prepared to listen to those arguments it is important that this piece of holding legislation should be speedily put on to the statute book. That will give us time to listen to the other arguments to which the hon. Member for Oldham, West (Mr. Meacher) so rightly referred.

Mr. Meacher: I have already said that I am perfectly happy in principle to support the Bill, but the point I am trying to make is that it is not possible logically to disentangle some of these other wider issues. I am worried that this fairly modest measure may result in an unfortunately long period during which these other important issues are digested. That is why I should have preferred there to be one measure only.

I suspect that many people would choose a surrogate child who had a genetic relationship with them or with their partner rather than an adopted child with whom neither they nor their partner had a genetic relationship. Indeed, a minority on the Warnock committee recommended that a charitable body like an adoption society should be permitted to provide well-screened and suitable surrogates for infertile couples, that it should receive no money and that it should pass on only the minimum necessary payments for costs duly incurred by the surrogate.

Unless one adopts — some hon. Members might, judging by their questions — the prior attitude that surrogacy in principle is not to be condoned in any circumstances, even if, in the case of surrogacy for love, it cannot be wholly prevented, in the last analysis I believe that the Warnock minority view is reasonable, deserving

[Mr. Meacher]

further serious consideration. I am only sorry that on this matter, which is so close to the heart of the Bill, Ministers have been content simply to defer decisions without, in the meantime, giving any sign of their thinking. To say the least, it is regrettable that the Bill, without imposing an outright ban, conduces to amateurish or exploitative do-it-yourself arrangements in a procedure which, if it is to be used at all, should surely be attended by the advantage of full medical, legal and counselling services. But on that, regrettably, Ministers remain silent.

Mrs. McCurley: One thing worries me about the minority view in the Warnock report. Does the hon. Gentleman agree that, if we were to establish surrogacy, even through clinics in the National Health Service without any money being exchanged, we would still have the problems to which he referred, such as psychological and social problems? As a consequence, there would be additional bureaucracy and social workers, and all the other problems—I am not just getting at social workers, but I am saying that we are building up attendant problems which, frankly, this society can do without.

Mr. Meacher: The hon. Lady may not have been getting at social workers, but she made a good fist at it. I do not see the NHS particularly as a bureaucratic organisation or social workers as a hindrance, although no doubt their performance and services could always be improved. However, I personally take the view that what makes surrogacy so distasteful is the pressures that commercialism introduces. In the absence of them, I can see that in a few highly exceptional cases, perhaps as a last resort, and certainly not as a frequent procedure, there may be some correct provision for a surrogate motherhood.

The other yawning gap in the Bill that cries out for attention concerns the vexed issue of legitimacy, which has not been mentioned. Answering questions on his statement on 7 March, the Secretary of State referred to the status of the child—and I agree—as

"completely unsatisfactory at the moment."—[*Official Report*, 7 March 1985; Vol. 74, c. 1189.]

However, it does not seem unsatisfactory enough to prevent the Secretary of State passing by on the other side and postponing the issue indefinitely into the future. I hope that that the Bill will come forward soon, but I wonder.

This issue can and should be grasped sooner rather than later as virtually everyone accepts that, in vitro fertilisation and surrogate children need to have their legal status regularised and recognised. Some movement in the right direction was taken in the Law Commission report in 1982, which recommended that discrimination between legitimate and illegitimate children should be removed, and that children produced by means of artificial insemination by donor should be legitimate when born to a married couple. That is an advance, but it is unsatisfactory because it still leaves in limbo the child born to an unmarried woman or the child rejected by the husband.

Therefore, this might be a better solution. I offer it as a model for consideration. It lies in querying the whole concept of legitimacy in its traditional form and adopting the Warnock suggestion as to social parenthood, coupled with disallowing rights to donors. Parenthood, and parental rights, would then rest with the carrying mother, to be passed on, if appropriate, as at adoption. That woman would then register the child's birth on her own or with her partner, all parental rights and duties would be vested in those who registered in that way, and any handing over of parental rights subsequent to that could be arranged, as happens now in adoption. All inheritance and other legal rights would then accrue from those parents to the child in the normal way. That is only one model, but I believe that something along those lines is needed and would be a great improvement on the present highly unsatisfactory situation.

For all the reasons that I have given, I do not demur from the single issue underlying the Bill, but I am concerned that the Government have embarked on this brief measure without, as yet — I am sure that the Secretary of State will correct me if I am wrong — having thought through at all the implications of several other related issues which, logically, simply cannot be disentangled from the rationale of the Bill. Frankly, the history of short emergency Bills preceding a major and necessary piece of regularising legislation has never been happy in the House. We in the Opposition will do our best in Committee to make changes that improve the Bill. We believe that that needs to be done. However, I fear that in the peculiarly sensitive area of human infertility, the single-issue and disconnected Bill now being introduced may turn out to be no exception to that general rule.

4.15 pm

Sir Bernard Braine (Castle Point): In introducing the Bill my right hon. Friend the Secretary of State was at pains to say that it has only a limited object—to deal with commercial surrogacy only. The greater detail is to be left to a more comprehensive measure which, as I think I said in my intervention, is hardly likely to become law before the end of next year.

Speaking solely for myself, but probably for many others too, I would say that such a long delay in dealing with a subject that has caused considerable concern in the nation as a whole as well as in the House is not satisfactory and is leaving it for far too long. If the Government can carry the House with them and improve the Bill, well and good. I certainly go along with that. However, I do not approve of their approach. Either the practice of surrogacy is undesirable and antisocial, and carries considerable risks for the children concerned, or it does not—or does not in any substantial measure. If it is undesirable, I feel that it is not possible to accept the argument put before us so far.

The plain fact is that surrogacy is not outlawed in the Bill. I want to know why not. I should have liked to hear my right hon. Friend make the broad case against surrogacy. He did not do so. He left that in the air. He assumes that we understand it already. Perhaps that is correct in the House itself, but I should have thought that the country should be told why surrogacy as such is not being outlawed in this Bill, but will be in some subsequent Bill. Yet money may change hands between surrogate mothers and prospective parents. Surely we should serve notice now that that is not acceptable.

There are other difficulties. For example, my right hon. Friend did not refer to the legal problems surrounding the child of a surrogacy arrangement. Who, in law, is the mother? What safeguards are there for the child? I remember remarking in an earlier debate that clever, intelligent, far-reaching and searching as the Warnock report was, little consideration was given by its authors to

the implications of what was recommended for the child. Therefore, I believe that before the debate is ended something should be said about those matters.

In paragraph 8.18 Warnock proposed that professionals knowingly assisting in surrogacy should be criminally liable. The Bill makes no mention of professional liability. Why not? If there are difficulties we should be told. We should be told that the matter cannot be dealt with now, but we shall most certainly deal with it in future legislation when ever that is brought before the House. Again, in paragraph 8.19, the Warnock report proposes that all surrogacy arrangements should be made illegal and any such contracts would thus be unenforceable in the courts, but the Bill completely ignores that firm proposal. I appreciate my right hon. Friend's argument that serious problems and difficulties arise that could not be dealt with in this Bill but which will certainly be dealt with in a later Bill. This should be spelled out now.

I shall be brief because many of my hon. Friends wish to contribute. Nevertheless, I give notice now that I do not like this method of proceeding and I hope that before we vote on the Bill my right hon. and learned Friend the Minister for Health will answer some of the questions that I have raised. In my view, the matter is so important socially that not only Parliament but the public must be told why, if we cannot have the whole loaf, we must accept a crust at this juncture, knowing full well that a year or 18 months will elapse before the promised comprehensive legislation is introduced. Frankly, that is not good enough.

4.21 pm

Mr. A. J. Beith (Berwick-upon-Tweed): I do not share the confident predictions of the right hon. Member for Castle Point (Sir B. Braine) as to how long we shall have to wait for the coming of the great Bill which will roll all the moral issues into one and deal comprehensively with all the problems raised by Warnock and everyone else. I believe that the difficulties have been seriously underestimated. Indeed, Ministers have already hinted that the Bill may take a good deal longer than the right hon. Gentleman suggests. Therefore, those of us who feel strongly about these matters cannot assume that that legislation will be introduced even in this Parliament. Important and urgent matters such as surrogacy and experimentation on human embryos cannot wait for that legislation.

Many of the other issues dealt with in the Warnock report were cases in which advances in medical technology had brought new moral dilemmas which we have not previously had to face. It can scarcely be said, however, that the issue of surrogacy has suddenly landed upon us. In this context, I was amused to read the comments of *Nature* magazine on the Government's initial reaction and their statement that the Bill was to be introduced. It said:

> "The British government's guiding principle, well illustrated by last weekend's fuss and what may yet flow from it, is that the general opinion jumps most readily to prohibition when it is taken by surprise."

The country may have been taken a little by surprise at the sheer effrontery of the Baby Cotton case, but surrogacy has certainly not landed upon us as a result of modern technical advances. The issue has been with us for generations. Indeed, it is well developed in the book of Genesis, chapter 16. When Abraham's wife proved unable to have children she said to her husband:

> "I pray thee, go unto my maid; it may be that I may obtain children by her."

And that is exactly what happened.

The book of Genesis, however, goes on to illustrate the problems that arise from surrogacy. Sarah was soon complaining that her bondservant was getting too proud and looking down on her because she was bearing a child and Sarah was not. Later, when Sarah produced a child of her own, she protested strongly that her son Isaac should not have to share his inheritance with Ishmael, the "bondswoman's son" who had come on to the scene as a result of the earlier surrogacy arrangement. So let us not pretend that the issue is new.

Mr. Greenway: I am impressed by the hon. Gentleman's biblical knowledge, but was not Sarah 99 years old at the time?

Mr. Beith: She was indeed, and it was thus quite reasonable for her to conclude that she was unlikely to produce a natural child thereafter. In fact, of course, she did. People are so often wrong about these things and subsequent events may then give rise to problems. My point is simply that the problems are not new. All that modern technology has done is in certain instances to remove the direct adulterous relationship between the commissioning father and the mother commissioned to carry the child, and even that intervention requires a fairly minimal level of medical technology.

It is true that more openly commercial transactions have recently come to the attention of the public, but such transactions are also not new. One does not have to look very deeply into the recesses of the 19th century to find extensive examples of commercial activity in procuring the birth of children for childless couples.

There is, however, good reason for concern about the possible development of commercial surrogacy agencies and it is right that a measure of this kind should be introduced. I believe that it is widely agreed that there is something morally wrong about the purchase of babies, especially the form that it takes in surrogacy arrangements. Nevertheless, surrogacy is not the only instance in which babies are purchased and legal safeguards are required. For instance, our adoption laws were altered fairly recently in an attempt further to limit the possibility of the purchase of babies. There is also the danger of exploitation of the mothers due to financial pressures. A further danger is that agencies will grow and surrogacy will become more common as a result of the commercial activities of agencies determined to make a living out of the practice.

I shall argue that we should not encourage surrogacy, but I first make this qualification. Whatever we do to try to restrict the practice, even if we were to follow the advice of the right hon. Member for Castle Point and seek to outlaw surrogacy altogether, we shall not be able to prohibit adultery or the arrangement entered into by Abraham to obtain a surrogate child. Artificial insemination by donor will also not be prohibited, although it involves a commercial element in that the donors are paid for their sperm. Despite the many problems that arise from those two forms of activity, it seems unlikely that Parliament will attempt to prohibit them. That situation should serve as a warning to us in deciding what it is reasonable or feasible to do in seeking to prevent surrogacy.

This is very much a personal issue and I do not personally believe that one can reasonably expect to

[Mr. Beith]

achieve an effective ban on all kinds of surrogacy. Nevertheless, we should take steps to discourage the spread of such practices, for a number of good reasons. Those reasons, however, relate to the very issues that the Government felt unable to tackle and thus left out of the Bill. I realise why it was necessary to introduce a limited measure, but I believe that some of the problems left unresolved may continue to cause great difficulties and that not all of them need have been excluded from the Bill.

I shall not add to what has been said about the problems of legitimacy and I recognise that that subject is too wide for the scope of the Bill. There is, however, the somewhat narrower question of who is the legal mother of a child produced under a surrogacy arrangement and the application of general adoption law in this context. The law rightly makes certain provisions to protect the mother of a child which might be adopted from being subjected to great pressure at the time of adoption, providing for a breathing space or cooling-off period before a final decision can be made. The application of that law to surrogacy cases must be considered. We need more guidance from the Government on that subject.

Other aspects of adoption law are also relevant. There is the right of an adopted child, at the age of 18, to discover the identity of its natural mother. Parliament gave adopted children that right a few years ago. What would be the position of a surrogate child? I assume that it, too, would enjoy the right to learn the identity of its natural mother when it had reached the age of maturity. Surrogate mothers may not have realised that that would be so when they agreed to undertake surrogacy.

Mrs. McCurley: Does the hon. Gentleman not agree that there would be an emotional problem? For a child to learn at the age of 18 that it had been given away under a surrogacy arrangement would be far more traumatic than discovering that it had been adopted. There may be good and heartrending reasons for giving over a child for adoption, but to have been handed over for money will surely have a profound effect even on an 18-year-old.

Mr. Beith: I am sure that there can be just such an effect. I am not sure that one can make an absolute qualitative distinction between the circumstances, but there are important factors to be borne in mind when we compare what happens to an adopted child under present arrangements and what would happen to a surrogate child. Children are normally adopted through an adoption agency which will counsel the parents to advise the child, from the earliest possible age, of the nature of its adoption. The adoption society would encourage the parents to make sure that the child understood from an early age that it had been adopted, and why. What advice would be given, and by whom, to people taking into their family a child borne by surrogacy? Would they be advised to tell the child, at the earliest possible age, of the circumstances? It is difficult to predict what the emotional outcome of that would be. That is an area of real difficulty.

When the Secretary of State made his initial statement to the House, I questioned him about another point. The Warnock committee recommended that surrogacy contracts should not be enforceable by law. The Secretary of State seemed to take the view that the law as it stood was quite clear and that no such contract—a contract to hand over the baby, or the money — would be enforceable in the courts. If the right hon. Gentleman has any doubts on that point, some provision should be included in the Bill. If he is wholly satisfied that the law provides no opportunity for enforcing contracts between the mother, the agency and the prospective parents, he should say so.

What is to be the fate of the children involved? That is the test that we must apply. I fear for the position of children born in this way, and that is why I believe that Parliament must make it clear that there are many dangers attached to the practice of surrogacy, and that many problems will be stored up for the children. We must make that clear even to people who are looking for a reasonable way of dealing with the problem of childlessness—to people who want to offer a home to a child and who may well have the emotional and material resources to give a child a good home and so to contribute to society. Like the hon. Member for Oldham, West (Mr. Meacher) I feel that there might be circumstances in which someone could persuade me that it was reasonable for such a couple to resort to surrogacy. I therefore do not agree with those who want a complete ban on surrogacy. However, I believe that such a couple should be left in no doubt about the dangers and the problems that they may face, just as those of us who adopt children know that serious problems and potential difficulties are involved.

Sir Bernard Braine: The hon. Gentleman refers to the effect upon the children. That is an extremely important point. The House needs to know what medical and psychiatric evidence has been given by people eminent in their field — some individual hon. Members have received such evidence—about the likely effects on a child who in later years demands the right to hear how it was born and who its real mother was. The effect upon a child must be incalculable, and the cost to the community is likely to be considerable.

Experts have already expressed views on the subject. Is not the House entitled to know what advice has been given to the Government on that point, following the Warnock report, and why there is no provision on that score in the Bill?

Mr. Beith: I hope that Ministers will be as frank as they can with all the information at their disposal. However, many circumstances of birth cause problems in later life, and surrogacy is only one of them. It would be dangerous to single out surrogate birth and to claim that anyone who finds out that he was born in this way will be uniquely liable to great emotional trauma in later life. Many circumstances of birth can cause psychological difficulties in later life.

As surrogacy is voluntarily and deliberately entered upon, those who resort to it should be given the clearest possible warning about future problems. They should be warned through the general attitude of the law. The attitude of Parliament and of the law towards a form of conduct considerably affects the attitude of citizens. There is no doubt that since the law on abortion was changed, public attitudes to abortion have been influenced in some measure. The law prevents certain categories of people from marrying each other because Parliament, over the years, has taken the view that some forms of marriage —for example, marriage between stepchild and step-parent—could, if they became at all widespread, pose a

real danger for similar families. In many areas, the law on a matter seeks to exercise an influence wider than its basic provisions. This Bill should do so.

If Parliament did nothing at this stage, it might be assumed that surrogacy carried the blessing of the House and of informed opinion, when in fact it carries so many dangers that it should not be given that degree of encouragement. That is another reason for taking legislative steps, which are in any case justified, to prevent commercial surrogacy. We must examine the Bill in Committee to see whether it achieves that objective, and whether it does so without paying too high a price in some other directions. There are, for example, the legal aspects to which the hon. Member for Oldham, West referred and about which there has been some press comment. There are the questions of the burden of proof and of jury trial. However, the House should certainly make it clear that surrogacy brings with it serious problems and that the dangers attached to commercial operations in this field are so great that we should not permit them.

4.37 pm

Mrs. Anna McCurley (Renfrew, West and Inverclyde): It is right and proper for me to offer my warmest congratulations to the Secretary of State for bringing the Bill before the House, about 15 months since I introduced precisely such a measure. I was then careful to be very circumspect in my approach to the problem. I welcome the Government's sympathetic response not just in producing a Bill but in acknowledging the fact that grave difficulties surround the whole issue of surrogacy, not just its commercial aspects.

It is heart-warming to welcome a Bill that has had so much public response and support. The Government are to be congratulated on acting swiftly, especially following the Baby Cotton case. I am glad that the sale of children is to be banned, for that is what the Bill is about. I am also glad that the Government are considering the primary individual involved—the child. However, it is important to remember the surrogate mother. In the past few months I have had the opportunity to examine the conditions under which women become surrogates. I am ever more convinced that the attraction of the financial element is paramount—well and away above any of the altruism that might be talked about in press revelations.

As the hon. Member for Oldham, West (Mr. Meacher) said, we were expecting poor women to be exploited for the obvious desires of rich women. I am pleased that the activities of the Redhill clinic have now ceased. I have investigated the hard commercialism of that enterprise and its links with the United States and the fact that its activities have been abandoned shows the strength of the Bill.

Commercial surrogacy has been successful in the United States. We all admire many parts of the United States ethos, but we do not always try to emulate them. Although it is said that the morality of the United States reaches us in 10 or 20 years' time, I am glad that we have not waited that long this time and that we have taken a firm and British stand.

The hon. Member for Berwick-upon-Tweed (Mr. Beith) identified an important problem concerning the identity of children and problems that are left with the surrogate's family—a matter that has not been discussed much here. Women who have taken on the job of bearing children for others go home without a baby and discover that their children feel a strange sense of bereavement because no child has been taken home. Occasionally, even a husband who has consented to the arrangement feels revulsion in his relationship with his wife. That causes deep problems in the existing family.

We are sympathetic to infertile couples but do not finance consultations for them properly. However, we must not pile more problems in society on to ourselves. We have enough family problems. The hon. Member for Oldham, West rather resented my reference to social workers, but their existence shows that there are problems enough. We shall only add to those problems if we accept surrogacy. I do not think that it will go underground if we ban commercial surrogacy. Between 6 per cent. and 10 per cent. of women of childbearing age are infertile—the figures vary from consultant to consultant and scientist to scientist—and less than 1 per cent. of them would benefit from surrogacy. The scale is small.

I should like all aspects of surrogacy to be banned, but I accept what the hon. Member for Berwick-upon-Tweed said. In the highlands of Scotland, sisters have frequently made surrogacy arrangements. We must ask ourselves whether we want to interfere with and criminalise informal family arrangements. Such interference worries me. Although I do not want surrogacy to exist as a trade, it would be invidious to interfere too far with family life. The medical profession would be grateful for clarification. I should like my right hon. Friend to consider other legislation as quickly as possible to deal with other aspects of surrogacy.

Many biblical quotations have been thrown about in connection with the question, "Who is the mother?" The judgment of Solomon in the dispute between the two women springs immediately to mind. Solomon the wise suggested that the child be split in two, half being given to each woman. The real mother gave up the child for the love of it. The story tells us much about motherhood. The mother who gives birth to the child must be the legal mother, irrespective of what the law might say.

I hope that the Bill goes through Committee speedily and that there will be consensus on the banning of commercial surrogacy. I hope that there will also be consensus on matters that cannot be seen in such hard and fast terms.

4.48 pm

Mr. Harry Cohen (Leyton): The Bill is welcome to the extent that it attempts to deal with commercial agencies that profiteer from surrogacy. Unfortunately, it has been constructed in haste, primarily in response to the furore created in the recent and much publicised case of Baby Cotton. The sensationalism generated by the media and some hon. Members has influenced the Bill to its detriment.

There is a fundamental flaw in banning commercial surrogacy while allowing men to continue to buy private surrogacy arrangements without any legal safeguards. This can only result in more highly publicised baby wrangles, which could lead to Parliament banning surrogacy altogether. In these circumstances we should consider at length the full medical, legal and counselling services that Parliament needs to approve so that surrogacy can be properly regulated.

Despite Fleet Street's unhealthy obsession with what the newspaper headlines proclaimed as "Britain's first surrogate baby", the media were, as is often the case, quite

[Mr. Harry Cohen]

wrong. Surrogacy did not begin with Baby Cotton—only a media interest and hysteria in the wake of the Warnock report.

Infertility has been an unhappily common problem for many families throughout the ages. Some of those families chose to deal with the problem by making private arrangements which actually amounted to what is now called surrogacy, without the matter being known outside the family circle. The drawbacks to these informal measures are myriad and have in their time brought strain and divisions within family relations. That is what the Warnock report was referring to when it said that public opinion was against surrogacy because

"it could drive a wedge between a previously loving partnership".

This view fails to take account of the way in which modern medical technology and carefully considered legislation could overcome some of the drawbacks previously associated with surrogacy.

Fertilisation in surrogacy arrangements is no longer reliant on an intimate relationship, and the surrogate mother now conceives as a result of medical technique. The outcome of the pregnancy is a wanted baby for an unknown couple in circumstances similar to adoption. Therefore, the issues for me are not "if" we should use this new technology to fulfil the desires of men and women to have children, but how we avoid replacing the old drawbacks with ones that are new and even more dangerous and damaging. This the Bill has failed to do, by limiting itself only to one of the unfavourable aspects to be dealt with.

It is the duty of Parliament to legislate against the exploitative nature of commercial agencies which see women primarily as objects of profit. Hence, women's rights to control their bodies and fertility are cast aside and trampled on. Unhappily, while we live in a society that falls over itself to make a quick profit at the expense of the general good, medical knowledge will inevitably be misused by capitalist gangsterism. The director of the commercial surrogacy agency in Surrey has been quoted as saying that the company would like to become the Coca-Cola of the surrogate industry—in other words, a big profit industry like any other multinational, with no loyalties or commitment to prevent the expansion of its worldwide exploitative practices. I support provisions in the Bill to prevent Britain becoming a shareholder in this unsavoury global enterprise.

As a Socialist, it appears to me that any form of surrogacy cemented with large amounts of money perpetuates unequal capitalist relations between different social classes and men and women in new, insidious ways. In my view, the Bill fails to deal with this.

The media focus which has highlighted the financial gain made by the surrogate mother fails to mention that only a very small proportion of the money pocketed by the agency is paid to her. She is not paid to undergo twice-monthly artificial insemination, nor if she fails to conceive after six months of these medical ordeals. She is not paid to abstain from sexual relations with her partner, even though she must agree to this provision while conception and pregnancy are under way. She is not paid during pregnancy to ensure that she and the foetus enjoy optimum care, nor if she has a miscarriage. She is most definitely not paid should the baby be born with any handicap. Her only modest payment in this highly lucrative enterprise is on handing over a perfect specimen of a newborn baby. In my view, she is grossly underpaid, and the Bill must be criticised for neglecting to protect surrogate mothers' interests in any future private deals.

The ability of the donor father to pay large amounts of money confers immense power on him. As a result, a grossly unequal bond exists between him, the surrogate mother and his partner. As he has paid for the services of the surrogate mother, he is given personal details about her appearance, the colour of her hair and eyes, height, social class and the town where she lives. If he finds any of these details disagreeable, he can choose another woman. On the other hand, she knows nothing about him except his obvious financial clout. Such voyeuristic relations are not uncommon in Soho, but are usually condemned as deeply exploitative and insulting to women. There is an urgent need to legislate against these unequal arrangements based on immoral notions of men and women.

The power that the donor father's money carries is nowhere more cruelly emphasised than in the role allowed his partner. While making the preparations for the changes in her life when she will become the legal mother of her husband's baby, she is totally excluded from the rights he enjoys. He is kept in touch with the pregnancy by telephone, written progress reports and tapes of the foetal heartbeat, but whether he decides to share these with his partner is up to him alone. That is strange in a society such as ours, which stresses the importance of the role of parent for women. In the family, and in education, work and law, the primacy of the woman's role as chief caretaker of children is reinforced.

Equal rights legislation has hardly dented the unequal relations that working women experience when trying to combine successfully the roles of wage earner and mother, yet when the donor father reaches for his cheque book, his partner's rights as the prospective mother of a baby which she is most likely to nurture to adulthood are erased. The Bill fails to ensure her equal status with her partner during the entire surrogacy processes until the baby becomes legally hers.

For me the crucial issues do not centre on banning new medical technology which can help women and men to have wanted children. Rather, I seek to ensure the equal rights of those concerned when a woman agrees to carry a child for other parents so that surrogacy is free from commercial exploitation as well as from control by men with money. That is not to say that no payment should be involved. Consideration should have been given to the ways in which a surrogate mother could be paid by the state, just as maternity allowances and child benefit are paid. A small weekly allowance could be paid at the time of artificial insemination, increasing substantially as the pregnancy is confirmed and progresses. Setting these amounts would be complex, but for Socialists used to complicated pay negotiations, that should not prove too difficult. I believe that this issue must be tackled in a Socialist way so that people seeking these measures are not barred through lack of money or driven into becoming permanent surrogate mothers through financial desperation, just as in America financial considerations have caused people to become blood donors. As we have seen, there is very little evidence of personal care and concern in commercial or private arrangements, and these must be high priorities in the future.

I advocate a limited role for the state in surrogacy. Sadly, many of the welfare aspects of the state have in the past been experienced in a most repressive way by the very people whom we are seeking to help. The practical arrangements could be set up via a national network which is distinct from conventional hospital consultancies. That would save money on high salaries which would be better spent on financing local advice and technology through a network of well woman clinics, counselling services and general practice. Carefully considered, decentralised local provisions would then protect the personal needs of people closely, and transform innovative medical technology into caring national health services.

5 pm

Mr. John Butterfill (Bournemouth, West): First, I congratulate my right hon. Friend on the speed and decisiveness with which he has introduced this measure. Unlike the hon. Member for Oldham, West (Mr. Meacher), I do not criticise him for reacting to public opinion, because it is most important that the Government should react speedily to it. I am sure that the hon. Gentleman would be the first to criticise the Government if they did not react to public opinion.

I am not entirely happy with the measure. I welcome what the Government have done, but they have not gone far enough. I agree with my hon. Friend the Member for Renfrew, West and Inverclyde (Mrs. McCurley) that we should not bring into the scope of the law arrangements which are made within families and which have historically been made within families. However, when matters go outside the family, we have a duty to be interested and to ensure that what is done is for the good of those involved, especially of the child.

We legislate, rightly, for adoption and require that restrictive and stringent procedures are followed. In this case, we seem to take the view that that will not be necessary. That is wrong. The hon. Member for Oldham, West suggested that we might be protecting the surrogate mother from exploitation, but I do not think that the Bill does that. The Bill does not seek to outlaw any payment made to a surrogate mother, so she is equally susceptible to exploitation whether from a commercial or other form of agency.

The Bill's weakness is that it will permit surrogacy to be arranged by local authorities, local health authorities and charities set up for that purpose. Some of those organisations may not be what hon. Members would regard as charities. They may be covers for organisations which make substantial payments to employees and which are funded by all sorts of curious methods. Donations to such charities may not count as payments for the purpose of this legislation. Therefore, there is a grave danger in proceeding in this way. Unscrupulous people could drive a coach and horses through the legislation as it stands.

The only way to overcome the problem is to outlaw the procurement of surrogacy by a third person. That would still permit direct surrogacy arrangements between individuals. If we outlaw all procurement, we shall minimise the risk of exploitation as far as possible within the scope of legislation that could be reasonably enforced by the police. The Bill should be amended to achieve that. We would then protect mothers, and ensure the best possible family arrangements for the child.

5.3 pm

Mr. Peter Bruinvels (Leicester, East): On 7 March, when my right hon. Friend the Secretary of State for Social Services announced to the House that the Bill would be prepared, I was attending the christening of the younger child of my hon. Friend the Member for Glanford and Scunthorpe (Mr. Hickmet). I thought that I was doing my bit to encourage childbirth by celebrating the birth of a child. It is a great asset to have children. It is not a right, but a bonus.

I welcome the Bill because it will cut out one of the most immoral practices that has ever occurred — commercial surrogacy. I remember when news of Baby Cotton was leaked, the furore that any mother would rent out her womb to make some money, and allow her child to shoot off to America. I congratulate my right hon. Friend sincerely on introducing the Bill. I also congratulate my hon. Friend the Member for Renfrew, West and Inverclyde (Mrs. McCurley) who has been campaigning and championing this cause, even before Baby Cotton appeared on the scene.

For many months, medical journals have expressed great anxiety about surrogate motherhood. When we debated the Warnock report, I was fortunate enough to be called and to put on record how I considered the position of a surrogate child. I considered it an oddity, although it was a scientific marvel.

The Bill will stop money changing hands. However, like my hon. Friend the Member for Bournemouth, West (Mr. Butterfill), I am anxious about the charitable aspect, in that a charity could be set up and a surrogate mother paid many years after the birth. I hope that my right hon. and learned Friend will consider that point when he replies. Payment, no matter how much or when it is made, should not be tolerated.

I am particularly worried about the other three surrogate children who are due shortly. Unlike the hon. Member for Leyton (Mr. Cohen), I believe that the Government acted quickly because they had to. The legislation has not been rushed, but it is both sensible and sound. It has been introduced speedily because we knew of those three children and of the potential for further children being born in that way in America and elsewhere. We need to eradicate commercial surrogacy.

The practice is sick, as is any sort of womb leasing. I can understand that some women may be terribly hard up. For the first time in my life I agree with the hon. Member for Oldham, West (Mr. Meacher) that women in poor income brackets may be easily tempted, not merely because they wish to buy a car but because they need money to survive. The financial gain was a serious temptation. Although I sympathise with those who were tempted down that indelicate route, I hope that the Bill will deter people from so doing in future.

Clause 2 adequately covers the full role of commercial surrogacy and particular practices. I understand the past system in Scotland, and the fact that many arrangements have been carried out within a family where one sister has had difficulty in bearing a child. When I criticised surrogate motherhood, I received a letter from a constituent who said that the first surrogate mother was the Virgin Mary. I do not know about that, but the practice continues.

I admire much that is done in America. It is a great innovator, but surrogate motherhood is one type of

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experiment that need never have arrived on our shores. I hope that one day we shall do away with surrogacy altogether. I hope that an opportunity to achieve that may arise with the follow-up to the Warnock report. I fully appreciate, however, that that will be some time in the future and that that would be a tremendous commitment for my right hon. and learned Friend to give the House today. But at least the Government have given some commitment and have encouraged motherhood within the family and within normal practices.

I ask the Secretary of State to consider the implications of deferred payments by charities. There is a definite risk that, perhaps six years later, a payment could be made to the surrogate mother. I welcome the offences created by the Bill, and the imprisonment terms and fines that it provides, which are realistic and which will act as a suitable deterrent. I should be interested to know when the legislation will be enacted, although I appreciate that it must go through further stages in the House and in another place.

Like the hon. Member for Berwick-upon-Tweed (Mr. Beith), I believe that we should make provisions so that a child can find out the identity of his mother. Certainly all children at the age of 18 should be allowed to discover the identity of their natural mothers. I hope that my right hon. and learned Friend the Minister for Health will set out out the Government's thinking on that.

I am also a little worried about the woman who agrees, whether there is a contract or not, to carry a child and who, for nine months, is clearly pregnant. She may have other children at home, and I am worried about their reaction when she goes into hospital but then returns without a child. We must think carefully about how that will affect the other children. Will they be told exactly what happened? They may think that the child has died. They may have been extremely excited, looking forward to having a baby brother or sister. I am worried about the psychological problems that could be caused.

Today the Government have shown how much they care about children and childbirth. They have put the interests of the child above everything else. As I said earlier, it is a great privilege for anyone to have children. In my family, we are still waiting, but we shall be patient and carry on in the normal way. I welcome the Bill because it acts as a warning to prospective surrogate mothers that they must not succumb to the temptation of material and financial gain. I also welcome it because it will prohibit surrogacy agencies. I hope that American magazines will no longer advertise those agencies in Britain, which will prevent people from going to America and making such financial arrangements there.

This is a good Bill that will preserve family life, stabilise society and do away with this unnatural and unfortunate practice which has sickened so many decent-living and family-loving people. For that reason alone, I welcome the Bill.

5.12 pm

Mr. Harry Greenway (Ealing, North): Although I cannot follow the line of my hon. Friend the Member for Leicester, East (Mr. Bruinvels), I hope that he and his wife will have the joy of parenthood before very long. We are all delighted to hear that they intend to pursue normality. As the father of three wonderful children, I can testify to the joys of parenthood.

I, too, welcome the Bill, but I regard it as only a small first step in a most important area. Hon. Members have mentioned the position of childless couples, and rightly so. Athough the welfare of the child must come above all things—I was glad to hear my right hon. Friend the Secretary of State and most hon. Members who have spoken agree with that — the position of childless couples is also central to the issue. We must think carefully about childless couples who are anxious to have children by adoption or by other means, and I believe that the country has a sympathetic view of their problems.

Everyone who has had the privilege and honour of having a child must sympathise deeply with couples who are happy in their marriage and devoted to each other but who have not been blessed with the joy of children. Their position is central in the area to which the Bill relates. Will their needs be met more by individual surrogacy than hitherto? The answer is probably yes, but we must consider the morality of that.

I know from my long experience of and interest in children for adoption that there is an enormous shortage of such children, largely because of the consequences of the Abortion Act 1967. The present abortion rate—there have been more than 2 million since 1967—combined with more efficient birth control methods has meant that far fewer children are available for adoption. Therefore, not a council in the land, nor an agency dealing with the adoption of children, does not have an enormous waiting list of impressive couples who wish to adopt children but who are, for the most part, frustrated in that wish. The reduction in the number of children available, because of abortion and improved pregnancy prevention, may mean that couples will be tempted to seek surrogate mothers. However, I am glad to know that they will not be able to do so through agencies which wish to exploit them for gain.

The other day I read about an American agency which published somewhat grotesque advertising material for the services of surrogate mothers that it was offering at considerable expense to childless couples. It said, for example, that its women were better looking than many others, that they were tested for the quality of their health and tested for the quality of their brains. That is a terribly crude way of approaching the matter and is a great indignity to women. Few hon. Members would support such approaches, and I would certainly not be one of them.

The Bill will mean that we shall not have such advertising in Britain, and for that I am grateful. However, as I said in the first intervention in the debate, I am worried that some women will be tempted to exploit themselves as individuals. They will be tempted to offer themselves as surrogate mothers because they may need the money, or believe that they need money, for many things. The lady who acted as a surrogate mother for Baby Cotton said that she needed the £8,000 for a new three-piece suite, or something like that——

Mrs. McCurley: For an extension to her house.

Mr. Greenway: My hon. Friend is right. Everyone could find a use for some extra money that might come his or her way. I fear—I believe that the House will share my fear—that some women will be tempted to exploit

themselves because they feel the need for new furniture, an extension to their homes, clothes or things for their existing children. Sadly, the Bill does not protect individual women against such self-exploitation, although it prevents their exploitation by an agency and, therefore, by society. It is a very doubtful moral proposition for a woman to be asked to carry a baby for financial gain. I am sorry that we have not heard the churches speaking out on that issue and giving a moral lead throughout the nation——

Mrs. McCurley: They have.

Mr. Greenway: I cannot accept what my hon. Friend says. They have not given the moral lead that would hit the headlines.

We must consider the delicate position of children born through individual surrogacy, which will be permitted by the Bill. Should they be told that they were born to surrogate mothers? What will be the effects of that knowledge? What will happen if they are not told about their background and the fact that their surrogate mothers may or may not have been paid for the job, to put it crudely?

Will those children be in the same position as adopted children who are rightly told about their adoption? There was a time when adopted children were not told about their background. There are many people in this country who were adopted from the cradle but who do not know that. Indeed, their adoptive parent may have forgotten that fact. What moral lesson should we learn from that which we can apply to a child born to a surrogate mother?

Who should be responsible for counselling couples seeking a child by surrogacy? Will it be the local council, the National Health Service local board, the local churches, a charity or the neighbours? Who will counsel the surrogate mothers? When the Bill is in Committee, it will need to be considered in some depth and the very important personal and moral points will need to be borne in mind.

I welcome the Government's leadership on this matter. However, if we do not bear in mind the personal and moral points the House may be guilty of producing a Bill that will rightly outlaw the hell and wickedness that exists in America—where women are exploited and handled in an undignified manner for gain—but at the same time forget that individual women are not covered, whether or not they are acting on their own behalf, in response to social or financial pressures or even in response to pressure from husbands who may see surrogacy as a way to make money. That whole area needs to be carefully considered. I hope that when my right hon. and learned Friend replies he will comment on the points that I have raised.

5.24 pm

Mr. David Amess (Basildon): I apologise to my right hon. Friend the Secretary of State and the hon. Member for Oldham, West (Mr. Meacher) for not having been present during their speeches. I was visiting a sewage works in my constituency in an attempt to ensure that the smells coming from the works will be more pleasant throughout the summer.

I join other hon. Members in wishing my hon. Friend the Member for Leicester, East (Mr. Bruinvels) and his wife every success in being blessed with a child. I wish gently to take issue with my hon. Friend the Member for Ealing, North (Mr. Greenway), who made one or two comments about the churches. I understand that my church —the Catholic church—the Council of Churches and the Church of Scotland have spoken out strongly against the whole concept of commercial surrogacy. The problem is that they have not received publicity. It is unfortunate that one or two members of the churches receive a great deal of publicity for the rather silly things they say——

Mr. Greenway: I accept what my hon. Friend says. I said that some churches have not spoken out strongly, but I accept that some have done so. They have not received the publicity that they should have received, so my hon. Friend has made a fair comment.

Mr. Amess: I thank my hon. Friend for his comments.

Those of us who are parents speak from a privileged position. We have been blessed and entrusted with the responsibility of parenthood, and with that the agony and ecstasy of bringing up children. We are unable completely to appreciate the anguish felt by many couples who cannot bear children. My support last year for the ten-minute rule Bill to outlaw surrogacy, introduced by my hon. Friend the Member for Renfrew, West and Inverclyde (Mrs. McCurley), resulted in my learning at first hand of a number of distressing cases of couples unable to bear children. Their despair cannot, by any stretch of the imagination, be over-estimated. Quite naturally, they are sometimes prepared to go to any length to have a child.

Although the House recognises that, it still has a responsibility and an obligation to uphold the sanctity of life and to outlaw the practice of surrogacy. My right hon. Friend the Member for Old Bexley and Sidcup (Mr. Heath), a former Prime Minister, once referred to the unacceptable face of capitalism. That phrase achieves its ultimate meaning in the buying and selling of a human being, which is a most degrading concept.

I am delighted that the Government, inspired and prompted by my hon. Friend the Member for Renfrew, West and Inverclyde, have introduced the Bill. It is crucial for the protection of family life. My concern for the family, and especially for children, begins from the moment a child is conceived. At that very moment of conception, a new individual is created. Hon. Members know that I strongly oppose all procedures that harm unborn children from the time of their creation. The welfare of the child at every stage of his or her development must be the first consideration. Therefore, it would be quite inconsistent not to oppose surrogate motherhood, which is a further erosion of family life with unknown emotional and psychological consequences for the child.

If commercial surrogacy were allowed, it is inevitable that we should create a class of woman who would be seen simply as breeding machines. It is doubtful that such women, attracted by the lure of money, would be aware of and able to cope with the inherent difficulties that stem from surrogacy. The results would be pitiful. The words of an Australian mother, who found herself unable to hand over the baby she bore for another woman, sum up the whole issue and that unnatural situation:

"It goes against every physical and emotional feeling. The only thing the stand-in mother can get out of it is money but no amount can compensate for what you have done."

It is impossible to consider childbearing in a detached and clinical fashion. While throughout the nine months of pregnancy the unborn child is linked to the mother in the

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most intimate way, he or she is a completely separate individual growing within the womb. The mother acts as a source of protection, providing nutrition for the child she is bearing. The mother's body adapts through hormonal changes to accommodate the new being that lies within her. It is entirely unnatural for a woman to suppress the maternal instincts that she no doubt feels.

When a child is born, he or she is not an anonymous being. The baby has been alive for nine months and has had those months of experience in the womb. The mother will have felt the baby moving and responding in various ways. The baby cannot be treated as a commodity, to be ordered and delivered. Nor should women be treated like manufacturers whose sole purpose is to come up with the goods.

The unpredictable human factor is at its highest in surrogacy, and no woman can know how she will react on being requested to hand over the child whom she has carried for nine months. Commercial surrogacy is repugnant in its view of human beings as objects that can be bought and sold.

I found totally unacceptable the Warnock recommendation that human embryos might be bought and sold under licence. I cannot differentiate between a human embryo and a newborn baby; they are both human beings at different stages of development. It would therefore be inconsistent if I did not condemn surrogacy, which reduces human beings to saleable commodities.

A distinction, however, must be made between surrogate motherhood and adoption. In the latter, a woman takes over the care of an existing child, a child born to his or her genetic mother. That is different from deliberately creating a child in a planned way which introduces unnecessary social confusion for the child. An adopted child is in no doubt of his genetic and social origins. He can clearly define his place in society.

A child produced to order by another woman is caught between the woman who carried him for nine months and who is his genetic mother, the father who is not married to, or is in no way involved with, the genetic mother, and the woman who will bring him up and whom he will address as "mother", a title which she has bought.

The present law leaves the father who provided the sperm without parental rights because the child is illegitimate. He could adopt the child and claim parental rights, but that would be illegal because of the fees paid to the agency and to the surrogate mother. For a child to enter the world amid a scene of emotional, social and legal chaos is completely wrong, and commercial surrogacy must be stopped to prevent that happening.

I am delighted to say that, by introducing the Bill, the Government are at long last following the flow of public opinion on this issue. There can be no doubt that the gut reaction of the public is against commercial surrogacy and the whole concept of surrogate motherhood.

Among the harshest critics of surrogacy is the National Association for the Childless. Brenda Halliday of that organisation has described surrogacy as "exploitation at its worst". If this idea of commercial surrogacy has travelled across the Atlantic, it can return whence it came.

While I and many others were surprised and disappointed at the Government's neutral stance on the Unborn Children (Protection) Bill, this legislation will serve to uphold the dignity of women and children. It goes to the heart of my overall belief that the interests and well-being of the child at every stage of development should come first and that women should not be degraded in any way.

5.35 pm

Ms. Jo Richardson (Barking): This has been an interesting wide-ranging debate, made all the more interesting by the intimate atmosphere, as it were, in which it has been conducted. Because few hon. Members have been in the Chamber, we have been able to listen closely to what has been said, and even, in some instances, to what hon. Members have been thinking, as exemplified by some of the spontaneous interruptions.

The contributions to the debate have covered the full spectrum of the subject. For example, my hon. Friend the Member for Oldham, West (Mr. Meacher) welcomed the Bill, as I do, because of the nastiness—that is not too severe a word to use for the profit-making element of surrogacy—of the whole problem. However, we take the view that surrogacy should not necessarily be outlawed. We want time to consider, sensitively and slowly, all the implications.

At the other end of the scale, we had the speech of the hon. Member for Basildon (Mr. Amess), who is anti-abortion in every respect and is anxious that the protection of the law should be given to the embryo from day one, with surrogacy being completely outlawed. I hope that the Government will adopt a steady-as-she-goes attitude and will retain the central point of the Bill, which is to keep the legislation narrowly to the framework of outlawing commercial surrogacy, so giving us time to consider all the other problems that are involved.

Surrogacy is after all, only one part of the whole problem of infertility, and most hon. Members acknowledge that infertility is a real problem. If we say that surrogacy must be legislated against because it is wholly wrong, we shall inevitably cast some parents into a form of limbo from which they will not be able to benefit in any way, for example from any other form of infertility treatment.

We should pay attention, and give more funding, to the whole question of infertility. Simply to say that surrogacy is wrong and must be legislated against will not do. First, such legislation would not work and, secondly, even if it could be made to work, it would be undesirable. A better way to deal with the problem is to reduce the necessity, in the view of some people, to resort to surrogacy. I am glad, therefore, that the Bill is confined to the profit-making and commercial aspects of the problem.

As the hon. Member for Berwick-upon-Tweed (Mr. Beith) pointed out descriptively, surrogacy has existed throughout history. For us now solemnly to think that we can stop it would be like trying unrealistically to turn the tide. Indeed, for us to attempt to do that might have some adverse effects. For example, it might send the practice underground, and that might result in more surrogate mothers and commissioning parents going elsewhere, perhaps across the Atlantic, to achieve their heart's wish. We would not want to do that.

I hope to be a member of the Standing Committee which will examine the Bill. That will be the occasion to discuss certain matters in detail. However, it is important for us now to cast a critical eye over some points which have occurred to hon. Members.

I firmly reject the notion of allowing profiteers to prosper. However, there is a necessity for some legal arrangement between a commissioning couple and a host mother. I cannot see any moral or legal problem about employing the services of a solicitor. I understand that there are agencies in the United States of a sort that we do not like which claim that they are merely tying up the legal ends. I do not believe that. I believe that they are involved for the money. If they are handling the legal part of the arrangement, that is the least that they can do for the money that they are making out of the arrangement.

When families are faced with problems the individuals concerned will consult a solicitor. When surrogacy is proposed, why cannot the commissioning couple and the host mother say to a solicitor, "We want to come to an arrangement between the three of us that will protect the rights of the couple, the rights of the host mother and the rights of the child?" Why cannot a legal agreement be drawn up that will have that effect? We use solicitors when a divorce is sought. When a woman is beaten up at home, she will go to a solicitor to obtain an injunction against her battering husband. She is not shunned by society and treated with disdain because she has put money into the hands of a solicitor by instructing him to obtain an injunction. Surely a legal contract could be drawn up to protect the rights of the commissioning couple and the host mother without causing the solicitor to commit a criminal offence under the Bill?

It is crucial that both the commissioning couple and the prospective host mother receive some counselling. If we were to outlaw surrogacy, we would make it impossible for any counselling to take place. The couple will have discussed the matter between themselves, and possibly with relatives, and they should have the opportunity to discuss the matter with expert counsellors so that they are sure that they are doing the right thing and that they know how to go about it.

More importantly, it is crucial that the host mother should have the opportunity to receive counselling. She, too, will have problems. It should not be said that she is merely in it for the money or that she is an exploited person. Many reasons lead a woman to take this course, some of which we may never know or understand. The host mother should have the opportunity through the local authority, a non-profit making body or a social work agency to receive proper counselling.

As I read the Bill, a solicitor who drew up a legal document to protect the commissioning couple and the host mother, or a person who counselled them, would be caught by its provisions. A doctor, for example, might be asked to give some medical advice to the host mother and he may receive a fee from a non-profit-making agency for doing so. Will he be caught by the Bill?

There are many loopholes which could be dangerous and I ask the Minister to let us know where we stand when he replies. If he agrees that there are some loopholes, we can try to close them and ensure that there is proper surrogacy prior to the Government introducing the wider Bill which they have promised, which will appear much later. I remain concerned about doctors and counsellors, for example, who will receive fees for their services.

It seems that in this instance we are moving away from the principle of trial by jury. This issue was raised on the "Agenda" page of *The Guardian* this morning. As I am not a lawyer, the point had not struck me, but I believe now that it is one worthy of consideration. The Bill provides a maximum of three months imprisonment or a fine of £2,000, which are penalties which do not enable the person accused to opt for trial by jury. I understand that there has to be the possibility of a sentence of imprisonment of six months before one can seek trial by jury.

Those who are accused of having committed an offence within the terms of the Bill might very well want trial by jury so that ordinary men and women can listen to their story, whether they are the individuals involved or those concerned indirectly. I am not suggesting that the maximum penalty of three months imprisonment should be increased, but we must consider the option of trial by jury if the accused wishes to have that sort of hearing.

I have expressed some reservations about the wording and intent of some parts of the Bill, but I reiterate that I am in favour of it. Bearing in mind the agreement that there appears to be on both sides of the House, I shall be surprised if there is a Division.

I am left wondering whether the Bill would have been produced if it had not been for the distasteful publicity which surrounded the Cotton case and the natural public reaction to it. Surrogacy has been taking place for a long time but it is only since 1982 or 1983 that it has become a known word to the ordinary public. Suddenly, and perhaps because of one unpleasant and distasteful case, at least in the United Kingdom, people have gone beserk, as it were, about it. If that case had not arisen, would the Government have introduced the Bill?

I look forward to reading the wider Bill that the Government intend to produce in due course that will incorporate many of the recommendations of the Warnock committee.

Surrogacy appears to be a necessity, or an option, for some infertile couples. It is crucial that commissioning couples and host mothers should be afforded some form of legality and should not be made to feel that they are outcasts of society. I was appalled when the hon. Member for Leicester, East (Mr. Bruinvels) said that surrogacy was a sick practice. If I had heard him say that as one of an infertile couple or as a host mother, I would have felt cast down. Surrogacy may not be a practice in which we all want to indulge, but it should be afforded some respect. If three people have thought about the matter deeply and have decided that that is the way in which they want to proceed because there is no option, they should not be rejected by society.

Mr. Peter Bruinvels: The hon. Lady should have put my comment in the right context. I said that I considered surrogacy to be a sick practice when money was involved. When that happens, I find it repulsive. Surely the hon. Lady will agree that a financial transaction to secure the lease of a woman's womb is repugnant.

Ms. Richardson: Perhaps the hon. Gentleman will look at his speech tomorrow to ascertain whether it reads in that way. I listened carefully to the hon. Gentleman's speech. He rightly referred to the profit-making angle. My impression was, however, that he thought that surrogacy was a distasteful practice. I want to ensure that, after the passage of this Bill, we treat surrogacy with sensitivity and give time not only to the Government, without pressurising them to draft the legislation properly, but to hon. Members so that all the implications are considered and so that we do not deal piecemeal with a subject of great concern to a large number of people.

5.50 pm

The Minister for Health (Mr. Kenneth Clarke): At various times the Government have been praised for the speed with which they have brought forward the Bill—my hon. Friend the Member for Bournemouth, West (Mr. Butterfill) praised us—and at other times criticised. A considerable number of points have been raised about the circumstances in which the Bill has been brought forward and about whether it has been wise to select this one narrow aspect of the huge combination of difficult ethical and moral issues that were addressed in the Warnock report. I am glad that, despite all the reservations about the legislation, every hon. Member who has spoken in the debate has revealed that he or she comes down on the side of the Bill and is likely to support it.

This is not a new issue, and the Government have not approached it with unnecessary or reckless speed. We have acted decisively and in a way that commands the support of the majority of the public, without prejudicing what the hon. Member for Barking (Ms. Richardson) has rightly said needs to be a thorough and well-digested debate on many important and complex matters before an even larger Bill comes forward.

The hon. Member for Berwick-upon-Tweed (Mr. Beith) took all prizes for biblical scholarship by reminding hon. Members in greater detail than most of us recall—although we are all familiar with the outline of the story—of the problems of Abraham and his family. This is not such a new issue as some hon. Members imply in suggesting that the Government brought this measure forward only in response to the newspaper publicity that had surrounded one, albeit important, case—that of Baby Cotton. In fact, some time ago, the Government expected that that issue, along with many other related issues, would cause Parliament and the public much trouble. For that reason, my right hon. Friend the Secretary of State invited Lady Warnock and her colleagues to consider all those related issues.

We initiated the giving of evidence, the consideration of that evidence by the committee and the presentation of the report's conclusions for wider public debate. Those conclusions included conclusions on surrogacy. The members of the Warnock committee were drawn from a wide background and had a wide range of professional expertise, personal and religious beliefs and outlooks on life. They were unanimously against the practice of commercial surrogacy but were, by a majority, against surrogacy of all kinds. That has been the tenor of the debate this afternoon, and I believe it is likely to be the tenor of general public opinion. We were addressing ourselves to the issue when we set up the Warnock committee.

During the last Session of Parliament my hon. Friend the Member for Renfrew, West and Inverclyde (Mrs. McCurley) produced a private Member's Bill seeking to make surrogacy illegal. My hon. Friend would have pressed that legislation on to the statute book but for a lack of parliamentary time. That is what happens to many private Members' Bills. I remember having conversations at that time with my hon. Friend, urging her to wait until we had the views of the Warnock committee and arguing against a Bill dealing with surrogacy alone in advance of other issues. We were talking before Lady Warnock's committee had even reported.

The Warnock committee reported and all its members favoured making commercial surrogacy illegal. I have no doubt that my hon. Friend the Member for Renfrew, West and Inverclyde would have introduced her Bill yet again and placed further pressures on the House this year if it had not been made clear that the Government were converted to her point of view and were, in the light of the Warnock report, about to take action.

About 90 per cent. of those who have given us their opinions so far are against commercial surrogacy—as this Bill is. As my hon. Friend the Member for Basildon (Mr. Amess) pointed out, all the churches gave their opinions against commercial surrogacy. The Church of England, the Church of Scotland, the Free Church, the Methodists, the Roman Catholics, the Salvation Army and the Chief Rabbi have indicated that they agree with the Warnock conclusions against commercial surrogacy.

The Baby Cotton case was not a sudden, isolated incident which gave rise to rushed legislation. That case served to underline to the general public what was already becoming apparent to Ministers and to hon. Members—that something had to be done urgently about commercial surrogacy problems. As my hon. Friend the Member for Leicester, East (Mr. Bruinvels) reminded us, we are fairly certain that three other pregnancies have taken place as a result of commercial agency arrangements. In the next few months those children will be born. Obviously, the Bill will not affect those arrangements or taint them with criminality retrospectively.

It became even more important to act to ensure that a small, albeit thriving, industry did not develop, whereby agencies began to operate here, largely for Americans who wanted children, offering fees to mothers in this country to lease their wombs and by surrogacy provide a couple with a child.

The background to the legislation is not one of rush or of over-reaction to public issues, as the hon. Member for Oldham, West (Mr. Meacher) implied. A clear and consistent course of action by the Government has enabled us to identify at least this one narrow issue among all the important issues examined by Warnock. The time has come to invite the House to pass speedy legislation.

The debate has underlined the Government's judgment that this was the right action. There is rarely unanimity between both sides of the House about a Bill's basic aims. Every hon. Member has made it clear that he or she will support the Bill on Second Reading. The unanimity does not require any underlining by me. Whatever the angle at which one looks at the arrangements that commercial agencies might undertake in relation to surrogate motherhood, there are substantial dangers for all the parties involved and for society as a whole.

Hon. Members showed a slightly different emphasis in the particular party that they were seeking to protect. In some circumstances one can envisage any one of the parties being potentially a victim of the unwise decision to participate in a commercial arrangement of this kind. The surrogate mother may be exploited because of her financial needs or vulnerability and may be tempted to participate in an arrangement that she bitterly regrets. She may undoubtedly be a victim of the arrangement set up by the agency.

Some of the would-be parents may be victims. Some couples are desperate to have children. We all know of the heart-searching and the agony of some people who are unable to have children. As my hon. Friend the Member

for Renfrew, West and Inverclyde said, sums of up to £20,000 are sought from people for surrogacy arrangements so that they can ensure that at least one of them has his own child by fathering the child by a surrogate mother.

Most importantly, we are all concerned about the children who could be the tragic victims of arrangements entered into and organised by agencies for purely commercial reasons. The children could be the victims of a battle between the two sets of parents about who will exercise parental rights, or the three parents could reject the child and say that they no longer wish to have it because something has gone wrong.

As my hon. Friend the Member for Renfrew, West and Inverclyde said, the remainder of the family, including other children of the surrogate mother or the would-be parents if they had adopted other children, could be adversely affected by the possible consequences if a commercial arrangement goes wrong. For all those reasons, it became apparent during the debate that we had succeeded in defining at least one narrow part of the subject—whether we wish to see commercial agencies establish themselves and negotiate agreements offering fees to those who take part—and establishing unanimity that the criminal law was required to ensure that that did not happen.

Unanimity extends only to the general points. The Government were asked a number of detailed points about the Bill, and they will plainly be dealt with in Committee. I shall not deal with them all in depth now. I hope hon. Members will forgive me if I do not do justice to the points which have been raised. We will return to them in Committee.

The hon. Member for Oldham, West queried the provision contained in clause 3(2) which attaches absolute liability to the proprietor, editor or publisher of a newspaper or periodical which carries an advertisement offering surrogacy. He implied that it was somewhat harsh that it should be a criminal offence for the proprietor, editor and so on to produce a newspaper containing such an advertisement. We shall return to this point later if it is necessary, but that provision is essential to make the ban on newspaper advertising effective.

Newspapers and periodicals are used to the practice of hiring people to read their copy to ensure that they do not render themselves liable to legal action for what has appeared in the newspaper. If it were necessary to establish that the proprietor knowingly published the advertisement, it would be far too easy for him to say that no one had thought of the point, that it had been overlooked and that no one had read the advertisement with that point in mind.

Absolute liability will ensure that the newspapers take the precautions they usually do to protect themselves against libel and all the other risks they run. We knew what we were doing when we made publication an absolute offence. If the hon. Gentleman presses that amendment in Committee, he runs the risk of making that part of the Bill ineffective.

My hon. Friend the Member for Bournemouth, West asked whether the Bill prevented donations to charitable surrogacy agencies which would collect money but claim that they were doing so for non-commercial reasons—for some greater cause or to plough back into the agency's work. Subject to any further thoughts that I may have before we reach Committee, my answer is that the Bill would prohibit such payments. The terms of clause 2(5) are so wide that such payments are caught if they are made by the surrogate mother, the commissioning parent or someone connected with either of them. That is one of the purposes of clause 2(5).

My hon. Friend the Member for Leicester, East asked what would happen if payments were deferred until some considerable period after the birth and after the rights over the child had been handed over. Subject to any further examination in Committee, we believe that the Bill deals with that point and prohibits such payments, because under clause 2(3) payments are prohibited "at any time". That would include deferred payments of the sort that my hon. Friend feared.

The hon. Member for Barking asked what would happen if there were a voluntary surrogacy arrangement among three parties who were not contemplating any commercial arrangement, and they had the services of a solicitor to give them legal advice about drawing up a contract, or the services of a professional person to give general counselling, and contemplated paying a fee for such advice. Any solicitor, professional person or anyone contemplating doing anything for a fee for the parties involved would have to study the Bill carefully before giving any such advice. The answer is to be found in clause 2(1)*(a)*, *(b)* and *(c)*. That part of the Bill defines what the illegal acts will be if surrogacy is negotiated commercially by anyone.

It is arguable that if someone is giving general advice and counselling for a modest fee, they would not be committing a criminal offence. The Bill prohibits negotiating a surrogacy arrangement or taking part in negotiations which have a surrogacy arrangement in view. It also prohibits bringing together information to enable someone to put couples in touch with one another.

If advice fell short of negotiating an agreement, it is possible that arrangements could be entered into between a couple who wished to commission a surrogate child and a professional person without falling foul of the Bill. The moment that the solicitor began to negotiate a surrogacy arrangement, he would be caught by the Bill.

I am sure that the subject of jury trial will be raised in Committee. It was raised by——

Mr. Beith: Does the Minister accept the view of the Warnock committee, that it should be put beyond doubt that surrogacy arrangements cannot be enforced in the courts, or does he believe that there is no doubt that they cannot be enforced in the courts? What is the Government's view about that?

Mr. Clarke: I was about to deal with the hon. Member's point. I agree that it is relevant. It is our view, on advice, that such contracts are not enforceable now. If anyone went to the courts in this country seeking to enforce a surrogacy contract—if someone brought an action to try to compel an unwilling surrogate mother to hand over the child or if the surrogate mother went to court to try to compel the would-be parents to pay the fee promised under the contract—it is confidently felt by most people, as the Warnock committee felt, that such a contract would be regarded as unenforceable by the courts and contrary to public policy. It might be helpful for that point to be put beyond doubt in statute at some stage, because, although that is believed to be the position, there is no point in sitting around waiting for a test case, with all the problems that would surround such a case for the parties involved.

[Mr. Clarke]

My right hon. Friend explained the policy behind the Bill. When producing the Bill, the Government set out to make it as narrow as possible to carry unanimity and to guarantee the speedy passage through the House which we think is essential. I do not, therefore, want to encourage amendments in Committee. I cannot be forthcoming about amendments at the moment. If, however, it turns out in Committee that there are narrow points that fall within the scope of the Bill, which command universal support, as the main policy has, and which are easily dealt with in drafting and other terms, the Government will consider them sympathetically to see whether we might have made the Bill too narrow and misjudged the mood of the House. If there is unanimity we might consider whether the Bill might be extended, but there will not be many such points.

The remainder of the debate related mostly to the wider issues of Warnock. A number of my hon. Friends asked why the Bill is so narrow and aimed only at commercial agencies and advertising. They asked why we had not taken the opportunity to go ahead, as they would wish, with making all surrogacy arrangements of any kind unenforceable. My right hon. Friend the Member for Castle Point (Sir B. Braine) felt most strongly about that matter. Indeed, the hon. Member for Oldham, West criticised the Government for acting so narrowly, for not having taken the opportunity to grapple with some of the wider issues in Warnock and for not having looked at surrogacy generally.

I agree entirely with the points made by all hon. Members, that there are very important questions for the House to resolve — for example, the legal status of children, how to sort out the problem of legitimacy and illegitimacy and the position of the child who wishes to know the exact circumstances of his birth. This issue has not been legally resolved. For example, what would happen if a child who had been adopted following a surrogacy arrangement sought to take advantage of the recently enacted legislation and tried to find out the full circumstances of his or her birth and the identity of the surrogate mother? These, and many other issues, were raised, but the hon. Members who raised them almost answered themselves because of the way in which they disagreed with one another.

The hon. Member for Oldham, West, my right hon. Friend the Member for Castle Point and a number of my hon. Friends gave different opinions about the legislation they thought necessary in the case of unpaid surrogacy. The hon. Member for Leyton (Mr. Cohen) postulated the state making payments to surrogate mothers. This was the furthest we went in one direction. My hon. Friend the Member for Bournemouth, West put forward a very interesting proposition dealing with a point made by another of my hon. Friends: that one cannot stop purely private arrangements of the kind first started by Abraham, so far as history recalls, but that at least it should be possible to prohibit all procurement by agencies and prevent the negotiating and advertising of these arrangements by anybody. However, the debate showed how difficult it would be to resolve these issues.

It will not be possible to obtain unanimity. The House genuinely reflects the very wide range of opinion which is found to exist among all interested sections of the general public. Not only is it difficult to obtain unanimity, whatever decision the Government first suggest and the House eventually makes will require great care and precision in its drafting and formulation. Before a Bill can be produced for the House to contemplate, a great deal of work will be required. The drafting of so complex a Bill will be a substantial undertaking. However, I can assure the House and my right hon. Friend that the work is in hand and that our desire is for such a Bill to be brought before the House as soon as possible.

It would be folly to try to say when, because of the complexity of the subject and the pressures on the parliamentary timetable for a Bill which will be a fairly lengthy undertaking, given all the hon. Members who have spoken today, should they wish to take part. However, the Government hope to bring such a Bill before the House during the lifetime of this Parliament and to give all hon. Members the chance to deal with those issues.

I hope that the House will take the decision which my right hon. Friend invited it to do when he introduced the Bill, and to leave on one side, without minimising them, the strongly held views about other aspects of surrogacy and the position of children and to say that this narrow point is so important that there should be a speedy end to commercial agencies and a quick suppression of any more Baby Cotton cases. I hope that opinions can be left on one side when it comes to giving this Bill a reasonably speedy passage through the House.

My hon. Friend the Member for Leicester, East asked when this Bill will come into force. It will come into force immediately after royal assent. However, when it receives royal assent is in the hands of all hon. Members, in particular in the hands of those who are selected to be members of the Standing Committee. I hope that the Bill will receive an unopposed Second Reading and that it will be an omen for a reasonably quick passage of the Bill. I believe that the general public will welcome the fact that on this very important moral issue, which has given rise to serious public concern, the House of Commons and the Government are totally in step with them and that we have shown that we can act in order to stop something which, if left untouched, will run the risk of becoming a grave moral problem.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee pursuant to Standing Order No. 42 (Committal of Bills).

Education (Corporal Punishment) Bill

Not amended (in the Standing Committee), considered.

New clause 6

EXEMPTION FROM CORPORAL PUNISHMENT NOT GROUND FOR SUSPENSION, ETC.

'A person shall not be debarred from receiving education in any circumstances (whether by refusing him admission to a school, suspending his attendance or otherwise) on the grounds that, if he were not so debarred in those circumstances, he would not be adequately amenable to discipline by reason of his being a pupil exempt from corporal punishment by members of the staff for the purposes of section 1 of this Act.'.—*[Mr. Dunn.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Bob Dunn): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this, it will be convenient to discuss the following amendments: Government amendments Nos. 7 and 13.

No. 22, in page 4, line 17, at end insert—

'(1A) No headteacher of a school or responsible body as set out in subsection (1) above shall exercise any power he, or as the case may be it, may have to refuse a pupil admission to a school or suspend or expel a pupil from a school or from education provided in a school solely because the pupil is or may be exempt from corporal punishment.',

Government amendments Nos. 26, 29, 33, 39, 47 to 49, and 51.

6.15 pm

Mr. Dunn: I am delighted at long last to be at the Report stage of the Education (Corporal Punishment) Bill. Rather like the organisers of "Miss World", I should like to deal with Government amendment No. 29, Opposition amendment No. 22, new clause 6 and all the other amendments on the Order Paper. During the recent short recess, the hon. Member for Denton and Reddish (Mr. Bennett) and I have on many occasions thought about the Report stage. The Bill went through a very short and amicable Committee stage, with the help and support of all the parties represented on the Committee. It was a unique occasion of good will and harmony.

If I may deal initially with new clause 6 and the other amendments to which I have just referred, it was argued in Standing Committee that the Bill gave inadequate protection for an exempt pupil against unjust measures, including suspension and expulsion from school. The fear of members on both sides of the Standing Committee was that schools would seek to circumvent the effect of the legislation, either by refusing admission to a pupil whose parents were known to favour exemption or by suspending or expelling a pupil simply because he had exempted status. It is fair to say that no member of the Standing Committee claimed that exempt pupils should be immune from debarment from school, only that exempt pupils might be the target of unfair practice designed to thwart the wishes of parents. I believe the House will accept that that is a fair though short interpretation of the views of members on both sides of the Committee.

During the proceedings in Standing Committee I was able to point to our proposal that questions about corporal punishment should be put to parents after a child had been accepted by a school. This, together with provisions to allow parents to change their mind, would in virtually all cases rule out the possibility of a child being kept off a school roll because of parental views about exemption. Again it is true to say that, despite my assurances, some members of the Standing Committee had lingering doubts about this, and more particularly about the possibility of debarments affecting pupils on the roll when the school became aware of the wish of parents to exempt pupils. In order to remove those doubts and to make it plain on the face of the Bill that it would be intolerable to give a new right to parents on the one hand and then to allow a school effectively to withdraw it on the other, these amendments have been placed on the Order Paper.

In one sense the amendments go a little further than amendment No. 22, which was tabled before the recess by the hon. Member for Denton and Reddish. I think that he will accept that his amendment might be effective against a school that said, "We cannot accept your child any longer as a pupil because you have exempted him from corporal punishment." It might be less effective against a school that said, "Your son has been disturbing the good order of the school. We cannot apply effective discipline because you have exempted him from corporal punishment so we are debarring him from school." Such an argument — where actual misbehaviour and the principle of corporal punishment are entangled—is undermined by the Government amendments, and I hope that hon. Members on both sides will accept that these amendments support the principle that parents should not be unduly penalised for their philosophical convictions as they might be if schools resorted to debarments as a way of escaping the Bill's provisions.

Amendment No. 22 is also in the name of the hon. Member for Denton and Reddish. I think that he will accept my interpretation of his amendment, which is that its intention is to ensure that pupils whose education is publicly funded and whose parents claimed or might claim an exemption from corporal punishment could not be debarred solely on account of that claim. As the hon. Gentleman knows, I have considerable sympathy for the principle behind the amendment, so much so that a Government amendment has been put forward to reinforce it.

I certainly would not want to see a pupil debarred simply and solely because a parent had exempted him or intended to exempt him from corporal punishment. In fact, the Government amendment attempts to go a little further than amendment No. 22 ensuring that pupils are not debarred directly or indirectly because their parents exercise their rights under the Bill.

Government amendment No. 29 is a minor, technical amendment which allows the whole of the Bill as it affects England and Wales to be cited as one with the Education Act 1944 and subsequent relevant legislation.

Mr. Andrew F. Bennett (Denton and Reddish): We welcome the fact that, in a sense, the Government have met us on this point. However, we regret that they did not meet us on more points.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 3

PUNISHMENT POLICY

'Before the coming into force of this Act all local education authorities in England and Wales shall discuss their policy on

[Mr. Andrew F. Bennett]

school punishments, and issue local guidelines to all governing bodies in their area, who shall then arrange for their schools to discuss the guidelines, and prepare a report for the governors, who shall then decide the punishment policy for that school.'.—*[Mr. Andrew F. Bennett.]*

Brought up, and read the First time.

Mr. Andrew F. Bennett: I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to take the following amendments: No. 1, in clause 1, page 1, line 6 leave out subsection (1) and insert—

'(1) Where in any civil or criminal proceedings it is shown that corporal punishment has been given to a pupil by or on the authority of a member of the staff, giving the punishment cannot be justified on the ground that it was done in pursuance of a right exercisable by the member of the staff by virtue of his position as such.'.

No. 17, in page 3, line 20, leave out clause 2.

No. 21, in clause 3, page 4, line 8, leave out subsections (1) to (4).

No 27, in page 4, line 37, leave out, 'This and'.

No. 30, in clause 4, page 5, line 7, leave out from '48A' to end of line 18 and insert—

'(1) Where in any civil or crifninal proceedings it is shown that corporal punishment has been given to a pupil by or on the authority of a member of the staff, the giving of the punishment cannot be justified on the ground that it was done in pursuance of a right exercisable by a member of staff by virtue of his position as such.'.

No. 42, in page 7, leave out lines 1 to 38.

No. 43, in page 7, leave out from line 39 to line 11 on page 8.

Mr. Bennett: I hope that new clause 3 will be acceptable to the House.

I should like to begin by talking to amendments Nos. 1, 17, 21, 27, 30, 42 and 43. Taken together, the amendments set out the view of the Opposition, which is that we should have an abolition Bill rather than this half measure that the Government are putting forward. Although we put it on the record clearly on Second Reading and in Committee that we would have preferred an abolition Bill, it is worth repeating, to make it absolutely clear, that on a matter of principle we think that corporal punishment should be abolished in all our schools. It is now perfectly possible for the Government to do so.

Corporal punishment is a barbaric practice. When so many people go out of their way to express their horror at the violence in our society, and argue that they want to do all that they can to reduce violence, it is amazing that they still believe that by bringing violence into the classroom we can give people good examples that will not lead to violence later. The more one encourages the use of violence in education, the more likely one is to create a society in which people think that violence can, on occasions, be justified.

Therefore, I would have much preferred the Government to come forward with a clear statement of principle that they believe that, in education, corporal punishment in any of its forms is totally unnecessary. Going round the country, I find it attractive that the vast majority of good schools have managed to phase out corporal punishment altogether. I have been amazed to find that, even when I have gone to areas where authorities have abolished corporal punishment and some teachers had reservations when abolition was announced, in almost every instance the teachers have come to accept that. If one looks at the amount of school violence, one sees that there seems to be a strong correlation between the decline of violence among pupils and the abolition of corporal punishment. Therefore, I hoped very much that, even at this late stage, the Government would turn this Bill into a straightforward abolition Bill.

If the Government will not go along the lines of abolition as a matter of principle, I argue strongly that they should look at the problems of the costs involved in the legislation and the creation of a substantial bureaucracy, which will be resented by many schools. Many schools will probably interpret the Bill as an abolition Bill. When one goes round schools, one finds that almost all are under pressure from cuts of one sort or another. Many local authorities seem to feel that rather than cut teaching staff, it is easier to cut back on the hours of the school secretary or people involved in administration. Sometimes those cuts are ill-advised because it means that teachers and heads end up doing more administration and less teaching and doing what they are most skilled at. It is a false economy to cut in that area. My impression is that most schools are hard pressed for secretarial assistance. Even in a primary school, having to send all the letters——

Mr. William Cash (Stafford): Will the hon. Gentleman explain why the Labour party, when in government, did not abolish corporal punishment in schools? The European convention on human rights has been with us for a long time. Furthermore, will he explain why the Labour chairman of Mid-Glamorgan education committee described the campaigners for abolition as "just not living in the real world."
That quotation comes from *The Times* of 10 January 1984.

Mr. Bennett: I am well aware of the views of the chairman of Mid-Glamorgan local authority. I see that the Government Whip, the hon. Member for Watford (Mr. Garel-Jones), is saying that he is a very good man.

Questions of local democracy are involved. There are problems in persuading all those who support the Labour party that the views that I am expressing are the right ones. However, I believe that if people stop and look at all the evidence, on the whole they come round to the abolition point of view. I have made it clear to the House that when I was a teacher, in one of the first schools that I worked in I was involved in using corporal punishment. I very much regret it. It was a measure of some of the problems that we used to face in schools. If one is faced with a class of 42 pupils or more, treating each one as an individual and being prepared to look at the problems of each individual is extremely difficult. It is also difficult if the school structure is not good. However, if class sizes are made much smaller and we work at creating an atmosphere of discipline in the school, which is good and supportive of new teachers who are in their probationary period, it is perfectly possible to run a good school without resort to corporal punishment.

Mr. Cash *rose*——

Mr. Charles Wardle (Bexhill and Battle) *rose*——

Mr. Bennett: I am not giving way.

In Europe, there has never been any question of corporal punishment in many schools, and no one has suggested that there is a need for it. I argue strongly that

there is a good case for us being able to abolish it. With regard to what the Labour Government did or did not do, there is a whole series of areas in which I should like to see education advance and in which I regret that more progress was not made during that period.

Mr. Martin Flannery (Sheffield, Hillsborough): Based on experience in Committee, does my hon. Friend agree that the Government's position on corporal punishment has been so eroded by the nonsense of the Bill that abolition is now inevitably on the way and that the Government's last defensive stand is clearly just a gesture? Does my hon. Friend agree that both sides of the House, the entire educational world and most of the electorate realise that the major step has been taken and that the principle that we espouse is bound to win in the end?

6.30 pm

Mr. Bennett: Yes, I am grateful to my hon. Friend.

If the Government will not go for abolition as a matter of principle, they should consider the costs involved in the scheme and the extra burden on school administration. As the Minister knows, most school secretaries are under considerable pressure. Due to cuts in supplies of books and other materials there is increasing pressure to have such materials duplicated or photocopied in the school, which places an increasing burden on secretaries and administration. There is also an increasing demand for statistical information, for which Parliament is sometimes to blame.

The combination of cuts and extra duties has placed ever-increasing burdens on school administration in recent years and the Government's scheme will exacerbate the situation. Letters will have to be sent to parents to ask for their views. A second set of letters will then have to be sent out and the register kept up to date. Moreover, it is important that all those tasks should be accurately carried out. In the past four weeks I have visited about 15 schools. In every case, whether or not the school already does without corporal punishment, the head took the view that the procedure in the Bill was unworkable and that the school would regard it as an abolition measure rather than try to administer such a scheme. I appreciate that it will be necessary to persuade the school governors, but that is the clear view of the head teachers.

Mr. Wardle: The hon. Gentleman has referred to the cost of the system proposed in the Bill. Is he aware that, according to a report in *Teacher* last year, Leeds city council estimated that alternatives to corporal punishment would cost it about £3 million and require the appointment of about 280 extra teachers?

Mr. Bennett: The hon. Gentleman's figures are interesting, but he should consider what is obtained as a result. Whether caning children persuades them to be helpful, conforming pupils who will benefit from their education is quite another matter. I accept that setting up special units may be quite expensive, but they may also provide much better value for money. I am worried, however, that too much emphasis is being placed on corporal punishment and too little on school discipline in general.

Mr. Cash: Is the hon. Gentleman aware that the withdrawal units—often described as sanctuaries or sin bins—are an increasingly popular means of dealing with disruptive pupils and that in 1977 there were 239 such units in England with accommodation for 3,900 pupils? As the hon. Gentleman knows, the cost of such units is considerable. The units visited by Her Majesty's inspectorate dealt with 1,890 pupils at a cost of 235 full-time and 86 part-time teachers. Perhaps the hon. Gentleman will comment on that.

Mr. Bennett: Certainly some of the so-called sin bins are very expensive and some, I believe, are unnecessary.

That brings me nicely on to new clause 3. It is important to abolish corporal punishment, but it is even more important to have a useful debate on the whole subject of discipline. In that sense, I regret that the Government have introduced this Bill rather than a far more comprehensive measure on school discipline as a whole. I believe that far more attention should be devoted to that aspect. I hope that when local authorities and school governors consider this measure they will not spend all their time arguing about whether to have corporal punishment in their schools but will spend far more time discussing the code of discipline to be used in their schools.

I hope that the role of parents will also be considered in depth. Too often, schools expect parents to take the lead in maintaining discipline while parents expect the school to do so, when what is needed is co-operation. Neither should attempt to shrug off the responsibility on to the other. Problems of discipline and behaviour should be discussed with parents at an early stage to secure co-operation between the parents and the school and, if possible, the pupil.

The Bill should provide an opportunity for all local authorities to review the whole question of the form of discipline acceptable in their schools. There should be full discussion in the schools as to the sanctions required. The local authority or the school governors will then make the policy decision.

The hon. Member for Stafford (Mr. Cash) was worried about the cost of the so-called sin bins. In a sense, the extent to which local authorities use them, sometimes more than necessary, worries me less than the practice of some authorities in allowing governors to suspend pupils and to do very little about them thereafter. I referred in Committee to a child in my constituency who was suspended for a long period following incidents at school and in my view was not receiving any proper education during that period. Far too often pupils in their third or fourth year of secondary school are suspended for long periods during which they receive extremely inadequate education.

Mr. Cash: The hon. Gentleman said that this subject led him on nicely to new clause 3. Perhaps I may refer to the actual wording of the new clause rather than to the hon. Gentleman's comments. It states:

> "Before the coming into force of this Act all local education authorities in England and Wales shall discuss their policy on school punishments, and issue local guidelines to all governing bodies in their area, who shall then arrange for their schools to discuss the guidelines, and prepare a report for the governors, who shall then decide the punishment policy for that school."

Nothing whatever is said about the criteria to be used in the guidelines, an omission which seems to me so fundamental as to make the new clause utterly meaningless. Perhaps the hon. Gentleman will inform us of the criteria that he believes should be applied.

The hon. Gentleman said that he believed that corporal punishment should be abolished altogether, but I suggest——

Mr. Speaker: Order. The hon. Gentleman is going into detailed arguments that he might raise if called to speak in the debate.

Mr. Bennett: I gave way to the hon. Member for Stafford somewhat generously, in the hope that if he dealt with some of the points in an intervention he would not wish to make a speech.

The Opposition believe in local democracy. We believe that, within some guidelines, local authorities should make up their own minds. We firmly believe that corporal punishment should be abolished, but we want local authorities to be allowed to make up their own minds.

Some local authorities have set up special units or sin bins. That is a matter for the local authorities. It is most important that each local authority and governing body should debate not just the merits and demerits of corporal punishment but the wider issues. The aim of the new clause is to suggest that there should be a thorough-going review of the punishment system and, in particular, of the whole issue of suspension—the circumstances in which suspension is resorted to, what the local authority does once a pupil has been suspended and what attempts are made to ensure that a youngster suspended from school is given a proper education.

The local authority should also consider the question of transferring pupils to special schools for the maladjusted. There is evidence that some children are pushed in that direction simply because a particular school finds them difficult to handle. The House spent much time debating the Education Act 1981, which dealt with special education. We all supported the principle of trying to integrate pupils with special educational needs into the mainstream schools. It is not good practice to exclude children from schools because of discipline problems, and we should try to create a system in which mainstream schools are given support so that they can continue to educate such children themselves.

I have talked to a teacher working in a withdrawal unit to which pupils are sent because they have been suspended. His brief was clear. It was to try to create an atmosphere in which children could be returned to mainstream schools as soon as possible. In practice, children at that unit do not return promptly to mainstream schools because they enjoy the education offered in the unit so much that they want to stay there. Why cannot similar conditions be created in mainstream schools, so that the youngster is happy to be taught in his own school rather than in a withdrawal unit?

There is evidence that some heads, especially in large comprehensive schools, run what are in fact withdrawal units within the school. That is another matter that the local authority should discuss. There should be a thorough-going review by all local authorities of the question of the proper policy, within that local authority, on discipline in schools. Such a review would be as important, in a sense, as this legislation—certainly in its present form.

Who has control over the final decision—the local authority or the school governors? It was disappointing to see that amendment No. 18 does not appear on the selection list, although I understand the reasons why it does not. I hope that it will be in order for me to deal briefly with the questions raised in that amendment, as they are also relevant to new clause 3.

The question is whether the Bill is neutral in terms of the relationship between the local authority and the school governors, whether it is rather more positive and removes from the local authority power to make a decision about corporal punishment and to make that decision stick, or whether it confers a decision-making power on the governors. The Minister insisted in Committee that the Bill is neutral and that it is not his intention to change the relationship between the local authority and the school governors. However, I have here a letter from Peter Wallington of the university of Lancaster's department of law, who suggests that the Bill is not neutral. I also have a letter from Stephen Sedley, QC, who makes a similar point.

Mr. Cash: Will the hon. Gentleman give way?

6.45 pm

Mr. Bennett: Clause 3(1) of the Bill places a special duty on the governing body. The argument in the two letters is that if the Bill gives the governing body a special duty, it is hard for the Minister to argue that it is neutral. There would be a strong presumption in the courts that if the Bill conferred a duty on the governing body—what the Bill refers to as the "responsible body"—that body would be able to exercise that duty. The Minister says, however, that the local authority has overriding powers. I hope that he will make his position clear. That may be a point to which the House of Lords will wish to give further consideration.

My impression is that the clause is not neutral and that it transfers the powers from the local authority to the governing body. That would be unfortunate because the strength of many governing bodies is the fact that the members work as a team. Within most of them there is very little sense of a political divide, and on the whole they work for the good of the school rather than being directed by political considerations or any other policy. It would not be good for the governing bodies to find themselves divided by arguments about corporal punishment. They should act on a basis of consensus.

Also, if it turned out that local authorities did not have power to abolish corporal punishment, some authorities might be tempted to pack the governing bodies. The Minister would not want that to happen. I hope that he will make it clear that it will still be possible for a local authority to decide whether it wants corporal punishment and that if a local authority decides that it does not want corporal punishment, the governors will not be able to overturn that decision.

It is sad that we are not discussing an abolition Bill. I would very much welcome Government acceptance of amendments Nos. 1, 17, 21, 27, 30, 42 and 43, which would turn the Bill into an abolition Bill, but I would be very much surprised by Government acceptance of those amendments. However, I hope that the Minister will make it clear that he wants all local authorities, governing bodies and teachers to review discipline in their schools and to consider what is needed, and will also make it clear that he will take account of the complicated administration necessitated by the Bill and will consider the question of abolition. I hope that he will confirm that this is indeed a neutral Bill, in spite of the fact that we have had much legal advice that it is far from neutral and that it alters the relationship between the local authorities and the governing bodies.

Mr. Dunn: I congratulate the hon. Member for Denton and Reddish (Mr. Bennett) on his remarks, to which I have listened with interest although I have heard them on a number of occasions in Standing Committee.

My hon. Friend the Member for Stafford (Mr. Cash) made a point about the chairman of the mid-Glamorgan education authority. In reply, the hon. Member for Denton and Reddish talked about local decision-making and local democracy. I understand his point, but the question of local democracy and decision-making can be used to make a case for precisely the policy that the hon. Gentleman fears — the belief that governing bodies should have some rights of veto or self-determination if they wish to apply corporal punishment in their schools even though the local education authority may be politically, philosophically or morally opposed to it.

The hon. Gentleman also referred to the increase in bureaucracy. I listened with interest to what he said. I cannot share his vision of the future—many extra hours of work being imposed on school clerical staff — although I accept that there will be some extra work. However, a tremendous amount of extra work will fall on school clerical staff and teaching staff if there is an increase in the number of expulsions and suspensions. Many governing bodies discuss expulsions and suspensions. Reports are asked for, and they are often submitted to the local education authority. That process involves typing, checking, reformulation, copying and postage, all of which involve extra expenditure and work. I therefore had double vision when listening to the hon. Gentleman's speech.

My hon. Friend the Member for Stafford mentioned the increase in the number of withdrawal units or sin bins, as they are known more euphemistically. I regret the number of such establishments. Indeed, I regret crime and sin, but they exist. I therefore accept the need in certain circumstances for units to which disruptive children may be withdrawn for their own good and that of their fellows.

Mr. Andrew F. Bennett: Will the Minister admit that the growth in their numbers has occurred irrespective of whether the local authority has a policy of allowing corporal punishment, and that it has often grown where there is still far too much corporal punishment?

Mr. Dunn: I agree with the hon. Gentleman's first point but not with his second. Nevertheless, I regret the increase in the number of sin bins for the reasons that I have given.

The hon. Gentleman also mentioned discussion and the constant review of policy on discipline, the problems and incidence of misbehaviour, and how a school, communities, parents and teachers react to its growth. All local education authorities, teachers, governors, and parents should be anxious about the growth of misbehaviour and misdemeanour and review constantly their attitude to and policies for meeting those problems. That happens in many local authorities, irrespective of their political persuasion.

I shall urge the House to resist new clause 3 because there is no necessity for local authorities to go to the lengths suggested by it. The best approach must be for education authorities to leave these matters to schools. Disciplinary sanctions are best handled at school level because much depends on how a school operates and its ethos. Local authorities are often not well placed to lay down guidelines.

Schools will need time to discuss disciplinary issues before an exemptions scheme comes into force. Discussions might well extend beyond the narrow issue of corporal punishment, and I therefore imagine that the debate which the hon. Member for Denton and Reddish wants will occur in many local education authorities. There is no need to stipulate precisely how those discussions should be organised. The initiative can and ought to come from schools.

I am surprised by new clause 3 as it seems to leave punishment issues to governing bodies in the last resort. The hon. Member for Denton and Reddish has sought assurances that the Bill is not intended to prevent local education authorities from banning corporal punishment, yet new clause 3 seems to give the last word to governing bodies.

Mr. Andrew F. Bennett: I accept that criticism, but I should think that the Minister is aware that, if amendment No. 18 had been selected, we should have been able to make our stance clear. I referred to that amendment. The new clause would have been better worded if it was clearly neutral, but it is a little unfair for the Minister to chide me for that when he has not managed, so far, to answer our criticism that his Bill is not neutral.

Mr. Dunn: I shall deal with that matter after considering the amendments in the group.

Mr. Cash: Is my hon. Friend aware that the same professor of law at the University of Lancaster has produced another report, which has everything to do with the miners' dispute? Perhaps my hon. Friend would be good enough to give his view on that?

Mr. Dunn: The House is grateful to my hon. Friend for that information. My reaction is one of interest. If there are fears about the intentions behind the Bill, there is an answer which I am sure will settle them.

The amendments in the group are intended to abolish corporal punishment. The hon. Member for Denton and Reddish has returned to this theme often. I am not surprised by the incidence and type of the amendments. Opposition Members have tried steadfastly to turn the Bill into one which abolishes corporal punishment. On behalf of the Government, I have resisted such attempts, and do so again now. It has been argued that schools' use of reasonable and moderate corporal punishment is so wrong and so utterly inappropriate that the law should ban it. I disagree, as do many thousands of teachers and parents.

Whatever place we accord to this form of punishment in the disciplinary regime of a school — we all have views about that — I cannot accept that, by its very nature, it is a sanction that ought to be banned by law. We are discussing reasonable and moderate corporal punishment. Opponents of corporal punishment use loaded guilt-inducing words such as beatings, floggings and thrashings. They use the language of extremes. The point at issue is reasonable and moderate measures to impose discipline and to confront unruly or bullying behaviour.

Other people take a more pragmatic approach. They argue about the effectiveness of corporal punishment and say that it is so ineffective that the law should be invoked to prohibit its use. Thousands of teachers and parents— those close to the daily problems — take an opposite view about its efficiency. They believe that it has a useful function. I am ready to leave judgment about that to

[Mr. Dunn]

schools and parents and am not prepared to go along with the view that we should enforce abolition through legislation, simply because some believe that so many teachers and parents are wrong.

It has been argued that, although parents might favour reasonable and moderate corporal punishment for other children, they oppose it for their own, I disagree and, apparently, so do many parents. Indeed, on the very day on which the Standing Committee has its final meeting, *The Times* published the results of a MORI poll. Leaving aside the "Don't knows", some 63 per cent. of parents interviewed favoured the use of corporal punishment in schools. Perhaps even more significantly, a slightly higher proportion—65 per cent.—said that they would give schools permission to use corporal punishment on their children. It must be disconcerting to Opposition Members to see from the poll that among Labour and alliance supporters, some 60 per cent. of parents favour the use of corporal punishment in schools.

7 pm

The Government are not prepared to ignore figures such as those. That poll helped to demonstrate the real point of the Bill—that many parents and teachers wish to retain corporal punishment, and in our view, when parents and school agree about its use on a particular pupil, we should not intervene with an enforced ban.

Mr. Conal Gregory (York): My right hon. Friend rightly reports on the market research and on the fact that not for the first time the Opposition are out of touch with the electorate. A most persuasive factor is presumably the number of countries which still adhere to corporal punishment, such as Australia, New Zealand and Canada and the Commonwealth. Those countries which have banned it—for example, France—have found that the alternatives are so inadequate that they have resorted to other functions. France has had to ensure that family allowance is withdrawn because it has been unable to find enough penalties.

Mr. Dunn: From time to time it has been suggested that such a practice would occur here. I am not convinced that such a move would necessarily have the objective which some people might claim.

Mr. Andrew F. Bennett: Will the Minister make it absolutely clear that although the power to withdraw family allowance technically exists in France, it is used hardly at all and that that is an unfair smear?

Mr. Dunn: It is a perfectly legitimate view to advance. All hon. Members have the right to express their opinions. My hon. Friend the Member for York (Mr. Gregory) has advanced a view which is not unfamiliar to those of us who served in Committee. However, I understand the point made by the hon. Member for Denton and Reddish that the scheme as applied in France has not achieved the heights that were promised or expected.

The hon. Member for Denton and Reddish referred to the Bill's neutrality. I gave him an undertaking in Committee and he has seen copies of correspondence that I have sent to Mr. Peter Newell of the Children's Legal Centre. I wrote to Mr. Newell on 4 April and sent copies to the hon. Gentleman and to my hon. Friends who expressed an interest in the matter. On that occasion I pointed out that the Bill is broadly neutral. That is my reading of it and that is the advice that I have been given.

At present, school articles of government are the means by which responsibility for the conduct of a school—and that includes discipline and corporal punishment—is assigned. These articles of government vary between authorities and sometimes between schools within an authority, but usually they assign ultimate responsibility for discipline to school governing bodies, albeit often in imprecise terms. Some articles of government offer local education authorities general override powers—they are drawn up so as to give the local education authority the power to override the decisions of the governing body. Some local education authorities have used such provisions to impose an authority-wide ban on corporal punishment. Some others have achieved the same end by using their position as employers. Either through negotiations with teachers' unions or by recourse to general provisions within teachers' contracts of employment, the local education authorities have reached a position where the teachers are left in no doubt that as employees they are not expected to use and apply corporal punishment.

That is the background against which this matter should be considered. It is a grey area of overlapping and sometimes conflicting responsiblities and powers. I accept that the present position is unsatisfactory and that Parliament should settle the respective powers of head teachers, governing bodies and local education authorities in relation to school discipline, but I am opposed to using this Bill to clarify the position.

Mr. Andrew F. Bennett: We would like the position clarified, but we are not arguing that this Bill ought to be the vehicle for clarifying the responsibility between governors and local authorities. We are suggesting that clause 3 positively says that in future the responsible body will be the governing body. That is our worry.

Mr. Dunn: I should like to continue and perhaps I shall calm the hon. Gentleman's jangled nerves. He must know, as I do, that the partnership between the local education authority and schools is complex. I must say in all honesty that if the Government had to make a choice between giving control of corporal punishment to local education authorities or to schools, they would opt for the latter. That would be in line with the Government's reasoned case for a new legislative framework for schools as set out in the recent White Paper "Better Schools".

It is important not to look at corporal punishment in isolation. This issue is related to discipline and that in turn is related to the conduct of schools. Indeed, the whole relationship between heads, school governing bodies and local education authorities on a wide variety of topics should be considered together.

As the House knows, the White Paper envisages a new approach—a rational approach in which all aspects are considered alongside each other. It foreshadows legislative proposals to bring clarity out of this grey area, and that is the context in which changes should be discussed.

I know that the hon. Member for Denton and Reddish is greatly concerned that without an amendment those local education authorities which have abolished corporal punishment will be forced by the Bill to abandon that

policy. I can assure him that such is not the Bill's intention, or my reading of it as it stands. It has been our intention that the Bill should be neutral on this question. But we need to distinguish between decisions about the keeping of registers — on which clause 2(2) has something to say — and decisions about the use of corporal punishment. The point is that clause 2 has to place on some party the responsibility for deciding whether a register is to be maintained, and, if it so decides, to ensure its proper maintenance. Where a local education authority has taken a prior decision to abolish corporal punishment and has a legal right to do so, a decision by the governing body to keep a register will have no practical effect. In the light of the information that I have given, I hope that the new clause and amendments will not be pressed to a Division.

Mr. Andrew F. Bennett: I did not expect that I would persuade the Government to go along with an abolition measure. Therefore, I shall not press further amendment No. 1 and the others which would have turned the measure into an abolition Bill. However, I hope that in the other place some of their Lordships will return to the arguments in principle and to the impracticalities of the Bill.

As to new clause 3, I believe that most local authorities will have the debate for which I am calling. I am still concerned about the Minister's explanation of whether the power lies with the local authority or the governing body. I remain unconvinced, and am worried that the Minister said that if the Government had to choose they would put the responsibility with the governors, but that they were not choosing now. The Bill suggests that the Government are coming down on the side of the governors. I hope that we are wrong about that, and that local authorities and governing bodies will not be involved in litigation on the matter. It would not be to their advantage. I hope that they will accept the Minister's word that he intends to leave the position as it is, and that if a local authority chooses to abolish corporal punishment, it can do so. The Minister seemed to hint that the governors would be entitled to keep a register, and the local authority would be entitled to instruct all the teachers whom it employed not to administer corporal punishment. That would be farcical.

In the hope that the Minister is right and that what he says, rather than our interpretation of the words, is correct, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 4

PUNISHMENT BOOK

Regulations made under section 2 of this Act and section 48B of the Education (Scotland) Act 1980 shall provide that in schools where a register is maintained for the purposes of the administration of corporal punishment, a punishment book shall be kept in which shall be recorded all incidents of corporal punishment and all other punishments administered by the school to be equivalent to corporal punishment, to those pupils not on the register.'.—*[Mr. Andrew F. Bennett.]*

Brought up, and read the First time.

Mr. Andrew F. Bennett: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take amendment No. 52, in schedule page 10, line 10, at end insert

'Maintenance of punishment book to record incidents of corporal punishment etc.'.

Mr. Bennett: New clause 4 is an attempt to probe the Government about their intentions over the use of punishment books in schools when the regulations come into force. At present schools where corporal punishment is practised have a statutory duty to ensure that all acts of corporal punishment are recorded in the punishment book. That seems to be a sensible practice. In that way the governors can consider how frequently corporal punishment is administered. It records which punishments are given so that the governors can discuss the wider issues of the ethos of the school. The book provides an opportunity for an individual teacher to record that a punishment has taken place in case there should be a future court action. It also enables one to examine the punishment record of an individual pupil and to weigh up whether the school is the appropriate place for him and whether he is being appropriately dealt with. A head who sees the name of a pupil frequently entered in the punishment book must consider carefully whether the school is dealing with that pupil correctly. The punishment book serves a useful function in informing governors and in safeguarding teachers' and pupils' rights.

Will the Minister tell us how he envisages the punishment book developing under the dual system of punishment which is to operate in schools under this legislation? Some children will remain subject to corporal punishment because of their parents' agreement to it, and other pupils will not be subject to it because of their parents' objections to it. It would be completely unreasonable and unfair if only one set of names were entered in the punishment book for the same offence. It would be logical, where a school retains corporal punishment but does not use it on particular pupils, if two pupils committed a similar offence for which their names would be entered in a punishment book had they been subject to corporal punishment, that their names should be entered in the book with the alternative punishment recorded.

I would have thought that the Government could accept this amendment. The Minister may be able to convince us that it is unnecessary. However, I hope that the practice of recording serious offences will continue. I hope that schools will not administer corporal punishment if the offence is not serious. That way over a period of time governing bodies can consider the style and ethos of punishments in the school. There will also be safeguards for the teaching staff, and the opportunity for heads and senior teachers, especially in secondary schools, to review the way in which the school is dealing with a particular pupil and to decide whether the punishments being meted out are leading to a change in the pupil's behaviour or reinforcing his misbehaviour undesirably. I hope that the Minister will look with sympathy at an amendment along these lines or introduce a Government amendment in the other place.

7.15 pm

Mr. Clement Freud (Cambridgeshire, North-East): I have always contended that this is a bad, unworkable Bill, which is why I have been unable to get worked up about opposing it. New clause 4 is a good idea. It is desirable to have as much information about school discipline and punishment as possible. The Department of Education and Science does not know the number or racial composition of children who are suspended from schools. I know that

[Mr. Clement Freud]

because I asked a question and was told so. I do not know how the Department can formulate a policy from a position of complete ignorance, but it has.

It is not the end of the story for parents to opt into corporal punishment because they may approve in theory but change their minds when they find that their child's school uses the cane often or harshly. Parents must have information before they make the choice. The hon. Member for Denton and Reddish (Mr. Bennett) wants incidents of discipline that are considered to be so serious as to merit corporal punishment to be recorded. He wishes to ensure, where corporal punishment is not administered because a child is exempt from it, that where a caned child's name appears frequently in the book, he will not be branded a trouble-maker if he is not doing anything worse than a child who is not caned. The amendment therefore relates to equality.

Since I have known the Minister, and certainly during the passage of the Bill, his most uplifting remark was during the last group of amendments when he said that there was no need to stipulate precisely how these things are done. That should be the working title of this Bill—"There is no need to stipulate precisely how these things are done." I hope that when the Bill goes to another place and when, in future, educationists read our discussions, people will bear in mind that new clause 4 is a good idea. Its provisions should be carried out in practice. Even if it is not enshrined in law, the keeping of a register and the amassing of proper concrete information will always be helpful to education.

Mr. Robert Key (Salisbury): On consideration of the amendment I have come to the conclusion that it is bad and that we would be wrong to accept it. The part of the new clause that leads me to that decision states that in a punishment book shall be recorded.

"all other punishments administered by the school to be equivalent to corporal punishment, to those pupils not on the register."

It is hard enough to define corporal punishment. In reading the responses to the large number of letters that I received from headmasters in my constituency—I received more than 40 about the Bill—I conclude that for all its faults the Bill will be welcomed.

However, I wish to draw attention to the problem of defining what is meant by corporal punishment. I shall give two examples. I received a letter from a headmistress of a primary school. She said that some months ago she had occasion to punish a group of boys aged between seven and nine who were fighting during break and disobeying the requests of the school dinner ladies. I remind the House that we are dealing with the practical problems of running schools. When the boys were brought before the head teacher she happened to be using a ruler to complete a diagram. She decided that a quick tap with the ruler on the hand was the best course of punishment. She had never used the ruler prior to that occasion and had rarely smacked a child. She thought no more of the incident, which had the desired effect. The young men were so shocked — not hurt — that they behaved beautifully for the rest of the day. That evening the head teacher received a phone call from a parent who asked what had happened and whether the head teacher had the right to punish the pupils. The parent reported the action to county hall and the governors, and the head teacher had a distressing week while the parent deliberated whether to sue her for assault. The parent insisted that the head teacher apologise to the child, which the head teacher refused to do. However, she apologised to the parent for misreading "cane" to mean "ruler" — no cane being available—in local education authority instructions. The governors decided not to pursue the matter with the authority, but the head teacher has now received a letter stating that that child must not, in any circumstances, be punished physically. That is on record for all the staff to see.

Another head teacher in my constituency wrote to me saying that, in 14 years as a headmaster, he had neither needed nor used the cane at any time, and that the standard of discipline and behaviour in his school was considered excellent and that the control of children was administered fairly to all at all times. He is sure that most parents would support him in retaining the right, in *loco parentis*, to smack a child for such offences as telling lies, using bad language or being rude to an adult.

Mr. Andrew F. Bennett: I appreciate that the hon. Gentleman wishes to get on record the letters from head teachers in his constituency. I do not blame him for that, but he is trying to criticise my new clause on this basis. Is it not the Bill that presents the problem of definition? The Minister made it clear that the Bill included the smack. Although I do not blame the hon. Gentleman for making it clear that there are problems of definition, I hope that he will use that as criticism of the Bill, not of the new clause.

Mr. Key: I am grateful to the hon. Gentleman for making my point for me. I am trying to point out that there is a problem of definition. If we cannot define, and if it is not generally appreciated by head teachers, what is meant by corporal punishment, it is ludicrous to expect a head teacher or anyone else to decide an equivalent to corporal punishment, as the new clause suggests. On those grounds, I shall oppose the new clause.

Mr. Dunn: The hon. Member for Cambridgeshire, North-East (Mr. Freud) said that statistics are necessary to formulate policy. I should tell him that my Department does not formulate policy without information from a variety of sources, including surveys conducted with local education authorities, what people tell us in the House and elsewhere and HMI reports, on which we rely heavily. We are not entirely without the knowledge at which he hinted in his remarks.

Punishment books are kept by and in schools because of paragraph 6 of DES administrative memorandum 531, which everyone knows is dated 10 May 1956—a very good year for several things.

Mr. Andrew F. Bennett: Tell us what.

Mr. Dunn: If the hon. Gentleman has the time and patience, I will name many things that happened in 1956, including my 10th birthday.

My hon. Friend the Member for Salisbury (Mr. Key) was right about the definition of equivalents or alternatives. I can imagine much debate continuing in

education authorities, in rooms in which school government is discussed and maintained, about what is an equivalent. The mind races a little at the prospect of a star system, with two brown stars or three red stars being awarded for offences. The child can build up something like a green shield stamp book—a passport to infamy, and possibly expulsion and suspension. I do not believe that that was in the mind of the hon. Member for Denton and Reddish. One can imagine the bureaucracy that would be involved in the creation of a bible of definitions for use by those responsible for the control of children in school.

There should be no difficulty about keeping a record of all cases of corporal punishment, because such a requirement has been carried out since 1956. Schools do that now, and to that extent the new clause is unnecessary. However, the amendment goes further than that in an extremely selective way. It extends the record-keeping which schools would have to do. Although the hon. Gentleman was concerned earlier about the growth of bureaucracy, his new clause seeks to increase it. I note that, as the new clause is framed, schools not using corporal punishment would be free from the new burden. That seems to make it an extra chore, or an additional penalty to be imposed on schools that dare to apply corporal punishment.

But even if that were not the case, I would oppose the new clause. The extra records might be interesting, but they would not be essential to the life of the school, and for a large secondary school there would be practical difficulties. In any one day, many sorts of disciplinary sanctions might be used, and the school would have to devise a method of collecting all the information and deciding which punishments were equivalent to corporal punishment so that entries could be made in the punishment book. Whereas a corporal punishment register is an essential part of an exemptions scheme, this punishment book clearly is not and would not be essential.

Therefore, I hope that the hon. Gentleman will not press the new clause to a Division.

Mr. Andrew F. Bennett: I am disappointed by the Minister's response because he does not seem to consider natural justice. Let us assume that two pupils are caught smoking behind the cycle sheds. One is on the register and the other is not. I do not say that either of them should have to suffer corporal punishment for smoking, but I am aware that in some schools it is still a fairly regular punishment. The pupil who is on the register will be given corporal punishment, and the punishment book will record that he was given one or two strokes of the cane or the strap for smoking behind the bicycle shed. Nothing will be recorded for the other pupil. Whatever alternative punishment the head decides is appropriate for that pupil, there is no requirement to record it. Therefore, in 10 years' time, someone can look through the punishment book and see that the first pupil was caned, but the other pupil will have no record.

That is unfair and not good for the school's administration, because over a period there will be a tendency to examine the punishment book and see that the names of some pupils occur fairly frequently. The pupils whose parents have insisted that they should not be subject to corporal punishment may have been punished in alternative ways, yet their names will not be in the book. In terms of natural justice between the two pupils, it must be logical to record both names.

I accept that, as the hon. Member for Salisbury (Mr. Key) said, there are problems of definition, but they relate to the Bill, not to the new clause. The hon. Gentleman will have to explain to the head teachers in his constituency that, whatever his view of corporal punishment and whatever their view, once the Bill is implemented, even a smack will count as corporal punishment and can, therefore, be administered only to pupils whose names are on the register. Since it will count as corporal punishment, it will also have to be recorded in the punishment book. Teachers will have to take those matters into account as a result of the definition of corporal punishment chosen by the Minister.

Mr. Dunn: The hon. Gentleman gives an example of two pupils caught smoking behind the bicycle sheds and of one receiving punishment, but the other receiving a different punishment because he was exempted. We must not forget that the head teacher and staff have some say in the punishment applied other than corporal punishment, and they must apply a judgment as to what appears to be fair to the children. Additionally, the difficulty that I outlined of collecting information at the end of the day, week or month and then recording it, is an insuperable point. However, if a school wished to have two books —a corporal punishment book and an equivalents book —there is no reason why it should not do so, if it can afford the time and the bureaucracy to make such a book work.

Mr. Bennett: There is a strong argument for keeping a record of serious punishment. Most teachers at schools where serious punishment is meted out probably believe that a record is necessary. Indeed, I hope that corporal punishment is used only for serious cases. An overall record should be kept of what is happening in a school so that people can judge whether the sanctions are working. A secondary school would be ill-administered if there was not some attempt to record information about punishments meted out to a pupil who was, perhaps, not as co-operative as he might be. It is obvious that at this stage I cannot persuade the Minister to accept new clause 4. Therefore, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

RESTRICTION ON CORPORAL PUNISHMENT OF PUPILS

7.30 pm

Mr. Andrew F. Bennett: I beg to move amendment No. 4, in page 2, line 4, leave out

'or an immediate danger to the property of'.

This is one area of the Bill in which we feel that the Government have not considered the question of degree. Where a pupil is likely to cause physical harm to a member of staff, another pupil or himself, it is important that it is clear that the member of staff is entitled to use whatever force necessary to restrain the pupil. However, to extend that right to the defence of property involves a question of degree. If a pupil was thought likely to set fire to a school or to carry out substantial damage to property, everyone would accept the right of a teacher to intervene and to use force to prevent that. However, the Government do not qualify

"an immediate danger to the property".

[Mr. Andrew F. Bennett]

I understand the difficulties of including qualifications in legislation. However, the word "substantial" before "danger to the property" would clarify the matter.

I remember going into a classroom and seeing a pupil deliberately snapping a ruler. That made me very cross, but it would not have justified my setting about the pupil physically. As I understand the Bill, any item of property would fall within the wording of the clause. Therefore, I hope that the Minister will clarify the degree of damage involved. I regret that the Bill does not tie down the whole question of degree.

Mr. Dunn: The Bill as it stands, through clause 1(3), reinforces the common law right to take action, even where that action amounts to a battery, to prevent harm coming to a person or property. The amendment would remove that reinforcement insofar as it extends to the protection of property.

The Opposition amendment implies that, while it may be fine to take physical steps to prevent a pupil from harming another person or himself, it is unwarranted to do so when it is property rather than a person in immediate danger. The House cannot accept that proposition.

Let us imagine for a moment that a boy is discovered with a lighted match in hand, about to set fire to an empty classroom. Let us also imagine that neither the pupil nor the teacher would have been in any immediate danger from such an action. In those circumstances, is the teacher to be forced to resort to persuasion? Is the teacher to attempt to discover whether or not the boy is exempt before seizing hold of him to prevent the deed?

Let us remember that the general definition of corporal punishment is widely drawn. Opposition Members have made no complaint about the use of battery as the broad basis for that definition. But that needs to be tempered by common sense. It goes against reason to suppose that teachers can or should stand idly by while pupils do what they will to property, whether it is their own, their parents, or the school's.

Amendment negatived.

Amendment made: No. 7, in page 2, line 19, leave out 'section 2' and insert

'sections *[exemption from corporal punishment not ground for suspension, etc.]* and 2'—*[Mr. Dunn.]*

Mr. Dunn: I beg to move amendment No. 8, in page 2, line 24, leave out from 'school' to end of line 27 and insert

'maintained or assisted by a Minister of the Crown (including a school of which a government department is the proprietor) or assisted by a local education authority, being a school prescribed by regulations under section 2 of this Act or within a category so prescribed'.

Mr. Deputy Speaker With this it will be convenient to discuss the following amendments: No. 9, in page 2, line 24, leave out from 'school' to end of line 27.

Government amendments Nos. 34 to 36.

No. 37, in clause 4, page 6, line 13, leave out from 'school' to end of line 14.

Mr. Dunn: An important principle underlying the Bill is that the exemptions scheme should extend to publicly funded school places. There is a relatively small number of places at independent schools that come within that description, but which are not caught by the present wording of clauses 1 and 4. The amendments close that loophole and, in particular, would allow the Secretary of State, under regulations, to bring within the scheme United Kingdom schools owned and run by Government Departments. They would also allow the Secretary of State to act similarly with schools that are assisted by local education authorities under section 9 of the Education Act 1944.

Mr. Andrew F. Bennett: Does the Minister believe that any schools are excluded from the provision other than the independent schools that receive no state assistance?

Mr. Dunn: I believe that I am right in saying that, having listened to the concerns expressed to me by the hon. Gentleman, what we have now proposed will meet that position entirely. However, I am always open to listen to him or anyone else who believes that there are other schools involved, and would be pleased to have such schools brought to my attention.

I hope that the House will resist amendments Nos. 9 and 37. They attempt to bring independent schools into line with maintained schools. They seek to extend arrangements for exemption from corporal punishment to all pupils in independent schools, with no distinctions being made.

To consider that proposal, we need to look at the origins of the Bill. We have said plainly that the Bill arises from the case of Campbell and Cosans, heard in the European Court of Human Rights. The court's judgment was that the UK's education arrangements did not accord with the European Convention on Human Rights. The Government have introduced the Bill so that those arrangements will accord with the convention. The Bill is not intended to go further than that.

We then need to ask ourselves whether, to meet that objective, we must bring all parents of all pupils within the scheme introduced by the Bill. The answer is no. We need not interfere with the generality of private contracts that are freely made between parents and independent schools. Most parents of children at independent schools have sent their children there because they wanted to do so, and the state is not directly responsible for the education of those children. The UK will therefore have discharged its obligations under the convention if, through the maintained sector, we have offered adequate provision that parents with philosophical convictions against corporal punishment can use if they so wish or desire.

The Government acknowledge, however, that there are cases involving independent schools where the state has assumed some direct responsibilities and where the new arrangements must be made, and clause 1 indentifies and caters for those cases. But they are a small minority, and in the main we need not and should not interfere with the private plans of parents who use the independent sector, or with independent schools which are well used to meeting the requirements of those who turn to them for the education of their children.

Amendment agreed to.

Amendment made; No. 13, in page 3, line 10, leave out 'section 2' and insert

'sections *[exemption from corporal punishment not ground for suspension, etc.]* and 2'—*[Mr. Dunn.]*

Mr. Dunn: I beg to move amendment No. 14, in page 3, leave out line 14 and insert

'teacher who works at the school and any other person who has lawful control or charge of the pupil and works there, and'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 15, 40 and 41.

Mr. Dunn: In Standing Committee there was some concern that the wording of the Bill might indirectly increase the number of people who could claim to be acting in loco parentis. It was argued that broad references to any person working at a school might be taken to include employees such as caretakers or cleaners, who in the normal course of events would not have the care and control of children, and that there might be an assumption that such employees could readily and lawfully resort to corporal punishment.

It was not the Government's intention to change the existing position. We wish neither to increase nor to decrease the numbers who could claim to be acting in loco parentis. This series of amendments has been put forward to ease anxieties on that score. They make it plain that we are here dealing with teachers and others at school who have dealing with teachers and others at school who have lawful control or charge of pupils.

Amendment agreed to.

Amendment made: No. 15, in page 3, line 17, leave out from 'any' to end of line 19 and insert

'teacher employed by the authority who works at that place and any other person employed by the authority who has lawful control or charge of the pupil and works there'.—*[Mr. Dunn.]*

Clause 3

SUPPLEMENTARY PROVISION

Mr. Dunn: I beg to move amendment No. 23, in page 4, line 27, after '1944', insert

'and section 231 of the Local Government Act 1972'.

Mr. Deputy Speaker: It will be convenient to consider at the same time Government amendments Nos. 24, 25, 44, 45, and 46.

Mr. Dunn: These amendments concern the service of documents on local authorities. At present, this is governed in England and Wales by section 231 of the Local Government Act 1972, which provides that documents are to be served by delivery or by posting to the authority's principal office or to any other office of the authority specified by it for the purpose. Section 190 of the Local Government (Scotland) Act 1973 makes similar provision for Scotland.

It is necessary to disapply those sections because, under the Bill and the regulations to be made under clause 2, parents of certain children will be serving a document on local authorities in the form of a return of their views. The children concerned are those in maintained nursery schools and those educated by an authority otherwise than at school, because in both cases the local authority will be the responsible body. In many instances it will be more convenient for parents to make the return direct to the nursery school or in some other way. This series of amendments makes it possible for the regulations to cover that point.

Amendment agreed to.

Amendments made:

No. 24, in page 4, line 28, leave out 'does' and insert 'do'.

No. 25, in page 4, line 30, after 'school', insert

'or the local education authority'.

No. 26, in page 4, line 35, after 'that', insert

'section [*exemption from corporal punishment not ground for suspension, etc.*] of this Act or'.

No. 29, in page 4, line 41, leave out from '1984' to 'may' and insert

'this and the preceding sections and the Schedule to this Act'. —*[Mr. Dunn.]*

Clause 4

RESTRICTION ON CORPORAL PUNISHMENT OF PUPILS—SCOTLAND

Amendments made:

No. 33, in page 6, line 4, leave out 'section 48B' and insert 'sections 48B and 48D'.

No. 34, in page 6, line 7, leave out 'or'.

No. 35, in page 6, line 8, at end insert

'or (iii) at an independent school maintained or assisted by a Minister of the Crown being a school prescribed by regulations under section 48B of this Act or within a category so prescribed,'.

No. 36, in page 6, line 13, after 'school', insert

'not falling within paragraph *(a)*(iii) above'.

No. 39, in page 6, line 33, leave out 'section 48B' and insert 'sections 48B and 48D'.

No. 40, in page 6, line 37, leave out

'person working at the school'

and insert

'teacher who works at the school and any other person who has lawful control or charge of the pupil and works there'.

No. 41, in page 6, line 42, leave out from 'any' to end of line 44 and insert

'teacher employed by the authority who works at that place and any other person employed by the authority who has lawful control or charge of the pupil and works there.'.

No. 44, in page 8, line 1, after 'Act', insert

'and section 190 of the Local Government (Scotland) Act 1973'.

No. 45, in page 8, line 2, leave out 'does' and insert 'do'.

No. 46, in page 8, line 4, after 'school', insert 'or the education authority'.

No. 47, in page 8, line 11, after 'are', insert

'or section 48D of this Act is,'.

No. 48, in page 8, line 11, at end insert—

'Exemption from corporal punishment not ground for exclusion, etc.

48D. A person shall not be debarred from receiving education in any circumstances (whether by refusing him admission to a school, excluding him from a school or otherwise) on the grounds that, if he were not so debarred in those circumstances, he would not be adequately amenable to discipline by reason of his being a pupil exempt from corporal punishment by members of the staff for the purposes of section 48A of this Act.".'.—*[Mr. Dunn.]*

Clause 7

SHORT TITLE, COMMENCEMENT AND EXTENT

Amendments made:

No. 49, in page 9, line 7, after '1', insert

'[*exemption from corporal punishment not ground for suspension, etc.*]'.

No. 51, in page 9, line 11, leave out 'of' and insert

'and [*exemption from corporal punishment not ground for suspension, etc.*] of and the Schedule to'.—*[Mr. Dunn.]*

7.42 pm

Mr. Dunn: I beg to move, That the Bill be now read the Third time.

I am delighted that we have reached this stage of the Bill. The measure had a short time in Standing Committee and has had a short, though exhaustive and detailed, consideration on Report today.

[Mr. Dunn]

The Bill has always been concerned with parental rights. It gives parents a new right without taking away their existing ones. That new right is the ability to claim for their children exemption from corporal punishment at school. For any pupil covered by the Bill, either the parent or the school can seek such exemption, and the pupil then becomes exempt.

In short, the Bill assumes a partnership between parents and schools, and if either or both believe that corporal punishment is an inappropriate sanction for a pupil, the Bill gives the pupil protection against its use.

Opposition Members would have it otherwise, and they have never claimed anything different. They want neither parents nor schools, nor the two jointly, to have a say in the matter. The enforced abolition of corporal punishment is the only solution that they would accept. Nothing short of that would satisfy them. Parental and school views would be swept aside and legislation used to achieve a universal ban on reasonable and moderate corporal punishment.

I am glad to say that the Government are not prepared to go down that road. If parents and those who provide education take the view that corporal punishment is necessary, the law should not be used to prevent that view from prevailing.

Some local education authorities impose a ban on corporal punishment. The Bill will have a neutral impact — the minimum possible — on that situation. Indeed, under the Bill, local education authorities which have the legal right to impose such a ban on their schools will retain that right. However, that is different from the imposition of a ban by central Government through legislation.

If a local authority were to change hands, particularly from Labour to Conservative—as will happen in many authorities on 2 May — it will be a matter for the authority to decide on a code of discipline and to discuss, within the various chambers available to it, the form that such discipline should take.

My expectation is that parents will welcome this new right and will exercise it responsibly. I hope that parents and schools will co-operate so that, in the end, discipline and standards of behaviour improve.

The Bill has been criticised on a number of grounds. It has been said that it is impractical or unfair, or that it does not go far enough. As the House knows, our view is that it may not be the ideal solution. To me, the ideal would have been to leave things as they were, largely unregulated by statute. That, I am afraid, was not possible. The court found us in breach of the European convention on human rights and we cannot pick and choose the judgments with which we comply.

If we accept that position, the Bill is the best that we can achieve in the circumstances. Other solutions—the enforced abolition of corporal punishment or a dual system of schools, some with and some without corporal punishment—have major drawbacks. Of course, I reject completely the accusations of impracticability and unfairness.

There will be differences in the way in which pupils are treated, but there are now. Adjacent schools may have different policies, and pupils in the same school are often treated differently. Sometimes girls are exempted from corporal punishment while boys are not. Sometimes those with emotional problems are exempted, as may be delicate pupils. Fairness does not always entail identical treatment. What matters is that those who deserve punishment should receive it and that those who cannot be corporally punished should, and must, be disciplined in some other way.

My view is that the critics of the Bill have, as usual, over-reacted. An exemption scheme can work and can be consistent with the maintenance of good order and discipline in schools. It is therefore with pleasure that I commend the Bill to the House. I am delighted that the measure has reached this stage, and I hope that it will receive an unopposed Third Reading.

7.47 pm

Mr. Andrew F. Bennett: I was amazed to hear the Minister say that he had pleasure in commending the Bill to the House. I should have thought that most people would agree that we were close to a farce with this piece of legislation. I pointed out on Second Reading that the Government were on a hiding to nothing with it and I have heard nothing since then which should give the Government confidence in the Bill.

I notice that between Second Reading and now the Secretary of State has seen fit to distance himself from the measure. I do not blame him for not being here today. I would not want to be putting forward a measure as farcical as this. No doubt the right hon. Gentleman does not want to be known as "abolition Joseph." Presumably, however, he is happy for it to be known as "abolition Dunn's Bill." In practice, it will turn out to be so impractical and unfair that corporal punishment will be abolished in the vast majority of schools and will be retained only by the bad and inefficient ones.

I was surprised to hear the Minister say that we had to do it because of the judgment of the court but that it would not be done until 1986. If we must take this step, the Government should have taken it earlier. My real regret, however, is that the Government have missed a great opportunity for there to have been a proper debate of the whole question of discipline in schools. We should be getting across to youngsters the need for self-discipline. We should not be running the education system on the basis that we must force pupils to do things. We should be aiming at getting pupils to do things because they want to do so. Our aim should be self-discipline for pupils. The schools should discuss carefully their regimes and methods of teaching in trying to arrive at the ideal of imposing the majority of discipline in schools through self-discipline rather than by means of a punishment system.

The Bill will not work as the Government intend and they will have to return quickly with another measure. If they do not another Government, a Labour Government, will have to bring in a simple abolition Bill and thereby remove the farcical measure which the Government are insisting on pushing through.

7.50 pm

Mr. Harry Greenway (Ealing, North): I cannot say that I welcome the Bill. As I said on Second Reading, it will place our schools in a difficult position. My hon. Friend the Under-Secretary of State is entitled to say that he welcomes the Bill on the basis that it is the best measure that can be put before the House in all the circumstances, which make it impossible to give the schools a clear direction. The Bill cannot be welcomed as a measure that will improve school discipline and education. However,

it is important that we have avoided the abolition of corporal punishment. It would be wrong to abolish it without a great deal more thought than any of the abolitionists have given to the issue. I include in that comment the occupants of the Opposition Front Bench, the Labour party generally and many outside. It is unfortunate that the abolitionists have not considered the options that would face us if abolition were to become a reality.

It is unfortunate also that the options have not been thought through for the child whose parents have said that they will not accept corporal punishment. The options have not been argued out in schools or in the education world generally. The schools will face a difficult task in handling pupils who will need to be punished as a result of bad behaviour and who may not be punished with the cane or an equivalent instrument because their parents have refused permission.

The Bill, as amended, will unquestionably affect school discipline at a time when our schools have a greater than ever responsibility for improving national behaviour in the long term. There is no doubt in my mind that much of the violence that we have seen at soccer matches, for example, will not disappear or be lessened as a result of the Bill. That is greatly to be regretted.

A Bill that will deal successfully with corporal punishment and any other form of school discipline should be welcomed as the basis for long-term improvement in school discipline and the means of real reform. The aim of such a measure should be to ensure that children are more interested on leaving school in remaining self-disciplined and law-abiding. Unfortunately, the Bill will not help in that direction. I am not saying that it will do deep harm but it will be responsible for some damage. I am sure that that cannot be denied.

Will the Bill help to end soccer violence and burglaries, for example? Will it help teachers to restrain the child who is behaving in a maladjusted fashion although he is not basically maladjusted? Will it help parents to feel that the school has the equipment to handle their children in all moods and in meeting all their behavioural problems? I am not sure that it will be capable of meeting any of those needs. The behaviour of children stems partly from their own character and personality and partly from peer group pressure and their relationships with one another. I believe that the Bill will make life more difficult for teachers, schools and children. Children who commit identical offences are likely to be punished differently in some circumstances. That will create impossible inequalities within schools. That is my basic objection to the Bill, which I expressed on Second Reading, and the amendments have not remedied this major defect.

It is good that parents will have a say by law in the discipline of their children. They have not had that right before and this feature of the Bill is one that should be welcomed. There will be a requirement to consult parents on their attitude towards corporal punishment. Hitherto, the law has not required parents to be consulted on their attitude to anything very much in the schooling of their children. The Bill offers this considerable plus and my hon. Friend the Minister was right to welcome the improvement. However, it is a pity that the law of the land is to be involved in school discipline. Currently, local authorities, schools and head teachers have had sole responsibility, with teachers, for the maintenance of school discipline. It has been accepted nationally that teachers should act in loco parentis. That role will be substantially altered when the Bill is enacted. That is a matter for regret when it is set against the strong tradition of the teacher acting to the best of his ability in loco parentis. It is a tradition which has stood the country, the education system and parents in good stead over a long period.

It is unfortunate that the Bill will mean that equal misdemeanours may attract different punishments. The unfairness of the inequality of treatment will undoubtedly irritate children seriously and gravely. Delicate children, maladjusted children and ordinary children with no behavioural problems have not been treated equally throughout the school system since 1872. Those with education difficulties and special needs have, when punished been treated differently from those with no difficulties.

My hon. Friend the Under-Secretary of State gave the impression that he welcomed the fact that children with education difficulties and those with no difficulties will be treated equally when the Bill is enacted. If the Bill is to have that effect, it should not be welcomed. It is obvious that delicate children are different from robust children. Maladjusted children are clearly different from those who are not. The children in these and other categories should be handled differently and punished in different ways. I hope that I have not misrepresented my hon. Friend. If I have, perhaps he will take up the matter when he replies. This is a fundamental issue and it would not be responsible for me, with such long experience in education, to let the matter pass without taking it up.

I hope that the Bill will not be the thin end of the wedge. Corporal punishment is valuable and should remain. School discipline should aim towards self-discipline for children both at school and afterwards. Self-discipline occurs as a result of a firm structure at school and at home at crucial ages in a child's life. If the Bill ensures that there is a firm structure of discipline that all people concede is fair, children may want to behave in a self-disciplined manner.

I do not welcome an attack on the position of the teacher, and especially the head, acting in loco parentis. I congratulate my hon. Friend the Under-Secretary of State on his skill in handling this measure, but I hope that he will say that the line has been drawn and that we will go no further in attacking the principle of the teacher and especially the head acting in loco parentis. I hope that the people will understand what is being done and that matters will work out satisfactorily. I hope that it will turn out all right in the end. My fingers will be firmly crossed.

8.2 pm

Mr. Flannery: The hon. Member for Ealing, North (Mr. Greenway), who, like me, is a former teacher, has put his finger on the obvious flaws in the Bill. Conservative Members do not believe in what they have been saying. They know that, in time, they will have to abolish corporal punishment, but the idea sticks in their craws. They have built a house of cards that will collapse.

The legislation places schools in difficulty. Schools already have registers, but they will have to place parents, teachers and children in extreme difficulty because registers of those who will be caned and those who will not be caned must be formed. Those entries will follow the students throughout their education at school. Practically every word spoken by Conservative Members proves that they know that this is impossible. Anyone who stands over

[Mr. Flannery]

a child with a cane is in a bankrupt position. Teachers with canes in their hands stand not in loco parentis but in "loco draconis". They are trying to terrify children and are thereby closing the channels of learning. It is utter nonsense to think that caning does the slightest good. Any teacher knows that the same children are caned all the time. It is claptrap to think that a child who is caned will never act wrongly again.

Reference has been made to sin bins and withdrawal places. Almost all the children who have gone into the withdrawal places after doing something wrong have been caned previously, probably scores of times. It is untrue to say that only a little caning occurs, because Britain is one of the last countries where children are caned.

Caning means that teachers are placed on a stage with children, some of whom are very young. The Bill gives a young male teacher the right to cane a woman who is almost 18 years old. That is so silly it is unbelievable. If Conservatives examined this matter properly, they would know that it is silly.

Corporal punishment in schools is unworkable. It is the worst of both worlds. It is not a last resort. The teacher who canes often uses caning as a first resort. Sometimes every child in a class is caned, with a small group being caned frequently. It is nonsense to say that caning is not carried out on a large scale. It must be done away with.

Our society is pregnant with violence because of the inequality and alienation of young people. We shall soon have to discuss discipline in schools because it is linked directly with what has happened at Luton, Millwall and so on. Violence occurs because a large number of young people are not working. Conservatives say that we have the best system on earth, but they do not know how to work it.

As soon as corporal punishment is abolished in schools where there has been violence, violence against teaching staff decreases. In schools where there is much caning, there is often violence against the staff.

The Government do not know what to do, so they have proposed this monstrous and nasty little Bill as a halfway house. It is not a halfway house but a 99·9 per cent. way house. The legislation will not work. Teachers and parents will demand its repeal and will wonder why a reputedly intelligent and adult people have proposed such an abortion. That is exactly what this nasty little Bill is, and, in time, we shall get rid of it.

8.7 pm

Mr. Teddy Taylor (Southend, East): I am one of those who think that this is an appalling Bill. I should appreciate hearing the views of my hon. Friend the Under-Secretary of State on a number of points. I apologise for not having been present earlier. I had a constituency engagement and understood that we would not be debating the Bill until 10 pm. Obviously, my colleagues made splendid progress with the earlier legislation.

I believe that everyone is fully aware that education authorities are under enormous financial pressure. Under the Bill, notification must be given to parents. It is suggested that costs will be limited because schools are already in touch regularly with children. I assure my hon. Friend the Under-Secretary of State that none of my three children receives notification from the schools at any time by post. We certainly received notification by post when the children were entered at school, but since then we have received no postal communications. We receive many small letters which are handed to the children to bring home. Will it be possible under this legislation to hand out forms to children to bring them home to their parents? I doubt whether that is contemplated in the regulations. Postal notification is required.

My hon. Friend the Under-Secretary of State must accept that sending a letter to every parent in every maintained school in England and Wales will cost a great deal. How much will it cost? Is that a fair burden to impose on the education authorities which are starved of cash, for reasons that are obvious to us all?

How often will the schools have to send the notification? Is it once per year or once in the lifetime of the child in the school? If it is to be sent regularly, I suggest that the cost will be substantial. We are all aware that because of the way our society has developed, unfortunately, many children come from one-parent homes. Many children are living with their mothers, or fathers or a strange combination of people who are not their mothers and fathers. We know that nowadays there are many broken homes and that many children live in unstable relationships. Is there an obligation to send a postal notification to each of the natural parents? If there is, the work load will be substantial and the cost horrific. Will it mean that all the children or their parents will have to notify the school of the names and addresses of their natural parents? Will the schools have to take that information from all parents?

Those are some points about which my hon. Friend has a duty to tell the House and the education authorities. Will there have to be a postal notification? Does the Minister accept that schools do not send letters by post to parents at present? Will the notification have to be made annually or once only in the child's school life? Will the notification have to be sent to each of the natural parents? Will that mean that the schools keeping a note of the natural parents?

Clause 1(7) relates to assisted places. Will my hon. Friend say what happens about these?

Mr. Key: He has, at great length.

Mr. Taylor: Does that mean that independent schools have an obligation to send letters to natural parents?

My next point, which is important, is about the general principle of deterrence. Has there been any information on that, because our only experience of the operation of the European court on corporal punishment is the court's decision on corporal punishment for criminals in the Isle of Man. Before we proceed further with the legislation, my hon. Friend should attempt to read the annual reports of the chief constable of the Isle of Man from 1979 when corporal punishment had to abolished. He will see that there is a clear connection between crime and the abolition of corporal punishment.

My next point has been dealt with on Second Reading and in Committee. It relates to justice. I do not see that it be just, fair and reasonable for children engaged in the same exercise to be punished differently.

There is a further important point. Does my hon. Friend believe that the Bill will lead to an expansion of what is already a serious problem in schools—the increase in the number of children suspended or excluded from schools? I had a visit on Saturday from a constituent whose

child, aged 14, was suspended from school in November 1984 and expelled at the end of the month. That child has had no education since from school or private tuition. He has been at home.

There is a danger that if we proceed with this legislation there will be a substantial increase in the number of pupils suspended or expelled because of the absence of corporal punishment. There will be a number of children staying at home and not receiving education.

The most vital issue is that this unsatisfactory Bill—the Government accept that it is unsatisfactory — is introduced not because of a decision of this Parliament, or the determination of pupils, parents or teachers, but merely because of the European court's decision. I take the view, as I am sure most people do, that parents and teachers are in a far better position than elderly European judges to make decisions about the conduct of discipline in our schools. I should prefer it if judges were given the opportunity to look after a class of 14-year-olds before they issued such ridiculous judgments.

When the European convention was drawn up it was determined—this is clear from the reading of it—that it was interested in the protection of basic human rights against torture and so on. As with all written constitutions, the court has endeavoured, step by step, to extend the convention's remit. The court has extended it more and more. I should be happier if, instead of proceeding with the legislation, the Government were to call together the signatories of the European convention to see whether there were some way to stop the court extending its powers into matters for which the convention was not designed.

I am convinced that if the legislation goes through it will lead inevitably and quickly to the disappearance of corporal punishment from all except the independent schools. That will be a retrograde step. To bring in the Bill without clear help and advice to teachers about how alternative and satisfactory discipline can be introduced is dangerous when teaching morale, as we are all aware, is low. A number of teachers find great difficulty in coping with all that they have to at present.

The Bill is a big mistake. I should prefer it to be scrapped and for the Government to meet the signatories of the European convention to see whether there is some way in which we could get together to limit the appalling way that the European court is, step by step, taking more power from what was originally designed to be a limited document.

If anything good comes out of the legislation, it will be that the people of Great Britain will be reminded of the extent to which decision making has been taken away from us and transferred to a number of European courts that make foolish decisions which cause a great deal of damage to our country and, in this case, to our education.

8.17 pm

Mr. Freud: There are some ways in which I agree with the sentiments of the hon. Members for Southend, East (Mr. Taylor), for Sheffield, Hillsborough (Mr. Flannery) and for Ealing, North (Mr. Greenway). I regret that we have the Bill and that we did not leave things as they were. I regret the fact that the court in Strasbourg did not concentrate on the more serious aspect of human rights instead of playing about with minor corporal punishment. I regret the fact that we did not take the opportunity to stop corporal punishment altogether. I regret the Government's approach which is pock-marked with ambiguities and is designed not to promote discipline in schools but to discipline their Back Benchers. I regret the fact that the Minister speaks of partnership. He seems genuinely to believe that signing a piece of paper is a manifestation of partnership.

The White Paper "Better Schools" has a section on discipline which makes more sense than what we have heard from the Minister and the Secretary of State. It states:

> "Many schools consistently secure good order. They do so not simply by a regime of sanctions and rewards but more broadly by creating within the school a tone which makes for constructively purposeful activity. They attempt to create positive attitudes towards good behaviour in all that they do. The teachers themselves set an example; and in their relationships with parents, pupils and each other seek to demonstrate as well as to encourage high standards of conduct, in the awareness that adult society does not always reflect and support those standards. Often the teachers' success is attributable to the consistency with which they encourage in their pupils good behaviour and the habit of self-discipline and not simply to a particular teaching style or set of rules."

It is really quite liberal of the White Paper to write of boredom as a factor contributing to bad discipline, but to think that corporal punishment has anything to do with this seems to me quite astonishing. This is what I mean by anachronisms and ambiguities.

It takes one aspect of discipline in isolation. The Department of Education and Science has taken no account of information on schools and areas which manage without corporal punishment. It has taken no account of factors like the participation of pupils, which David Hargreaves, the guru to the Inner London education authority and also the author of the influential report "Improving Secondary Schools", took to be a major factor in the absence of graffiti and violence in some London schools.

Corporal punishment does not equal discipline. The White Paper understands this, so why are we wasting our time on this Bill, which is a mere sideshow to the real issues of discipline and good order and helping to foster good pupils? We who are trying to curb a violent society cannot—certainly we should not—be going to these lengths to legalise and give a modicum of respectability to the infliction of physical abuse on children, though few of us are opposed to teachers acting, as they will, in loco parentis, provided that the other manifestations of parental care are observed. It is for this reason that my right hon. and hon. Friends and I think that this Bill is a complete irrelevance and has wasted the time of the House.

8.21 pm

Mr. Key: I said on Second Reading that we could expect to hear arguments from the anti-European lobby. In fact, we did not hear those arguments. Tonight, however, we have heard some of those arguments, albeit at a late stage in the proceedings. I pointed out also at Second Reading that I believe this to be an expedient and dotty Bill. During Committee, Report and Third Reading that view has been enforced. It is an expedient and dotty Bill. However, I should like to end on a positive note.

I believe that the Bill is not really about beating children. It is about the social framework of our schools and communities. While listening to this debate and to points which have been raised on previous occasions I have been depressed by the fact that we have heard about the prejudices of the past concerning discipline. Hon. Members have said that during their childhood they would

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have preferred a short, sharp caning to being deprived of games or put in detention, which they believe would have been far more effective. In fact, they prove the case of the abolitionists.

However, we have also learned about the diversity of practice in our educational system, undoubtedly one of its greatest strengths. The diversity of the response of teachers, parents and governors is magnificent. Nevertheless, those hon. Members who attended independent schools should not assume that, 40 years later, attitudes to discipline are the same as they were when they attended school. Hon. Members and members of another place should be aware of the wind of change that has been blowing through the Headmasters Conference. Corporal punishment is a lively issue there. We are being asked to consider, as a matter of great responsibility on the part of parents, teachers and governors, the need to debate the social framework of our schools and communities. At last Parliament has begun to discuss the issue and take a lead. I hope that there will be more of an opportunity to discuss the issue in the future than there has been in the past.

8.24 pm

Mr. Tony Marlow (Northampton, North): I am not sure whether my admiration for the Government in getting this measure debated in an empty House at this time of the night is as great as my regret that the Government have done so. The fact that this debate was to take place today was made known just before the House went into recess. Very few hon. Members were then aware of what would be happening tonight. When they were notified of what would be happening tonight they thought that it would be after 10 o'clock. This is a controversial measure. It is a measure which many hon. Members, certainly many Conservative Members, are fundamentally against. Many hon. Members would no doubt have liked to be here to debate the issue. It is evident that proceedings on the Bill will be completed before 10 o'clock. Therefore, many of my hon. Friends who were most concerend about this measure will be deprived — I mean that — of the opportunity——

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. I am listening very carefully to the hon. Gentleman. This is the Third Reading, which means that we are discussing the contents of the Bill. Therefore, I hope that the hon. Gentleman will get to it quickly.

Mr. Marlow: My point, Mr. Deputy Speaker, is that many of my hon. Friends are deeply concerned about the contents of the Bill but as you know, and as the House know, they will no now have the opportunity to put forward their points.

Mr. Nicholas Brown (Newcastle upon Tyne, East): They should have been here if they are so concerned.

Mr. Marlow: The hon. Gentleman says that they should have been here if they are so concerned. My hon. Friends would have been here had they been able to be here. The hon. Gentleman knows full well that because of the way that business is brought forward in this House it is not always possible for hon. Members to change their plans at the last minute. We are told, Mr. Deputy Speaker, that this is a human rights matter. If this country is to reach a decision on human rights, I believe that the House of Commons, whose Members are elected by their constituents to represent their views, is a far better place to decide the human rights of the people of Britain than a foreign court with foreign judges who know nothing about the customs——

Mr. Deputy Speaker: Order. The hon. Gentleman is discussing something that is not in the Bill. He must address himself to the contents of the Bill.

Mr. Marlow: With your forgiveness, Mr. Deputy Speaker, the Bill has been imposed on the House of Commons because of a ruling by a European court. It is not brought forward by the free will of this Government or by the free will of this House. It has been imposed on us. That which is contained in the Bill is highly criticised by many of my hon. Friends. We are concerned with human rights and with the education of our children. Many of our children are suffering from a level of education to which we do not aspire because of the lack of discipline. I am not a strong advocate of corporal punishment. I am not a great flogger. However, it is said that in a civilised society such as ours there should be no corporal punishment. If we were a civilised society in all the respects that are envisaged that might be true, but sadly that is not the case. In many of the blackboard jungles of our inner city areas the staff face great problems in imposing discipline and believe that there is a need for corporal punishment. We are taking corporal punishment away from them because of the ruling of a foreign court. By taking away corporal punishment we are reducing the educational opportunities of many of our most disadvantaged children. If we are concerned about civil liberties and human rights, we ought to be concerned about the human rights of those children.

As for the assisted places scheme, there may already be five or 10 pupils in a school under the assisted places scheme whose parents have said that corporal punishment is the custom and practice in that school and that they accept it. However, what happens if another child gains an assisted place in that school and his parents say that they do not want corporal punishment to be inflicted on their child and the headmaster or the governors then say to those parents, "We are sorry, but there has been a mistake. If your child will not accept corporal punishment, we are afraid that he cannot come here."? We know what will happen. Public money is made available, and it will have to be withdrawn. If that public money is withdrawn, what will happen to the five or 10 children who are already in the school? Do they lose their assisted places? Is that what will happen? Will they be thrown out of the school because a newcomer is not prepared to accept corporal punishment?

If we are in favour of human rights, I put it to the House that the human rights of those children, the liberty of the individual, and the freedom of those children, are being interfered with to a far greater extent by the Bill than if we chucked it out. That is what I believe we should do.

8.31 pm

Mr. Dunn: With the leave of the House, I should like to reply to the points that have been made.

I thank my hon. Friends the Members for Ealing, North (Mr. Greenway), for Southend, East (Mr. Taylor), for Northampton, North (Mr. Marlow) and for Salisbury (Mr.

Key) and the hon. Members for Sheffield, Hillsborough (Mr. Flannery), for Cambridgeshire, North-East (Mr. Freud) and for Denton and Reddish (Mr. Bennett).

The debate, the temperature of which has risen considerably in the last few moments, has been one of great vigour and determination. We have had many debates on several of the points that were raised tonight. I can say to my hon. Friend the Member for Northampton, North that I had no part in the collapse of earlier business, which prevented him and other hon. Members on both sides of the House from being in their places. There may be those who are concerned about the Bill who have not arrived, and many great supporters of the Bill might have been unable to be present because of the collapse of business. Had I had the opportunity to choose whether to have the debate earlier or later, I would have preferred it to take place later so that I could canvass in my constituency for the Kent county council elections on 2 May. That had been my intention.

Mr. Giles Radice (Durham, North): Is the hon. Gentleman worried about the result?

Mr. Dunn: I have no anxieties whatsoever, but I am always concerned to keep out the forces of evil and destruction in the form of the Labour party, and, of course, the alliance. *[Interruption.]* If the hon. Gentleman was born in Kent, I am surprised that he is on the Opposition Benches.

Mr. Deputy Speaker: Order. That is not in the Bill, either.

Mr. Dunn: I was not going to suggest that it should be, either. Opposition Members have referred to the standard of behaviour in schools, which is important. The development of self-discipline——

Mr. Andrew F. Bennett: Does the Minister accept that it is insufferable for the hon. Member for Northampton, North (Mr. Marlow) to come in and lecture us about discipline, when he cannot even stay to hear the Minister wind up?

Mr. Dunn: My hon. Friend the Member for Northampton, North, who is now back again, told me that he might have to leave during my speech—not because of my speech, but because he had a prior engagement with constituents elsewhere. [HON. MEMBERS: "But he has come back."] Perhaps my hon. Friend has a bit more time than he thought he had. He informed me of that. I am sure that no discourtesy to the House was intended. I certainly did not take it as a discourtesy.

Self-discipline is a significant objective for many young people and for those who come into contact with them. Schools have traditionally accepted the part that they have to play in that development. If the Bill encourages schools to look again at the way in which they approach discipline —I believe it will—that will be a positive step forward. I hope that it will lead to a closer understanding between school and home, and encourage involvement and support by parents, which schools need in disciplinary matters.

The view has been expressed that the schools most affected by the Bill will be those in which the staff have relied heavily on corporal punishment. For them there may have to be a major shift in emphasis, and it may take a little time. However, many schools have demonstrated that changes can be made without any increase in disorder and disruption. As the hon. Member for Cambridgeshire, North-East said, other sanctions can be used. As our recent White Paper on better schools said, there is scope for schools to offer more opportunities for pupils to acquire the habit of self-discipline. Schools can do a great deal to encourage and reward high standards of conduct without becoming dependent on any single sanction, no matter how necessary it might be.

My hon. Friend the Member for Ealing, North referred to the damage that the Bill might do to the concept of in loco parentis. He knows from his vast experience in the education service over many years that the in loco parentis concept is broad, and is not undermined by the Bill. The concept underlies the activities of all teachers in England and Wales. In Scotland the law is different, and teachers have similar vested powers. It means that, while the children are with the teacher, the teacher is responsible for their care and control. That places on teachers a wide legal obligation to look after them as a responsible parent would. More generally, teachers usually see their in loco parentis obligations as extending beyond the legal duties of care and control to a general concern with the personal and social development of pupils. Teachers do not simply offer lessons. They educate in the widest sense, and are much concerned with all aspects of behaviour. There is no reason why the Bill should disturb that approach to the teachers' functions.

My hon. Friends the Members for Northampton, North and for Southend, East referred to the jurisdiction of the European Court of Human Rights. The House knows, because it was said so many times in Committee and earlier debates, that our obligations in that respect date back to 1951 when the Government of the day accepted the court's jurisdiction in cases brought by another state and where the prior agreement of this country had been obtained. In 1966, the then Government accepted the right of individuals to make complaints under the convention. That acceptance has been renewed by successive Governments. The latest renewal was in January 1981, for five years.

In the case of Campbell and Cosans the court ruled against the United Kingdom Government despite the views of the United Kingdom judge, Sir Vincent Evans. However, in other cases we have had cause to approve of its rulings. In the case of Handyside *v.* United Kingdom in 1976, for example, the court supported the decision of the authorities in this country who took action against an individual under the Obscene Publications Act 1964. Handyside had produced an underground book for schoolchildren, one long section of which was devoted to sexual matters. He subsequently brought a complaint against the United Kingdom under the convention. The court rejected the complaint. We all applaud that ruling.

In the closed shop case of Young, James and Webster *v.* United Kingdom, the court ruled in 1981 in favour of three British Rail employees who were dismissed as a result of a closed shop agreement. Opposition Members may not have liked the ruling, but it was important and, for me and my hon. Friends, it was a wholly satisfactory outcome. We should also remember that the Commission rejects many applications against the United Kingdom before they ever reach the court.

Mr. Teddy Taylor: Does my hon. Friend accept, in fairness, that both those items, which admittedly are controversial, could have been resolved by legislation of the United Kingdom Parliament?

Mr. Dunn: My hon. Friend may be right on that matter, but I must say what the position is and not what it might have been.

My hon. Friend raised several questions, which I shall now attempt to answer. He referred to the assisted places scheme. The same obligations will apply to those schools that partake in the assisted places scheme as will apply to maintained schools. My hon. Friend also referred to the number of pupils who might be suspended from school in future should the application of corporal punishment cease. It is sometimes argued that corporal punishment is a sanction of last resort and if it cannot be used, another more dramatic sanction must be found. It is also argued that suspension from school is such a sanction and will be the natural alternative.

There are weaknesses in both arguments. In the main, the cane is not a sanction of last resort. It is not reserved for the very worst offences. Mostly it is used as a quick response to an unacceptable though relatively minor offence. The alternative is not necessarily a draconian measure. It is more likely to be some other quick and simple punishment. One of the best alternatives is probably the withdrawal of rewards and privileges. In any case, suspension should not be a disciplinary sanction. It is not in itself a punishment. It is a temporary means of relieving pressure in schools and of involving parents. Pupils have to be got back in school, or in some extreme cases to a unit, at the earliest opportunity.

My hon. Friend the Member for Southend, East raised a number of questions about the mechanics of canvassing parental views. I am sure that my hon. Friend, like most good parents, periodically visits his children's schools to discuss the children's academic propensities and future. On such occasions parents can and will be given the necessary form. Parents of new pupils may be given the form when they visit the school for the first time. In the case of the many parents who, sadly, choose not to visit the school, the form will be sent by post.

The question of periodic renewal will not arise, as there will be one form to cover the pupil's period of attendance at the school—although parents will, of course, have the right to change their minds.

My hon. Friend also referred to broken homes and different types of parental influence. The form will always be sent to the child's home address. My hon. Friend has various ways of making his pressure felt and no doubt he will see me if he wants further elaboration.

Mr. Teddy Taylor: My hon. Friend said that the form will be posted to the child's home address. Is he therefore saying that it will not necessarily be sent to the parents, although if they happen to live at that address that is well and good? It is very important that we should be clear about that.

Mr. Dunn: The views to be canvassed are those of the people legally responsible for the child's welfare. I think that I have stated the position correctly, but I will look into the matter and if I feel that my answer was in any way misleading, I will write to my hon. Friend.

We have had a very good-tempered debate and I am delighted to have reached this stage of the Bill's progress. I thank hon. Members on both sides who have taken part in the debates both in the House and in Committee, and I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read the Third time and passed.

Reserve Forces (Safeguard of Employment) Bill *[Lords]*

Order for Second Reading read.

8.42 pm

The Solicitor-General (Sir Patrick Mayhew): I beg to move, That the Bill be now read a Second time.

Something seems to have prevented Members from being present to discuss this Bill, too. It is purely a consolidation measure which gathers together the provisions concerning reinstatement in civil employment of members of the reserve and auxiliary forces on completion of a period of whole-time service and the protection of the employment of those liable to such service.

The Bill has been considered by the Joint Committee on Consolidation Bills and, as ever, we are most grateful to that Committee for its labours. The Committee was content that the Bill, incorporating one amendment suggested by the Committee, constituted pure consolidation.

I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read a Second time.

Considered in Committee; reported, without amendment.

Motion made, and Question, That the Bill be now read the Third time, *put forthwith pursuant to Standing Order No. 56 (Third Reading), and agreed to.*

Bill accordingly read the Third time, and passed.

Post Offices (South-East District)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Peter Lloyd.]*

8.44 pm

Mr. Simon Hughes (Southwark and Bermondsey): Happily, we have more time than expected, so this may be the first of two Adjournment debates. I wish to bring to a wider forum the arguments for keeping open two of London's most important post offices. The first day of a new parliamentary term is an appropriate time for such a battle to protect local services. At this very moment at the other end of the building, in the other place, a much more comprehensive debate is taking place about local government and services in the capital and in the metropolitan counties, encompassing most of the great urban areas of England.

It is proposed to close south-east London's main post office, situated on Borough high street opposite the tube station and just down the road from St. George's church in the centuries-old borough of Southwark. It is also proposed to close the Bermondsey Crown post office just down Great Dover street, better known as the Pilgrim's Way—the old London-Dover road which the Canterbury pilgrims trod—and visible to the left of the Bricklayers Arms roundabout and flyover.

Both are urban post office of substantial importance, and the debate about their future began last May when a document entitled "The Post Office Counters Network: A strategy for the future" was produced by the Post Office and provoked a very worried and hostile reaction. The document set out proposals for counter services—not the giro service, but that part of the service which, with the mail service, is what people traditionally think of as the post office service.

Paragraph 4.8 on page 9 of that document states that the Post Office

"has therefore decided

—to assure customers that 95 per cent. of the total counter network (taking town and country together) will remain until April 1987, and to consider, after local consultation and in the context of cost reduction and marketing programmes, the number of closures that are necessary within the remaining 5 per cent.

—where the Post Office is forced to close an office due to its inability to recruit a suitable subpostmaster . . . such an office could re-open in the future if and when a suitable candidate did appear.

—within the 5 per cent. the Post Office will close or regrade to sub-office status about 70 Crown Offices which are failing to generate sufficient revenue to cover their direct costs."

Two types of post office are thus involved. Sub-post offices are not staffed by Post Office workers. They are run under an agency agreement by an independent person or persons. The Crown offices, however, are staffed by Post Office employees and constitute what people regard as main post offices. I shall concentrate on the closure of Crown offices, but it is sensible first to put this specific debate into the general perspective of earlier debates on the Post Office service as a whole. The Minister will recall the general debate about three months ago, but I firmly believe that whatever his arguments in that context the case is clearly made out for keeping the specific offices to which this debate relates.

The Post Office annual report for 1983-84 stated that there were 1,559 Crown offices in Britain and 20,499 sub-post offices. In London, there were 367 Crown offices and 1,405 sub-post offices. The postal region of London

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stretches beyond Greater London into Hertfordshire, Essex and Surrey. For administrative purposes it is divided into districts. Tonight we are considering the south-east district. The hon. Member for Dulwich (Mr. Bowden) is here to represent his end of the borough of which I represent the north. The south-east district runs from Westminster bridge to Thamesmead and South Norwood. It is probably the largest London postal district. At the beginning of the exercise, it contained 33 Crown post offices and 159 sub-post offices.

Southwark—to reduce the scale again—contains 18 Crown offices and 40 sub-post offices, and my constituency contains six Crown offices and 18 sub-post offices. Whatever the scale may be, there is a balance; and a balance of services is provided.

I want to consider the proposals for closing Crown offices. The argument is about the balance between commerce and services — between the need to bear commercial considerations in mind and the duty to serve, both of which are imposed by legislation upon the Post Office. If the Minister is honest enough to listen to the figures and the arguments, he will have to accept that on both those grounds, in relation to the two offices under consideration, the argument is made out.

Last August the district postmasters, who had been given power to do so, announced the proposed closures of sub-post offices. On 19 October, together with other interested parties in Southwark and south-east London, I received information about proposed Crown office closures.

In Britain as a whole — only urban areas will be affected — 78 Crown offices out of 1,559 were to be closed. Nine hundred sub-post offices were to be closed, out of 20,499. In other words, about 5 per cent. in each category were to be closed. As has been said, when one's local post office is closed, one loses not 5 per cent. of the service but all of it. That, certainly, is the general belief in the area that I am talking about.

In London, it was proposed that 30 Crown offices out of 367 and 80 sub-post offices out of 1,405, should be closed. South-east London was to lose two Crown offices out of 33 and 18 sub-post offices out of 159. I do not know whether the fates considered these factors, but the two Crown offices chosen were both in Southwark, both in my constituency, and close together. I am here to address the Minister on behalf of a massive community. He has some powers and cannot wash his hands of responsibility, Pilate-like, despite the distance from Government at which the Post Office now operates.

The two offices must be considered together. If both are closed, the business must go to adjacent offices. If one is closed, the business is likely to go the other. There is a substantial risk that the Government, through the Post Office, will lose postal business altogether if these proposals are adopted.

The proposals were made last autumn. Consultations were then embarked on and continued until early this year. The criteria for consultation raise an important point to which I shall shortly turn. Consultation is now over at district level. In spite of unanimous and enormous opposition from every agency consulted, the recommendation of the district postmaster, Mr. Line, to the regional director, then Mr. Brown, was that the offices should be closed, as in the original proposal. That recommendation is at present on the desk of the director of the London region. Although in name it is the regional director who makes the decision, the recommendation must have the approval of the chairman of the Post Office, Sir Ronald Dearing, or of the board member responsible for counter services, if the undertakings given are to be carried out. Consultation at that level has still to take place.

Mr. Brown assured me before he left that he would meet my hon. Friend the Member for Woolwich (Mr. Cartwright) and myself to discuss the matter. He had already had consultations with Conservative and Labour Members in London, and we would have been the third group to be seen. I make no complaint about that. That meeting has still to take place. The change of director does not obviate the need for that consultation, and I hope that the present debate will have helped to clarify the arguments.

The recommendation is on the table. Tonight's debate is opportune because the decision has not yet been made. The House has built up a head of steam on the issue. At the beginning of the Session many hon. Members signed early-day motion 156 which dealt mainly with sub-post offices. On 19 December, during the debate on the Christmas Adjournment, many hon. Members on both sides of the House requested the Leader of the House to provide Government time for a debate.

The Government eventually decided that they could not provide time. There was great regret in the House and the feeling that we had been deprived by the Government and that, because of the Government's decision to impose commercial restraints upon the Post Office, the closures would take place. There was opposition from Government Back Benchers as well as from Opposition Members such as myself. On 23 January we had a debate in Opposition time. No doubt the Minister will refer to the points that he made during that debate. The Government have imposed financial targets upon the Post Office, and the Post Office must comply. The Minister does not have much control over the matter.

In my view, the arguments are clearly against the closure of the two offices. However, I also believe that the arguments adduced by the Minister on 23 January did not answer the question how one defines the necessary provision of services. The pressure to close the head office counter has continued. With the support of many others, I tabled early-day motion 405 stating that it was wrong to close the two offices in my constituency on service and commercial grounds. The protest has all-party support. I hope that the Government will heed that fact.

The district postmaster told me a few months ago that he would make his decision in spite of the protest and he described the reaction to his proposals as total, vociferous and hostile. He said that he expected that, not least because the people of Southwark are well known for wanting to fight for their rights. I am glad that they are, but a total, vociferous and hostile response is not much good if nobody takes the blindest notice. Rights must be respected as well as fought for. Community organisations, tenants, owner-occupiers, unions, businesses, the chamber of commerce, churches, pensioners, young parents and members of every political party—I even had a letter of support from the Southwark and Bermondsey Conservative association, which might not be the largest in Britain—have said that the head office must not be closed. They also want the Post Office workers to keep their jobs. The service is not perfect and those workers

should be retained so that the service might be improved. I bet that the Minister does not get many letters saying that the Post Office is wonderful. Rather I suspect that he receives complaints about late deliveries and lost mail. Those criticisms are criticisms not of the workers but of the lack of employees and investment.

The code of practice which was agreed between the Post Office and the Post Office Users' National Council in May 1981 and amended in January 1984 describes what consultation should mean. It says:

"1. The Head Postmaster (in conjunction with the Regional Director) will initiate plans to close or change the status of Crown Offices as part of his ongoing commitment to review all operations under his control.

2. He will take account of such factors as:

—the financial effect
—the nature of the area
—the productivity of the office
—how the change would affect the operation of the mail service
—any redundancy problems
—disposal of the buildings
—the likely growth of the area

If he is contemplating outright closure, he will also take into account the factors outlined in paragraph 2 of the section on sub offices and additionally the question of proximity of offices able to undertake those items of business which may not be available at the nearest sub office".

Those factors are:

"The distance from other offices . . . The amount of business done. The type of business done (eg, are a lot of pensions paid) The difficulty customers would face in getting to another office . . . The ability of nearby offices to absorb additional work. The likely future development of the area."

With only one hint of weakness, the case for retaining the post offices can be made on all of those grounds.

If the Minister says that this is nothing to do with him, I shall have to remind him of section 11(2) of the Post Office Act 1969 which provides:

"If it appears to the Minister that there is a defect in the general plans or arrangements of the Post Office for exercising any of its powers, he may, after consultation with it, give it directions of a general character for remedying the defect."

If at the end of this exercise the Post Office insists on refusing to listen to voices such as mine, I shall have to have to come back, knock on his door and ask him to exercise that power.

I should like to deal briefly with the specifics of the criteria. I know that two other hon. Members want to add their voices and to raise similar issues. That only proves that these are not isolated arguments which the House should disregard. These are important issues of principle to the communities which many of us represent.

Does the Minister accept that the proposal to close the south-east district office means that this would be the only head office with no counter service? Is that not ludicrous? Let us imagine that someone went to the head office of Lloyds bank in the City of London only to be told, "I am sorry, all we do here is paper transactions behind closed doors. There is no counter service." No one would regard that as a logical set-up. As with every head office, the south-east district office is the place where one catches the post last, because that is where the sorting is carried out. I would be grateful if the Minister could confirm that that would be the only place where there was no counter service.

Before he says, "Ah, but", I am aware that when the south-west district office moved to Nine Elms some time ago, it did not take a counter service with it. However, there is a big difference, because as all hon. Members will know, no people live near the Nine Elms district office. It is surrounded by open space and not much business. In no way is that example parallel.

Secondly, will the Minister confirm that only last year the south-east district office underwent a major refurbishment in both the sorting office and counter service at a cost of thousands, if not tens of thousands, of pounds? If the Minister cares to give the exact figure, the House would be delighted to know.

The south-east district office now has comfortable offices upstairs for the management. I have been in them. Will the result not be that only a year after this major refurbishment, the counter service is to go? How is that for efficiency and cost-effectiveness? At some point the Minister may care to look at some of the letters from local residents and businesses suggesting that that is a ludicrous way in which to proceed.

I have with me a letter from the Midland bank, 82 Newington Causeway, Elephant and Castle branch, to the manager of Post Office customer services. It is dated Christmas eve. It seems that the bank felt so strongly that even that was not an inappropriate date on which to make its views clear. It states:

"Dear Mr. MacDonald,

I note your comments concerning the need to reduce costs but perhaps an intensified marketing effort will do that, in relative terms, for you? The office in question is, as you will be aware, adjacent to a newly refurbished sorting office and one would think that, if efficiency is being considered, such a situation could not be bettered. I am reluctant to pursue a point unnecessarily but experience of large organisations leads me to suspect that proper consideration from a cost effective view-point is not always given in such circumstances. Convenience from a geographical aspect is certainly no basis on which to assess the validity of a decision in heavily developed areas. I am pleased to note that no final decision has been made and hope that attention will be given to ensure that the service elsewhere is improved to compensate for any closures.

Yours sincerely,
M. J. Mayhew, Manager".

Local accountants who with the banks and others attended the chamber of commerce meeting were astonished to discover that only a few months after this major refubishment the office would not be used at all and would be closed. The only rational explanation is conspiratorial, that is, that the post office intended to do that and then to acquire the counter area for the sorting office. Will the Minister either deny that or say that he accepts that it would be folly to have made such a major investment and not to use it for the intended purpose?

Thirdly, the business in the post office is increasing. That is not surprising because the area is being developed. The Government gave the London Docklands Development Corporation the job of developing the docklands, and it is doing so. The decline in inner London continues, but the figures show that in north Southwark we have turned the corner. I hope that we have. Certainly, post office business increased by 10 per cent. last year and will probably increase by 17 per cent. this year. That is a funny sort of unprofitable business to close.

I shall now deal with the criterion of the sorts of users. There are many pensioners in Southwark. It is the borough in south-east London with the most pensioners as a proportion of the population. North Southwark has the most pensioners—20·7 per cent. of the population. It does not need much imagination to realise that pensioners find it increasingly difficult to go further afield for the variety of services that the Post Office provides.

People are writing in the following terms:

[Mr. Simon Hughes]

"Dear Sir,

This is shocking news to me to read of the proposed closure of P.O. 239 Borough High Street. I am 94 years old and can only walk short distances—to walk any further would be a terrible burden to bear. As holder of 2 War Medals in World War 1, we did not fight our enemies just so that things like this could happen here. Please save No. 239. Yours truly,

A. J. Vinden."

For thousands of pensioners, going to the post office is bound up with their ability to remain fit and active. It is sometimes difficult, and it is made no easier if they must go further than they are physically able to go. To say that because an area of an inner city has post offices closer together than elsewhere and to discount the great disproportion of pensioners in the community relative to many other places is unfair and heartless.

I now turn to the difficulties that must be taken into account. The district postmaster knows of the inadequate and often slow bus services, the pavements and alleyways off Borough high street that are packed with prams, shopping, luggage, people who are blind, handicapped and disabled, and wheelchairs. One does not need much imagination to realise the volume of traffic there. The Post Office suggests that people use the underpasses. It is not advisable for people of 64, let alone 90, to use underpasses, especially in the winter and the wet for reasons which most of us appreciate.

I could argue the case for hours, but I shall not. It is important to use this opportunity both for this case and the many other cases about which hon. Members may not have the opportunity to make the same points.

A petition of the friends and members of the church of St. George the Martyr, Borough high street, states that 6,504 customers a week use the post office, 1,732 pensioners are paid there, 571 child benefit payments are made, and 1,081 unemployment and sick benefits are paid. It continues:

"The alternative is to go to the Post Office at London Bridge. For three quarters of the year it means a long walk for the old, the sick, and the mothers with little children along the Borough High Street in the teeth of a bitter NE wind. Even to start upon this means crossing main roads at one of the most dangerous crossings in London. If it is suggested that people go by bus they would have a very dangerous crossing either going or coming back, and, in any case, the bus stops at London Bridge would not put them down anywhere near the Post Office. In any case the Post Office at London Bridge is always very busy.

If you suggest that friends should get the pension you must understand that the high proportion of old people means that this is too difficult to achieve. We should be glad to demonstrate to you our peculiar difficulties if you could spend a short time with us. Have you ever watched the old people struggling along through the crowds in the Borough High Street, on the uneven paving stones, having crossed through the thick streams of traffic, with their lorries and buses? Have you ever pushed a pram up and down the curbs of all the entrances which once led to the inn yards of times gone by? Or, because of going the other way, to the Elephant and Castle, have you ever gone in fear of being mugged? We ask you"—

this is the crucial point—

"to consider the reality of our lives, rather than make your decisions according to theory".

Another consideration is that other post offices are nearby. The obvious remark is that nearby post offices are often busy already. I went on a little walkabout with the district manager one Friday. He told me that it would not be a busy day, because Friday was traditionally quiet. He told me that the average waiting time was 90 seconds; it happened to be nine minutes. He was embarrassed. So he should have been, because it is not working as the Post Office imagines or pretends.

The last criterion that the Post Office asks us to consider is the development of the area. When we talk about rural post offices, we say that they are important to the communities. But they are no less important in urban areas. The area is being developed and we shall have 17,000 more people in the next 10 years. I suppose that in a few years' time the Post Office will say, "Now we need another office." It so happens that it owns the building in which this office is situated, so it will not save much by closing it. Would it not be better to keep up the present service, although it is inadequate?

The argument will come down, finally, to cost. Therefore, at the chamber of commerce meeting, which was attended by accountants and business people, we asked, "What do you make at the post office in Borough high street? Do you make a loss or a profit?" The district postmaster and the regional director said, "We do not know. We do not work out whether we make a loss or a profit on all these offices." The Government tell us that the Post Office is supposed to be a business. Not many businesses would deserve to survive for long if they did not know whether they made a loss or a profit. The intelligent business people at that meeting could not believe their ears. No Government can countenance closing offices when the Post Office does not know whether it makes a loss or a profit.

If the Government investigated, what would they discover? First, the post office in Borough high street, like all others, is increasingly productive. There have been many redundancies agreed with the union since 1981 to make a considerably more productive office. Secondly, they would discover that this office makes a profit—probably a substantial one. Then their argument would be, "We cannot keep only the offices that make a profit. If we do, we must close all the offices that make a loss." That is one of those arguments that sounds as though the protagonists are determined to win every way round.

The Post Office is either a service, in which case the places that sometimes make a loss are supported by those which make a profit, or it is a business, in which case the Government should want offices to make a profit to support those which do not, or it is neither. In reality, it should be both, and it makes a profit. Last year, the counters made a profit of £12 million and the Post Office as a whole made a profit of more than £100 million. There can be no financial justification for saying that those offices should close.

Of course, the Post Office may say, as its final gasp, "We give in. There is a need for this office, so we shall close the Crown office and open a sub-post office across the road." If that is the thinking—I suspect that it might be—it concedes the validity of our argument. If there is a need for an office across the road, there is a need for an office at the present site. It will make no difference whether the office is situated across the road or whether it stays where it is, especially as it is making a profit where it is. There is no evidence that it will make a greater profit across the road.

If consultation is not a sham, the consultation that has been carried out should be considered. If ever there was a post office which, on any rational appraisal of the argument, should be saved, the head post office for south-east London passes the test.

It is not sufficient for the Government to say that there are still a good number of offices in south-east London and that Southwark has the best service of all. All those offices are busy and needed. Everyone uses them and wants them. Businesses are expanding and the area is developing—it is a densely populated, bustling part of what we all want to be a prosperous capital city.

We have the tradition of a postal service as a service to our people. I hope that the House is in no doubt that in my constituency, as elsewhere, we are determined that the Post Office will hear our arguments, will heed them and will keep those offices open.

9.20 pm

Mr. Gerald Bowden (Dulwich): The hon. Member for Southwark and Bermondsey (Mr. Hughes) has drawn attention to the problems associated with the closure of main post offices in his part of Southwark. In so doing, he highlights the repercussions and problems elsewhere in Southwark. He outlined the criteria for the closure of Crown and sub-post offices, and he put his finger on the weak spot—that the criteria may exist in a doctrinaire way, but they are not costed criteria. They do not take into account the profitability or potential profitability of the offices that may be closed. They seem to be concerned more with geographical criteria than with prosperity and profitability.

I want to draw attention to an area where those criteria have singularly failed. In the southerly part of Southwark, in Croxted road, a post office was run by a sub-postmaster who felt obliged to resign. The sub-post office was closed, which brought in its wake a terrible trail of tragedy for a number of people who relied on it for both their livelihood and their social contact. The position is heightened in sadness because there are two potential—and, I believe, already approved — sub-postmasters who are ready, willing and able to be appointed. However, representations at every level in the Post Office have failed to bring about any change of attitude towards that sub-post office, which was closed by an act of fate rather than a properly reasoned decision by the Post Office.

I want to touch upon those aspects of the closure that are not usually considered by the Post Office in looking at its criteria for deciding whether an office should close, or whether, having been closed, should not be re-opened. In this case, the office was situated on the Lambeth side of the borough boundary, but it was equally shared and used by my constituents and people living in Norwood. It fulfilled a very real social need for the many elderly people who drew their pensions and other benefits there, and for the parents of very young children. It fulfilled that personal social objective which has not been taken fully into account by the Post Office in setting its criteria.

That is an immediate and, perhaps, short-term problem. However, there is a long-term problem. The office was in a community of two dozen shops which, to a large extent, depend upon the existence of a post office. People drew their money at the office and spent it in the surrounding shops. It was a convenient shopping point for a number of people. The failure of the Post Office to supply that service means that those who drew their money from that office now have to go further afield, and therefore spend further afield.

During the past few months, two of the two dozen shops have closed and another three are threatened with closure because they cannot keep up the volume of business without the sub-post office. More is involved than the profitability of that sub-post office. It represented a cornerstone, a keystone, a kingpin for that commercial community. If that is taken away, that commercial community will collapse.

The Post Office has suggested alternatives for those who normally used that sub-post office. As with other alternatives which, I suspect, have been proffered in other areas, impossible, or almost impossible, conditions of travel are involved. In this case, there is no direct public transport route. That means either that the elderly must change buses, with the attendant problems, or run the danger of being mugged or suffering in other ways as a result of having to carry money through the streets of south London.

The post office has been used by a neighbouring estate for the payment of rent to the boroughs. It would present an unfair and heavy burden on those who pay their rents by that means to have to take their money a mile or further to the next office, with all the danger involved.

For those reasons, which are well known, which have been highlighted by the hon. Member for Southwark and Bermondsey and which are reflected in many other parts of south-east London, it seems that the criteria on which the Post Office has decided to close post offices, or to leave closed offices which have been closed, are not purely commercial and rational, but are doctrinaire. I urge the Minister to look seriously at the basis on which the Post Office is making decisions of this kind.

For the Croxted road post office we have tried to get the figures of profitability and potential. It is evident either that those responsible for making decisions are not prepared to disclose the figures because it would damage their case to disclose them, or, as is more likely, that they have no idea of the figures.

Being a commercial organisation, the Post Office must act in a commercial way. I submit that, from the case to which the hon. Member for Southwark and Bermondsey, has drawn attention, and the case of the post office in Croxted road to which I have referred, it is clear that the criteria have been employed in a way that is neither rational nor commercial.

9.27 pm

Mr. Nigel Spearing (Newham, South): Traditionally, Adjournment debates are occasions when hon. Members raise grievances. Tonight, we do not come to the Government as subject peoples craving the indulgence of a monarchical figure. The people we represent are the owners of the enterprise with which we are concerned and for which, for a temporary period, the Minister is indirectly responsible. He has transferred to that responsibility from other duties and he may yet be transferred to others. The Post Office, meanwhile, goes on and the needs of those who use it go on.

I am grateful to the hon. Member for Southwark and Bermondsey (Mr. Hughes) for raising this subject and for the support that was given by the hon. Member for Dulwich (Mr. Bowden). I am pleased to have this opportunity to join in the debate because there is widespread grievance throughout the country at the way people are being treated by those who run the nation's property.

The way in which they are running it is hurting elderly people and those who cannot walk without difficulty. Public transport is disappearing. It is hurting mothers with

[Mr. Nigel Spearing]

young children as they move along crowded pavements with their charges. There is no rhyme or rational reason for a great deal of what is going on.

The hon. Member for Southwark and Bermondsey is from docklands. I am pleased to say that half the area of docklands is in the London borough of Newham, all in my constituency. In the borough of Newham, five sub-post offices are closing. In or close to docklands, two are being closed, one at Boundary road and the other at Roman road, East Ham. In one part of docklands, meanwhile, we want a post office to be opened, but, despite the excellent case for it, the Post Office will not open one, or has not so far opened one. I shall return to that subject.

First, I wish to observe some curious features of this terrible affair which is breaking out throughout the country like a rash of measles. The Government have given the Post Office targets. I suggest that they are arbitrary and are not necessarily realistic. Some of my London colleagues amd I have had extensive correspondence with Sir Ronald Dearing, who I thank for the courtesy of listening to an hour and a half's argument, although it djd not leave us much the wiser.

He said that one reason for the closure of post offices, which he hoped would result in the saving of £15 million to £20 million a year, was that more funds would be available for new investment and new business. He hopes to retain the business that he holds.

It is argued that the post offices must close, especially the two in docklands which I have mentioned. Sir Ronald has told me that there will be savings of about £8,000 at each of the five sub-offices that are to be closed. That implies that the savings will be made and that the same transactions will take place elsewhere. The savings will be marginal if the transactions are held, which is the Post Office's objective. The savings relative to turnover will be relatively small and, to some extent, problematic.

In his latest letter to me, Sir Ronald submits that he will not be able to say until the end of the exercise how much of the new investment will arise from savings. I should like to know whether the Government have required a notional degree of savings from the Post Office's own resources to be part of the new investment which the Post Office believes should be made. If that requirement has been made, the entire closure programme is specious and illogical.

In Newham there is an area of dockland known as Beckton, where a mini new town is arising. There will be up to 20,000 new people in the area and, we hope, an associated industrial area. The district centre is like a new town centre but on a rather smaller scale. There will be a number of facilities and there is a large one there already —an Asda superstore with space for parking 700 cars. It has over 30 checkouts. There is also a shopping mall and the Newham post office liaison committee has requested the Post Office to place at least a sub-post office in the mall and perhaps a Crown post office. There is a growing population and most of them are mortgage payers who can enjoy some optional expenditure.

The mall would have been an apt spot for new business but despite the opportunity, the Post Office has not opened a branch office as requested. Instead, it is closing two branch offices that are not far away. The one in Roman road, East Ham, serves an isolated area with a high proportion of pensioners, who will have to get to the nearest sub-post office by walking up and down steps over the northern outfall sewer bank, which will be extremely difficult for many of them. I understand from the district postmaster that the Roman road sub-post office will be closed after the backlog of the Newcastle social security payments has been made up, as will the one in Boundary road in my constituency, which can present an equally good case for being kept open.

This pattern is probably repeated in every constituency in Britain with urban areas. I would have made this speech in any event, but over the weekend I was provided with information at short notice about a Crown post office in London. I have written to the hon. Member for City of London and Westminster, South (Mr. Brooke) about the New Fetter lane Crown post office where many of my constituents, and no doubt the constituents of all London Members, might well do business.

The local branch of the Union of Communication Workers wrote to the freeholders of the site on which the post office is situated. It wrote:

"The Post Office management locally have informed us from time to time that one of the reasons that New Fetter Lane post office had been selected for closure is that your company refuses to allow them a lease renewal."

The union and the company concerned have kindly allowed me to read the reply sent by a responsible person in that company. The letter stated:

"So far as the particular is concerned, I should not normally wish to disclose to anyone else the detailed agreement between"—

the letter names the company concerned—

"and the Post Office regarding Fetter Lane. However, I can tell you that the present lease does not expire until December 1986 and that there has not, so far, been any discussion about what should happen after that."

There may be some misunderstanding, but the point is that, in respect of most of these closures, there has been mysticism and distrust and lack of confidence in the Post Office administration which is widespread and typified by this correspondence.

Mr. Simon Hughes: The hon. Gentleman kindly mentioned that point to me earlier. Although it was not germane to my argument, I must tell the Minister that Merton district post office is in a similar position. That post office was told that London Transport, which owns the freehold, wanted the leasehold to revert to it in September 1983. When LRT was asked about the matter, it said that the post office could have the leasehold as long as it liked. I say that in support of the hon. Gentleman and I hope that the Minister will take heed and ascertain what is happening.

Mr. Spearing: I come to the crunch line—the name of the company, which it has kindly allowed me to reveal. It is no less than Mirror Group Newspapers. Perhaps that was not known to the Post Office, which has written leading articles on this matter. The letter from the company continued:

"We shall continue to resist closure of Post Offices and we will be glad to hear from you of any developments which you think might help with the campaign.

Yours sincerely,
R. Maxwell."

I am grateful to the hon. Member for Southwark and Bermondsey for his intervention. We have two cases where verbal or written information from the Post Office, although it may have been given in good faith by the functionaries, has turned out to be highly questionable, if not incorrect.

I put it to the Minister and through him to Sir Ronald Dearing, with whom I have had extensive correspondence, that this calls into question the basis of the closure of any sub-post office or Crown post office. If the Post Office wants to expand and to increase the confidence of business and individuals, this is not the way in which to go about it. The Minister should use his powers to ensure that the programme is stopped and that a total reassessment of the Post Office closure programme is started by the Government and pursued by the Post Office in pursuit of its duties to the public.

9.37 pm

The Minister for Information Technology (Mr. Geoffrey Pattie): I am grateful to the hon. Members for Southwark and Bermondsey (Mr. Hughes) and for Newham, South (Mr. Spearing) and to my hon. Friend the Member for Dulwich (Mr. Bowden). We appreciate their concern. The Government have frequently stated their recognition of the important role that post offices play in our social and economic life. I referred to this on 23 January when the House had a full debate on post office closures. I referred to the recognition by this Government, like our predecessors, that the Post Office is a commercial organisation and that it is not only right but essential that it should look to ways to improve efficiency. Unless the Post Office does so, the future of the entire network will be imperilled and its ability to play any role in the life of the country will be in doubt.

The hon. Member for Southwark and Bermondsey attended at least part of the debate on 23 January, and I imagine that little of what I have to say to him will be news. In particular, it should come as no surprise to him that I have no intention of intervening in the Post Office's proposals to close the two post offices to which he has referred. Not only would it be wholly wrong for me to seek to intervene but I have no power to do so. It would be inappropriate for me to comment in detail on the particular circumstances of these decisions.

The hon. Members for Southwark and Bermondsey, for Newham, South and my hon. Friend the Member for Dulwich will appreciate that what they have said will be closely read and studied by the chairman of the Post Office and the board member responsible for counter services. To that extent, nothing that hon. Members have said tonight has been wasted, but they will appreciate that their representations must be properly addressed to that quarter and not to me.

I appreciate that no post office closure is popular. It will not surprise hon. Members to know that I am no exception, as I have a closure in my constituency. I well know from my constituency mail bag what people think about such matters. It is also understandable that the constituents of the hon. Member for Southwark and Bermondsey who currently use those two post offices, like people elsewhere in the country who use post offices which face closure, consider that theirs are special cases. It is for the Post Office and not the Government to consider each case and to make decisions.

It should be clearly understood that the Post Office is responsible for running the counters network and decisions about individual post offices are operational ones for it and not for the Government. That is in accordance with the clear distinction, of which I am sure all hon. Members are aware, between the respective roles of the Government and the Post Office Board. That goes back to the establishment in 1969 of the Post Office as a public corporation with its board. It has been the policy of successive Governments, embodied in the relevant legislation, that decisions about the day-to-day management of the business are the responsibility of the board. The Government's role is confined to broad issues of general policy and matters of overall financial control.

The hon. Member for Southwark and Bermondsey referred to section 11 of the Post Office Act 1969, which relates to directions of a general character for remedying a defect in the general plan or arrangements of the Post Office for exercising its powers. A closure decision, in our view, cannot be regarded as a general plan or arrangement under any definition or construction of those words. That is why—I said this on 23 January—we do not believe that we have the powers, nor do we seek them, to intervene is such detailed matters.

The Government's interest and responsibilities relate to the overall network, and we consider the Post Office's proposals for the urban network in that context.

It might be helpful if I set the Post Office's proposals for reducing the size of the urban counters network and the Government's role and reaction in regard to those proposals in their proper context. The network of post offices is the largest retail chain in the country. In March last year it consisted of 20,499 sub-post offices and 1,559 Crown offices. The current programme to reduce the size of the urban network by up to 5 per cent. will mean a network at the end of the 1986-87 financial year of about 19,500 sub-post offices and 1,490 Crown offices. The reduction is hardly draconian, by anyone's standards.

Although the hon. Member for Southwark and Bermondsey made the acceptable debating point that a local closure is a 100 per cent. closure, that is on the assumption that there is no alternative. I am sure that he accepts that there are eight alternative offices within a mile of the Bermondsey branch office and nine alternative offices within a mile of the 239 Borough high street post office. I am not saying that they are equally convenient for all his constituents. Of course they are not. I hope that he will accept that it is not possible to say that it is a 100 per cent. closure and that there is no alternative post office within a mile when he considers the numbers that I have mentioned.

My hon. Friend the Member for Dulwich was somewhat dismissive about costing and profitability. In my speech on 23 January on the subject of post office closures I said that when the Post Office carried out its major review of counters in 1983 it revealed

"2,000 urban offices in excess of the one-mile criterion"

of which my hon. Friends will be aware

"and 2,000 urban post offices that are unprofitable, as are about three quarters of the 11,000 rural post offices."—[*Official Report*, 23 January 1985; Vol. 71, c. 998.]

These have been deliberately exempted from any part of the closure programme.

I have emphasised profitability. For the Post Office to know what is unprofitable it has, by definition, to be aware of what is profitable and unprofitable. I hope that no hon. Member is suggesting that the Post Office does not have the ability to make calculations of that kind, because most certainly it does.

By its nature, the counters business is an operation that has high fixed costs and the economics of running it depends heavily upon the volume of business which is undertaken. I have stressed that the Post Office is a

[Mr. Geoffrey Pattie]

commercial organisation, and it is under no illusions that it is owed a living. It recognises that there are effective competitive alternatives for many of the services available in the post offices and is well aware that if the counters network is to retain existing business and win new business it must provide an efficient and cost-effective service at prices which customers are prepared to pay. The majority of the business undertaken at counters is work for Government Departments, public corporations and local authorities. They use the network because it provides a cost-effective way of meeting their requirements. It would be quite wrong to expect these agency customers to use the counters network irrespective of their costs which are, of course, borne by their customers, whether they are taxpayers or ratepayers.

Not only is it sensible, in purely business terms, for the Post Office to look towards improving its efficiency; it is also under a clear statutory duty to do so. Its statutory duty also requires it to have regard to the social needs of the United Kingdom. I should stress that the Post Office takes this part of its duty just as seriously as the requirement to have regard to efficiency and economy.

Earlier today I had the pleasure of flying over the constituency of the hon. Member for Newham, South. Also I impinged slightly on the air space of the constituency of the hon. Member for Southwark and Bermondsey while I was looking at the excellent and impressive London docklands development. Later I drove past the Asda development to which the hon. Gentleman referred. Therefore I can confirm what he said about its existence. It appears to be an extremely significant development and I am sure that the words he has put on the record tonight will be closely scrutinised by Sir Ronald Dearing and his colleagues on the Post Office Board. If there is to be a new development, as certainly appeared to be the case from the air, there will certainly be the potential for new customers, and the Post Office is always interested in new customers.

Since 1945 the Post Office has had the criterion of providing post offices in town areas at intervals of no less than a mile. This is not, and was never intended to be, a precise and inflexible standard. It represents what the Post Office has regarded as a reasonable balance between the service its customers would like and the costs involved. The Post Office has not applied the criterion rigidly but over the years has made decisions about particular post offices in the light of local circumstances. Up to the late 1960s the network grew, due to new housing development, population growth and growth in business. However, changes in the distribution of population were not fully reflected in the provision of post offices and a review which the Post Office undertook in 1983 revealed an excess of about 2,000 offices against the criterion. It is worth while, particularly in a debate that has dwelt upon the constituencies that have been referred to this evening, for the House to bear in mind that the population of inner London has declined by nearly 30 per cent. over the last 20 years.

Mr. Simon Hughes: I accept what the Minister said about his powers, but if there was an argument that the interpretation and use of the various criteria—not just the one mile criterion, but all the others—were not being properly carried out by the Post Office, surely he will accept that he would have a power to review the consultation and other criteria as applied, because otherwise there is no court of appeal. There is only the Minister. He is the only person to whom one can turn if the Post Office does anything wrong. I should be grateful if the Minister could confirm that because, on some of those issues, clearly the general does not apply to the particular cases that he has heard about this evening.

Mr. Pattie: I shall refer in a moment to consultation, because it is an important point. The Government feel that there is a duty to intervene only if there is some evidence of what I would describe as a widespread abuse by the Post Office of its statutory powers, and if it was flouting the consultation procedures, and not making any attempt to provide a proper service or take account of its statutory requirements. Only in such a situation would the Government intervene. The situation would then have developed beyond a mere local difficulty, and become general and widespread.

Mr. Spearing: I am grateful to the Minister for giving way. I am conscious of the time, but he touched on an important point that I raised, and to which he has not yet referred in detail. If the example that I gave—the hon. Member for Southwark and Bermondsey (Mr. Hughes) gave another—is shown to be correct, would it not be within the criteria that he has just outlined, in that, as a prima facie case, incorrect, and knowingly incorrect, information has been given by the Post Office in the course of that consultation?

Mr. Pattie: I do not think that it would be. I have said —not, I hope, in an ex cathedra way—that in my view the Post Office, in order to cause the Government to feel that they should invoke their general powers, would have to give substantial, widespread and nationwide prima facie evidence that it was abusing the criteria under which it operates.

After the review in 1983, the Post Office informed the Government about the outcome of the review and the proposals that it had framed to reduce the number of post offices in urban areas. Our concern was to ensure that the proposals did not prejudice our commitment to the maintenance of a network sufficiently adequate to enable the Post Office to fulfil its statutory duty with regard to efficiency and economic and social needs. The Post Office's proposals included its intention to consult the National Federation of Sub-Postmasters, the Post Office trade unions and the Post Office Users National Council. It also confirmed that individual closure proposals would be subject to the existing code of procedure agreed with POUNC in 1981 and revised in January 1984 to include Crown offices, which provides for consultation with local interests before final decisions are made to close individual offices. We were satisfied with the overall balance that the Post Office was seeking to strike between the needs of those whom it serves and the need for reasonable economy and efficiency, and that the proposals were not inconsistent with its statutory duty. However, that is the extent of our involvement, as I have said.

The hon. Member for Southwark and Bermondsey talked about violent opposition and so on. He is making the assumption that the consultation process is somehow concluded simply because he is apparently aware of some decision that is on the desk of perhaps the director of the London region. It is my understanding that the decisions

that he is drawing to the attention of the House have not yet been finally taken. The hon. Gentleman might regard this Adjournment debate as an adjunct to the consultation process. I have evidence that in over 10 per cent. of the cases that the Post Office has had before it on the closure programme, the Post Office has withdrawn the proposals. I do not think that any reasonable person who is minded to take an objective view could say that that shows, as some people have said — I know that the hon. Gentleman has not said this — that the consultation process is some sort of charade. That remark was made —it is a rather unworthy remark—in the debate on 23 January. I know that the Post Office takes the consultation process seriously. It is not blinkered in any way in its approach, nor does it regard any of its proposals as being what I would describe as a foregone conclusion. I repeat, however, that today's proceedings will be closely studied by Sir Ronald Dearing and the Post Office Board.

I have read the correspondence between the hon. Member for Southwark and Bermondsey and various senior officials, including a letter from the London regional director who, I understand, has since retired. In a letter dated 21 February Mr. A. G. Brown stated:

"I am, of course, delighted to accede to your request for a meeting and I must agree with you that it would make more sense to discuss the matter with both of you at once."

I was therefore surprised to learn that that meeting with the hon. Gentleman and his colleague had not taken place.

Mr. Simon Hughes: No criticism of Mr. Brown was implied. He did not leave in any sense under a cloud. He has been replaced fairly quickly and I understand that his undertaking is to be honoured by his successor. Any delay is merely a result of a changeover at that level of management and is no one's fault. My colleague and I look forward to meeting the new regional director.

Mr. Pattie: I merely mention the matter as examination of the correspondence suggested that the ball might be in the hon. Gentleman's court.

As I explained in the debate on 23 January, in undertaking the review of the urban counters network and in framing the subsequent proposals to reduce the size of the network, the Post Office's aim is to improve the efficiency and cost-effectiveness of the network. The Post Office is well aware that closures are not popular but believes that the exercise is essential to secure the future of the network, for the long-term benefit of the community. The Post Office has the Government's full support in those efforts.

England-Scotland Football Match

9.56 pm

Mr. John Maxton (Glasgow, Cathcart): I am grateful for this opportunity to discuss a matter that has arisen since this week's Adjournment debates were selected — the transfer of the England-Scotland match on 25 May from Wembley in London to Hampden park in my constituency in Glasgow.

The decision was taken by the Football Association on 29 March. The reason given was that the Government had made it clear that they did not wish the game to take place in London on a bank holiday weekend because, partly as there would be more crowds and partly due to insufficient policing, they felt that disorder could easily occur both at the stadium and in the streets of London.

The Parliamentary Under-Secretary of State for the Environment with responsibility for sport wrote in a letter:

"The Government is extremely concerned that the current timing of this fixture increases the risk of disorder".

I appreciate that in expressing that view the Government did not say that they wished the game to be transferred to Hampden park. They wished the game to take place mid-week, as it did two years ago, rather than on a Saturday especially on a bank holiday weekend.

The Government have made it clear both in meetings with Members of Parliament and publicly to the press that they do not regard themselves as in any way responsible for the implications and results of the decision taken by the Football Association, but I disagree. First, we must ask ourselves a simple question. Would the transfer have taken place if the Minister with responsibility for sport had said nothing or if the Prime Minister had not expressed great concern about the hooliganism that had occurred at the Millwall-Luton match a few days earlier? The answer to that question is no. The transfer would not have taken place. The FA and the Scottish Football Association, of their own violition, would not have transferred the game to Hampden park. The transfer was made under Government pressure. It was because the Government were frightened about football hooliganism that the FA took that decision.

The Government may say that the FA's solution was not what they wanted. If the Government had not wished the game to be played on a holiday weekend, why did they not protest further and make it clear that if it was wrong to play such a game at Wembley on a bank holiday weekend, or indeed any weekend, because of possible crowd disturbance——

It being Ten o'clock, the Motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Neubert.]*

Mr. Maxton: If it was right that the game should not be played at Wembley on a holiday weekend, and if Ministers had therefore asked that it should be played in the middle of a week, why did they make no protest? Why did they make no effort to tell the FA or the SFA that if it was wrong to play the game at Wembley on a holiday weekend, it would be equally wrong to play it at Hampden?

That weekend is a holiday weekend in Scotland as well as in England. If there is a risk of violence, it will now be my constituents and the constituents of other Glasgow Members, rather than the citizens of London, who will be

[Mr. Maxton]

put at risk. If there is a risk, the Minister should have protested against the playing of the match at Hampden at the weekend, just as he protested against its being played in London.

Many people in Scotland feel that the real reason for the change was that any disturbance will now appear to have been caused by hooligan Scots. A fortnight before the announcement, during discussions after the Millwall-Luton match, I heard a well-known football correspondent say on the radio that the England-Scotland match would take place because it was profitable, even if that meant that the hooligan tartan hordes would be let loose on the streets of London.

The record of Scottish football fans has improved considerably. Scottish fans behave considerably better abroad than English travelling fans, whose behaviour abroad or at away games is far worse than their behaviour at Wembley. If there is an insult here, it is an insult to Scottish football fans. Over the past few years the amount of hooliganism in Scotland has decreased. I attended the 1983-84 league cup final between Rangers and Celtic. The match took place on a Sunday afternoon—I agree that that made a difference—but I took my sons, aged 9 and 11 years to that game, and there was no trouble whatsoever in a game that is traditionally associated with violence.

Scottish fans who travelled to Spain for the world cup were congratulated by the Spanish authorities and police on their behaviour. More recently, when Scotland played in the world cup qualifying games in Spain, the Scottish fans were again congratulated by the Spanish authorities on their behaviour.

I read in the press this morning that last weekend there had been many stabbings, scenes of violence and arrest at two semi-finals in England, but that the police had again congratulated Scottish fans at those two semi-finals on their behaviour.

In recent years, awareness of violence at Scottish football matches has increased and the problem has been tackled. As Minister responsible for sport in Scotland, Frank McElhone did football in Scotland a tremendous service when he produced his report. The Minister for Sport nods his head. That is fine, but the report is now eight years old. What have the English authorities done about it? I accept that the Government incorporated part of the report in the Criminal Justice (Scotland) Act 1980, which bans the carriage of drink into almost every football ground in Scotland bars drunks and forbids drink on football supporters' coaches and trains.

Mr. Tony Banks (Newham, North-West): Does my hon. Friend agree that it might be because the Scottish Football Association has been so successful in eliminating violence from grounds that the Government wanted to switch the match to Scotland because Scotland could be trusted whereas England could not?

Mr. Maxton: I take my hon. Friend's point. Perhaps Scotland is suffering from its own success. That seems a bit rough on my constituents. I suspect that it will be some of the English fans who cause the problem.

The law bans more than alcoholic drinks. Any container that can be interpreted as a missile is forbidden from a ground—it might be a Coke can, a lemonade bottle or even a Thermos flask. The law seems to have reduced the violence. Dunfermline college of further education recently did a study which showed that all-seat stadiums produce less violence.

It might be argued that my constituents are used to football crowds going through, but they plan ahead and know when the games will take place. This game has been sprung on them. Organisations and clubs have made arrangements for that day and will have them disrupted. It will not be possible to get near bowling greens and tennis courts because cars and coaches will be parked on side streets all around the ground. Even if there is no trouble there will be disruption.

We should also consider the cost incurred by those who had arranged to travel to Wembley. Many have already booked coaches, hotels on the way and hotels in London. A range of organisations are affected. They might have paid deposits for the full fee, but the Government are making no effort to ensure that they are compensated.

Mr. Norman Hogg (Cumbernauld and Kilsyth): Does my hon. Friend agree that there is a cost to the public purse in the form of policing arangements and others to accommodate the fans?

Mr. Maxton: That is an important point which the Government have not answered. I assume that they will give Strathclyde region police force extra funding. Perhaps they would like to subvent Department of the Environment money to do that. The loss that worries me is that of fans. Football fans come from the poorer quarter of the community and some of them will have saved for two years to make the journey to London. They are now to lose money.

British Rail and ABTA should be congratulated, because they have been prepared to make an effort to ensure that some repayment is made. However, many supporters have not booked through travel agents which are members of ABTA. Many people have made their own arrangements, such as travelling with one-man operation coach companies. Such companies are not in a position to compensate and will not do so.

Many other people have booked into hotels which do not belong to the major chains. Here again, these small London hotels will be unable to make refunds. Therefore, many people will lose money—individuals, small travel agencies and even some of the larger ones. Indeed, some of the smaller travel agencies say that they could be forced out of business as a result.

The minimum which the Governmnt should do is to call a meeting of all the organisations concerned to ensure that compensation is properly co-ordinated, In my view, they should make some funds available for compensation, because they are responsible. Whether this decision was inadvertent is irrelevant. The Government created the situation by putting a lot of pressure on the Football Association to transfer the game. Whether the game should be played at Hampden or at another venue is also irrelevant. This situation would not have occurred but for Government intervention.

Sir Hector Monro (Dumfries): Does not the hon. Gentleman accept that this ought to be the most important annual fixture between two international sides? Had the Scottish and English Football Associations been asked in January to consider changing to another weekend, would

they not have been well advised to think seriously about doing it then so that they could have given plenty of notice about an alternative venue?

Mr. Maxton: I know that the English Association was told, but I do not think that the Scottish Football Association was made aware of this possible change. However, to some extent the football authorities bear some responsibility, because to saythe least they have been criminally stupid.

There is, however, a case for Government compensation, because the Government created the problem. It was they who put on the pressure after the deplorable scenes at the Luton-Millwall match. In the longer term, the Government must clarify the future of the England-Scotland match at Wembley. Following our meeting with the Minister responsible for sport, the press thought he made it clear that never again would the England-Scotland match take place at Wembley on a Saturday. We should be told tonight whether or not that is true, If it is, it is an even greater insult to the Scottish fans.

In effect the Minister is saying, "We will not transfer the cup final or the rugby league final from a Saturday. the only game that we will insist is played mid-week is the England-Scotland match." The implication is that the scottish fans are causing the problem, yet we saw the trouble that was caused at the two FA cup semi-finals in England, which presumably will occur at the final to be played at Wembley on a Saturday. Therefore, the Government must think seriously about the implications of this decision.

I hope that they will now introduce legislation along the lines of the McElhone report, not the half-hearted measures which they are at present proposing, which suggest that drink will be banned only at grounds where trouble is caused. All football grounds should be told to ban drink. Such a ban should even include Twickenham and Murrayfield. There must be fairness which is apparent to all, and if a ban applies only to some grounds it will be unjust and unfair.

Funds must be made available to ensure that football recovers and that football grounds become social centres. That was the other half of the McElhone report which was never put into effect. It should be implemented now so that football grounds again become the social centres which large numbers of people can attend. The Government are responsible, and I look forward to hearing the Minister's reply.

10.9 pm

Mr. Harry Ewing (Falkirk, East): I am grateful to my hon. Friend the Member for Glasgow, Cathcart (Mr. Maxton) for leaving me a few minutes, and to the Minister for agreeing that I should contribute to the debate. I congratulate my hon. Friend on his usual diligence in seeing the opportunity for a second Adjournment debate, and on choosing an important subject. Although the terraces in this arena may be empty tonight, I assure all those who are present that the terraces in Scotland are livid at the way in which the Government have acted in such a ham-handed fashion and bungled the issue of the Scotland-England football international.

For an ex-president of the Scottish rugby union to intervene and defend the decision to transfer the game at the last minute tempts me to ask what might have happened if it had been the Calcutta cup match—but then, it would not have happened with rugby. The Government have a heavy responsibility to bear. The intervention of the hon. Member for Dumfries (Sir H. Monro) was highly inaccurate because the Scottish Football Association did not receive a letter from the Government on 10 January. Only the English Football Association received it. The Government are responsible for bungling the matter and casting a slur on the good name and hard-earned good reputation of Scottish football supporters.

I give a hearty welcome to all the England supporters who will come to Hampden on 25 May and to the Prime Minister if she wishes to come. But the most dangerous event in Scotland in May will be the Tory party conference at Perth. All the English supporters who come to Hampden will see how football supporters should behave. The incident that triggered off this issue was the violence at the Luton-Millwall match. The English Football Association dispensed a punishment of a £7,000 fine on Millwall for which the chairman had to write a cheque there and then, and told Luton Town to build a fence around its stadium, which costs £30,000. The total fine, therefore, was £37,000. The consequences have been more far-reaching.

The Government's intervention has produced a shambles. It was caused by the Prime Minister meddling in something that she should have left well alone. I would not be averse to her staying in the far east, the middle east or whatever eastern state she wishes to visit until the international is over. She should have kept out of the matter. However, as soon as she saw an opportunity to wage yet another war she could not possibly resist it. This time the war was about the Scotland-England football international.

The Minister will say that the Government did not insist that the venue of the game be changed. However, in a year when the EFA and SFA are involved in the World Cup qualifying matches, and at a time when both English and Scottish cup finals are taking place and when senior clubs from England, which provide many of the internationalists who will play in the Scotland-England match, are involved in European cup finals, to suggest that they could have found another date was tantamount to suggesting that the game be cancelled completely. The Minister with responsibility for sport was primarily responsible for this. I do not believe that the Scottish Office was consulted. The first that it knew about it was on Friday when the announcement was made. If the hon. Gentleman does not understand the confusion and congestion of dates at this time in the football season, he is not fit to be Minister with responsibility for sport.

That sums up this whole sorry state of affairs. By universal agreement the Minister responsible for sport must resign to atone for his fumbling incompetence. I hope that when the Minister replies he will make it abundantly clear that this is not a slur on Scottish football supporters who have rightly earned a high reputation.

10.19 pm

The Parliamentary Under-Secretary of State for Scotland (Mr. Allan Stewart): First, may I congratulate the hon. Member for Glasgow, Cathcart (Mr. Maxton) on his speed and his knowledge of procedure in obtaining this second Adjournment debate. It seems to be a characteristic of Scottish Labour Whips, because the last time that I

[Mr. Allan Stewart]

answered an Adjournment debate in similar circumstances, it was initiated by the hon. Member for Cumbernauld and Kilsyth (Mr. Hogg).

The facts about the match were set out in *Hansard* by my hon. Friend the Minister with responsibility for sport in a written answer on 2 April, but I welcome the opportunity to set out the position more fully because it has been misinterpreted. Tonight, not so much the hon. Member for Cathcart, but certainly the hon. Member for Falkirk, East (Mr. Ewing), misunderstood the position in several important aspects. The first point is that we should look back to 1983 when the England-Scotland match was switched from bank holiday Saturday following representations from British Rail, the police and the Government. Therefore, this year, my hon. Friend the Minister with responsibility for sport wrote to the Football Association, not soon after the troubles at the Luton-Millwall match, but, as my hon. Friend the Member for Dumfries (Sir H. Monro) said, as long ago as 10 January.

Mr. Ewing: But not to the Scottish Football Association.

Mr. Stewart: The Football Association was responsible for the match, because it was originally scheduled for England. My hon. Friend wrote to express the concern of the Government and of the travel authorities about the match going ahead on bank holiday Saturday, and recommended that it be switched to another date. The Government believed that to hold the match on bank holiday Saturday would significantly increase the risk of disorder. Labour Members rightly referred to the serious problems that resulted recently from the behaviour of a minority of English football fans.

As the hon. Member for Cathcart said, the football associations decided to switch the match to Hampden. The Government were not consulted about that decision, although they were informed the day before.

The hon. Members for Cathcart and for Falkirk, East talked about the belief in some quarters that this was a slur on Scottish football fans, and I wish to nail that allegation now. I repeat what my right hon. Friend the Secretary of State for Scotland said in a statement:

> "I am incensed by suggestions that the decision to stage this year's England v Scotland football match in Hampden Park is the result of fears of disorder caused by Scottish supporters. Nothing could be further from the truth. In recent years we have seen Scots football fans proving they are capable of supporting their team without causing trouble. One only has to look at recent crowd troubles in England to see the contrast."

The hon. Member for Newham, North-West (Mr. Banks) made the fair point—I wish to underline the fact—that the police are content for the match to go ahead at Hampden, which is a tribute to Scottish football fans.

It is true, as the hon. Member for Cathcart said, that the authorities in Seville were impressed by the conduct of Scottish supporters during the 1982 World Cup finals, and at the recent World Cup qualifying match in Spain. The hon. Gentleman was right to point out the improved behaviour of Scottish football fans since the Government implemented the provisions of the Criminal Justice (Scotland) Act 1980, following the excellent report from the late Frank McElhone. The football authorities and the police believe that the Act has had a major beneficial effect. Of course, it is not the whole story, and measures such as the closed circuit television system that I inspected recently are also important.

Mr. Tony Banks *rose* ——

Mr. Stewart: I apologies to the hon. Gentleman, but I cannot give way as I have very little time left and I must answer a number of specific points

The hon. Member asked about compensation. The decision to transfer the game was not at the request of the Government. However, our view could hardly have been a surprise to the Football Association, because it had received my hon. Friend's letter in January. I wish to join the hon. Gentleman in paying a tribute to British Rail, the Association of British Travel Agents and British Airways for their specific announcements about refund measures. I hope very much that others who hold deposits from Scottish supporters will respond in a like manner. However, there can be no question of Government compensation, as I made clear when the hon. Members for Cathcart and for Falkirk, East came to the Scottish Office to discuss the matter.

The hon. Member for Cathcart asked why it was all right to go ahead on a bank holiday weekend in Glasgow. There is no history of serious disruption on bank holiday Saturdays in Glasgow, and I do not believe that there is any reason to think that there will be serious disruption this time. Of course I regret the inconvenience to the hon. Gentleman's constituents. However, the decision was announced on 29 March, so it is not fair to say that no notice was given. There has been a reasonable period of notice for the organisations to which the hon. Gentleman referred to try to change their plans.

On police costs, I can confirm that policing arrangements for the match will be as usual. Those costs incurred inside the ground will be recoverable from the organisers of the match, while the responsibility of the police for public order outside the ground will be as usual. Although I wish to make other points, I am prepared to give way to the hon. Member for Newham, North-West, who tried to intervene earlier.

Mr. Tony Banks: I wished only to ask whether the Minister was aware of any discussions between the Department of the Environment, the Home Office and the Scottish Football Association. It is clear that the English Football Association was consulted by someone, but the Scottish Football Association was not.

Mr. Stewart: I can confirm that, following the letter from my hon. Friend the Minister responsible for sport on 10 January, there were discussions between my hon. Friend and the Football Association on this and other matters. I can also confirm that the Scottish Office was kept informed throughout by my hon. Friend.

Hon. Members have asked about future Wembley internationals, and I wish to make the position absolutely clear. The Government believe that it is a common-sense precaution to avoid the England-Scotland match being held on a bank holiday Saturday. That means that the match can be held either mid-week or on any other appropriate Saturday. That is a perfectly reasonable position. I hope that in future years the Football Association will be very meticulous about its consultations with travel authorities and the police in deciding on the dates.

This debate has been useful in putting the true position on the record and in correcting some of the misapprehensions of the hon. Member for Falkirk, East, especially on the timing——

The Question having been proposed at Ten o'clock and the debate having continued for half an hour, Mr. Deputy Speaker *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half past Ten o'clock.

House of Commons

Tuesday 16 April 1985

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

PRIVATE BUSINESS

ROYAL BANK OF SCOTLAND BILL

Read the Third time, and passed.

BATH CITY COUNCIL BILL *[Lords]*

Read a Second time and committed.

Oral Answers to Questions

SOCIAL SERVICES

Dental Charges

1. **Mr. Evans** asked the Secretary of State for Social Services what representations he has received about the new scale of charges for National Health Service dental treatment.

The Minister for Health (Mr. Kenneth Clarke): We have received representations from a number of hon. Members, the British Dental Association and members of the public relating to the recent increase in charges and the changes in the system of charges.

Mr. Evans: Will the Minister confirm that the British Dental Association is extremely concerned about the confused, complex and extremely expensive structure of dental charges that he has imposed on its members? Will he also confirm that a young employed person with a diseased tooth will have to choose between paying £3·30 to have it out or £26 to have it filled? Will that contribute to good dental care?

Mr. Clarke: There will be no administrative problems in the new arrangements, and what we have introduced is fair as between patients. I recently met representatives from the British Dental Association, who said that they would put proposals before me for improving the structure of charges still further, and I said that I would look at them carefully. It has always been cheaper to have a tooth out than to have treatment, but I am glad to say that the number of teeth being extracted is steadily falling as people steadily make more use of the better parts of the service.

Mr. Galley: Will my right hon. and learned Friend confirm that increased charges over the years have led to more people having more dental treatment and to improved dental health? Secondly, will he confirm that he will take rigorous action to pursue the exercise already undertaken by family practitioner committees to root out abuses of the system, whereby a minority of dentists boost their income by unnecessary treatment?

Mr. Clarke: My hon. Friend is right. All the increases in charges have not deterred patients from using the service, and the number of courses of dental treatment in England and Wales has risen from 28·5 million in 1979 to 32·6 million last year. I agree with my hon. Friend that his last point is important. The British Dental Association also would like to see steps taken against that minority of dentists. It is encouraging FPCs to do as he asks, and is to set up a committee to inquire into unnecessary treatment.

Mr. Donald Stewart: Has consideration been given to areas such as mine where dentists have not been available on some islands for a number of years, and therefore dental hygiene is far behind what it should be? Is he aware that people there will be faced with charges of up to £115 for remedial work as against having all their teeth extracted? How can that help such people?

Mr. Clarke: I am sure that my right hon. Friend the Secretary of State for Scotland is doing all that he can to improve the distribution of dentists, just as we are trying to do constantly in England. The structure of charges has been changed only to make it fairer to patients. The practice of raising charges as a contribution towards the cost of the service has been the policy of successive Governments for many years. I do not believe that any Government will change it.

Mr. Nicholas Winterton: Is my right hon. and learned Friend aware that his assurance that he will be prepared to review the structure of charges if there is evidence that it will be necessary is widely welcomed? Will he also give an assurance that if there is evidence that the heavy cost is deterring people from seeking treatment he will review the system to ensure that there is no deterioration in the nation's dental health?

Mr. Clarke: I have previously invited the BDA to put to me its ideas on the structure of charges and I am glad that it has agreed to do so. We will consider its suggestions carefully because we certainly need a fairer system.

I assure my hon. Friend that we should be very concerned if there were evidence that charging was affecting standards of dental health, but, despite what has been claimed, all the experience of the past few years shows that charging has not had that effect.

Mr. Meacher: Is the Minister aware that the latest round of increases——

Mr. Robert Atkins: Tell us about mortgages.

Mr. Speaker: Order. This has nothing to do with mortgages.

Mr. Meacher: Is the Minister aware that the latest round of dental charge increases is so large that millions of people will be forced for the first time to pay the full commercial cost, even for relatively routine treatment? Many people who previously paid only £14·50 for such treatment will now have to pay £40. Is he aware that he must be exceedingly gullible if he thinks that that will not be a deterrent to many people, especially as many practitioners in the BDA have already made clear their view that increases of this size will set dental health back a generation?

Mr. Clarke: I will not make my usual remark about the hon. Gentleman going over the top and talking nonsense, but he seems to overlook the fact that 60 per

cent. of all visits to dentists are free and that we are talking only about charges for those who can afford to pay them. On average, even those who pay, pay only about 60 per cent. of the cost of treatment. Therefore, it is nonsense to say that people are paying the full commercial cost. It is not true to say that we have altered the system in that respect. I wish that I understood clearly where the hon. Gentleman stands. I shall read his policy document with care. No doubt he plans to abolish dental charges, among other things, because of the revenue that he expects to raise from abolishing tax relief on mortgages.

Blood Donors (AIDS)

2. **Mr. Dubs** asked the Secretary of State for Social Services what has been the change in the number of blood donors since the recent publicity about acquired immune deficiency syndrome.

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. John Patten): Figures for recent months on the number of donations are not yet available. However, inquiries suggest that there has been some reduction in donations in the past few months. It is not possible to distinguish how much of this is due to publicity on AIDS and how much to other factors such as the bad weather experienced earlier this year.

Our revised leaflet for blood donors concerning AIDS was of course deliberately designed to cause those in the high risk groups to refrain from donation. I should like to take this opportunity to reassure all members of the public that there is absolutely no risk of contracting AIDS through donating blood.

Mr. Dubs: Does the Minister agree that there is an acute shortage of blood for the transfusion services and that at least some of the shortage is caused by people's reluctance to go to blood transfusion centres for fear of being refused the chance to donate blood because of AIDS? Does the hon. Gentleman agree that he should take further action to encourage more people to give blood?

Mr. Patten: Preliminary figures show a drop in donations of 5 or 6 per cent. in the first three months of this year. People should not be inhibited from donating blood, because there is no risk of their contracting AIDS. All the equipment is sterile and it is all disposed of immediately after use; it is used only once. We are spending £250,000 in the current financial year to encourage more people to be blood donors.

Mr. Key: Does my hon. Friend agree that those of us who are blood donors have a responsibility to give a lead? Can he assure us that the HTLV 3 test, which is promised for July, is still on target, because that will give great hope to the regional blood transfusion authorities?

Mr. Patten: Yes, we hope to have a screening test within a few weeks.

Mr. Carter-Jones: Will the hon. Gentleman encourage the regions to send blood to the Elstree fractional unit to get the better and safer use of blood?

Mr. Patten: That is a very good idea, especially in the run up to the opening of the new blood products laboratory at Elstree, which is on target for completion in January 1986 at a cost of £35 million.

Chronically Sick and Disabled Persons Act

4. **Mr. Alfred Morris** asked the Secretary of State for Social Services if he will make a statement on the procedures and machinery by which he monitors the implementation by social services authorities of the Chronically Sick and Disabled Persons Act.

The Minister for Social Security (Mr. Tony Newton): Prime responsibility for monitoring the implementation of the Act rests with local authorities themselves. They make regular returns, however, to the Department on certain services provided under the Act. The Department obtains further information on levels and standards of provision for disabled people from a number of sources, including research studies and the work of the Department's own social services inspectorate.

Mr. Morris: Is the Minister aware of the increasing concern among local authority leaders, not least the Conservative leader of Hillingdon, that in obeying the law on rates they are being forced to break the law passed by this House to help the disabled and their families? Are the Minister's right hon. Friend and the Secretary of State for the Environment prepared to meet those leaders urgently to discuss their anxieties? Will he say whether it remains Government policy that the disabled on supplementary benefit should not be charged for their home helps?

Mr. Newton: I shall take the three questions separately. I shall certainly draw the attention of my right hon. Friend the Secretary of State for the Environment to the right hon. Gentleman's request. My right hon. Friend the Secretary of State for Social Services will have heard the right hon. Gentleman. On home helps, Ministers have consistently made it clear that they would prefer those on supplementary benefit, whether disabled or otherwise, not to be charged. On resources, it is simply not my view that local authorities which practice proper policies of economy in administration need fail to fulfil their statutory duty, whether to the disabled or to others.

Mr. Boyes: I find that a disappointing and unsatisfactory answer. Does it not show that the Minister has no real understanding of the problems of local authorities in trying to implement the Act, because of rate capping and penalties? Is he not ashamed to be a member of a Government who expect chronically sick and disabled persons to pay a disproportionate price for the Government's monetarist policies? Will not the electors in the forthcoming shire county elections take that into consideration and vote Labour?

Mr. Newton: The hon. Gentleman gave a fairly good clue to the purpose of his question in his last sentence. The Government have consistently made it clear, and I repeat it today, that the needs of the disabled under the Act are something to which we hope local authorities will give proper priority. If they make sensible choices, I have no doubt that they can fulfil their responsibilities under the Act.

Mr. Wigley: Does the Minister accept that no local authority would admit to contravening the Act, but that all our experience shows that the level of service provided under the Act is deteriorating through lack of resources? Does he further accept that there is a need for a permanent register, regularly updated, so that there is an objective measure of those in need and the extent to which that need is being answered?

Mr. Newton: The hon. Gentleman knows that local authorities have a duty to discover the numbers and needs of people in their areas. We have tried from the outset to help them to fulfil that duty, and I have no doubt that most local authorities succeed in fulfilling it. I shall, of course, take note of the hon. Gentleman's suggestion, but, frankly, I think that it would lead to a great deal of unnecessary, bureaucratic and wasteful expenditure.

National Health Service (Productivity)

5. **Mr. Favell** asked the Secretary of State for Social Services by how much productivity has increased in each region of the National Health Service since the end of 1980.

Mr. Kenneth Clarke: There is no simple measure of productivity. Nationally, the number of inpatient and day cases treated in hospitals in England rose by 7·7 per cent. between 1980 and 1983, while expenditure measured in cost terms rose by 2·3 per cent. I shall, with permission circulate details by region in the *Official Report*.

Mr. Favell: Does my right hon. and learned Friend agree that probably the best way to judge the performance of a region or a district is to publish the figures of each region and district so that they can be judged against each other?

Mr. Clarke: I agree with my hon. Friend. I am sure that we can do what he suggests. I can certainly give him his own region's figures. We increased spending on the north-west by 4 per cent. over and above inflation between 1980 and 1983. I am glad to say that that region increased the number of inpatients treated by 10 per cent. in the same period, which shows productivity as well as increased spending.

Mr. Campbell-Savours: Why do the Government insist on forcing the West Cumbria health authority to go out to tender on its services when the unions have offered a £100,000 productivity saving if their tender is accepted? Why does the Minister not accept that? Does he not realise that if the authority is forced to make further savings, support for patients will be reduced, standards will fall and the pay and conditions of health workers will be reduced?

Mr. Clarke: Throughout the NHS we are insisting that we do not spend any more than is necessary to maintain the standard of support services, because in that way we can spend as much money as possible on improved patient services. I cannot believe that the West Cumbria health authority, any more than any other authority, cannot find ways to improve its patient services. I do not believe that West Cumbria cannot think of anything on which it wants to spend money apart from accepting a second-best bid on its support services.

I trust that when we get in touch with West Cumbria we shall find that it intends to follow the national policy which has resulted in such success and such improvement in services for patients in other parts of the country.

Mrs. Currie: Does my right hon. and learned Friend agree that in the past we have tended in the Health Service to be obsessed with the measurement of inputs, such as the numbers of nurses, doctors and so on? Does he further agree that it is time that we established targets more in relation to outputs, such as the number of patients, particularly in relation to costs? May we have those figures, not just for regional health authorities, but for district health authorities as well?

Mr. Clarke: I wholeheartedly agree with my hon. Friend. We are constantly lobbied by people who go on about the amount we spend and the numbers we employ. All the figures in those respects are satisfactory. The Health Service is about patients. A dramatic increase is taking place all the time in the numbers of patients treated in and out of hospitals. That is the success of the service, and the attention of the public should be drawn to that aspect.

Mr. Meadowcroft: I note the Minister's comment about it being hard to find a definition of productivity. Is he prepared to examine the possibility — [HON. MEMBERS: "Speak up".] Oh, children, shut up. *[Interruption.]*

Mr. Speaker: Order. Mr. Meadowcroft.

Mr. Meadowcroft: Does the right hon. and learned Gentleman agree that it is time for a follow-up to the Black report to take into account the levels of health among different sections of the public in different areas of the country so as to determine whether we have or do not have a healthier nation under the present Government?

Mr. Clarke: By all the indicators of health care, we compare well as a nation with other countries, including those which appear to spend much more than we do in this area. The trouble with the Black report was that it began by analysing differences in health standards—which, I agree, are important—but then came up with some extremely expensive propositions in the social security sphere which it seemed to imagine would provide the answer. We are redistributing resources between different parts of the country to try to iron out inequalities, and we will continue to seek to identify the most pressing priorities in terms of health care.

Mr. Dickens: Is my right hon. and learned Friend surprised to hear that when I visited the Oldham general hospital laundry last week, I discovered that 54,000 articles of clothing are processed there each week? Since the Conservatives came to power the hospitals have achieved much greater efficiency. Does he agree that that is the direction in which we should be moving, so making money available for patient care?

Mr. Clarke: I am sure that my hon. Friend brought considerable pleasure to those at the Oldham general hospital laundry on the occasion of his visit, and I am sure also that he took the opportunity to congratulate them on what they have achieved. I agree with my hon. Friend that we need to point out to those involved with the NHS just what they are achieving by means of increased efficiency and better patient care. Those facts should also be brought to the notice of the general public.

Following is the information:

Percentage Growth of HCHS Manpower 1980-1983 (September 30) (Whole time equivalents) (Including agency staff and locums)

Regional Health Authority	*1980*	*1983*	*Percentage Growth*
Northern	52,469	54,434	3·7
Yorkshire	58,871	61,504	4·5
Trent	70,455	74,301	5·5

Regional Health Authority	1980	1983	Percentage Growth
East Anglia	28,466	30,394	6·8
North West Thames	58,535	59,560	1·8
North East Thames	67,005	74,228	10·8
South East Thames	66,193	67,285	1·6
South West Thames	50,532	50,631	0·2
Wessex	41,455	44,043	6·2
Oxford	32,946	33,922	3·0
South Western	51,428	53,222	3·5
West Midlands	80,456	84,392	4·9
Mersey	43,742	44,699	2·2
North Western	71,524	76,141	6·5

Note. The figures for the Thames Regions are distorted by boundary changes.

Activity and Revenue Allocations (England)
(Regional Health Authorities) 1980-1983

Regional Health Authority	Percentage change in numbers of in-patient cases and day cases (calendar years)	Percentage change in gross revenue expenditure (economic cost) (financial years)
Northern	6·1	3·5
Yorkshire	8·5	2·4
Trent	10·9	3·6
East Anglian	5·3	4·3
Thames Regions and Special* Health Authorities	6·8	0·6
Wessex	5·5	5·0
Oxford	5·1	1·0
South Western	9·1	3·4
West Midlands	9·0	3·1
Mersey	6·4	1·1
North Western	10·4	4·1

* Because of Boundary changes in 1982, which mainly affected these Regions and the Special Health Authorities, these Regions are combined.

Health Education Services

6. **Mr. Dormand** asked the Secretary of State for Social Services if he is satisfied with the present health education services; and if he will make a statement.

Mr. John Patten: The health education service is an important element in our efforts towards promoting good health and preventing disease. Most health districts now have access to the services of health education officers, and in their strategic planning regional health authorities are increasingly recognising the role of health education. In support of this development we have increased our grant to the Health Education Council from £4·5 million in 1979-80 to £9·8 million in the current financial year, an increase of 39 per cent.

Mr. Dormand: Is the Minister aware that, in spite of the laudable work that is being done by the Health Education Council, health promotion is not making the impact that it should be making? Does he agree that a substantial improvement could be effected by the use of joint initiatives, for example with industry or general practitioners? Will he encourage that type of initiative and make available the necessary resources to put it into operation?

Mr. Patten: We have made considerable resources available. We have had a considerable impact over a whole range of areas concerned with prevention. I take the hon. Gentleman's suggestions seriously. They are constructive and I want to examine them. They are much more constructive than the dotty suggestion of the hon. Member for Oldham, West (Mr. Meacher) to put VAT on sugar. Presumably that will lead to a pledge that a future Labour Government will impose VAT on food.

Mr. Forman: I welcome the increase in the Government's support for health education. Does my hon. Friend accept, however, that more could and should be done, bearing in mind that at about £10 million, only a modest amount of money is being spent on it, particularly as the advertising budgets of the drink and tobacco industries amount to more than £200 million a year?

Mr. Patten: The amount of almost £10 million is simply the sum that goes to the Health Education Council. A substantial amount of money is spent by regional and district health authorities on health promotion. Increasingly, regional health authorities are integrating health promotion into their regional strategic plans.

Mr. Kennedy: Are the Under-Secretary of State or his ministerial colleagues planning to take any steps to examine more rigorously the role of the tobacco industry in terms of promotion, advertising and sports sponsorship?

Mr. Patten: Sports sponsorship is a matter for my hon. Friend the Under-Secretary of State for the Environment, the hon. Member for Sutton and Cheam (Mr. Macfarlane). The present agreement restricting advertising—it is a voluntary agreement—runs out in about March 1986. Negotiations on that agreement will begin shortly.

Mr. Peter Bruinvels: Is my hon. Friend satisfied that sufficient financial resources are available to deter people from smoking in excess of what is supposedly the average amount?

Mr. Patten: We recently gave an extra £500,000 for a programme devoted entirely at smoking by women. Recent figures show a considerable decline in the sale of cigarettes, from 137 million in 1977 to 98 million last year.

Drug Trials

7. **Mr. Meadowcroft** asked the Secretary of State for Social Services whether he intends to introduce regulations governing the rights of volunteers and their dependants undertaking drug trials.

Mr. Kenneth Clarke: We have no plans to do so at present.

Mr. Meadowcroft: The Minister will be aware of the case of Philip Jones, although he may not be able to comment on that specific case. Is there not a case for having regulations to ensure that drug companies pay a bond or take out some sort of insurance against the need to pay compensation when poor people are induced to volunteer because of the small rewards offered by the drug companies?

Mr. Clarke: Obviously I cannot comment on the Welsh case, because we are still awaiting an inquest. I was concerned about the death about a year ago of a volunteer in Dublin and answered questions on that subject from the right hon. Member for Stoke-on-Trent, South (Mr. Ashley) and other hon. Members. The rules are being reviewed by the Royal College of Physicians. I hope that the Medicines Commission will examine the results of the review and advise us whether improvements are needed.

The industry's present code allows for compensation to be paid if trials have harmful results. Obviously, no one knows yet whether this Welsh case arises from a trial.

Mr. Ashley: Is the Minister aware that he cannot shrug off responsibility just like that? There is a need for an independent assessing body to ensure that there is full information about all these drug trials and that the volunteers know about the risks involved and the nature of the drugs. That is very important.

Mr. Clarke: With respect, I do not think that I am shrugging off responsibility. The Medicines Commission is an independent body which has already advised us that it does not think that legislation is required. It will look at the updating of the guidance provided by the various bodies. I agree with the right hon. Gentleman that volunteers must be genuine volunteers, who are fully warned about what they are doing. They must not be induced by financial offers to participate in trials.

Mr. Meacher: Following the tragic death of Philip Jones, is the Minister aware that the pharmaceutical industry's guidelines are repeatedly breached because vulnerable groups such as the unemployed are regularly used for these experiments? Is the hon. and learned Gentleman aware that the ethical committees which the drug companies have set up to supervise such experiments often comprise their friends and associates? Is the hon. and learned Gentleman aware that no monitoring of disablement or injury caused by these experiments is kept and that drug companies from abroad are flocking to this country for this purpose, precisely because this sensitive area is unregulated? Will the hon. and learned Gentleman, as a matter of urgency, assure the House that he will introduce statutory regulations to govern this key area?

Mr. Clarke: I am not aware of any of those aspects. I should be interested to know whether there is any evidence to support any of the hon. Gentleman's assertions. I would certainly take a serious view of any suggestion that the guidance was not being followed, that other mistakes were being made or that volunteers were being put at risk. Every organisation that has examined this matter, including the Medicines Commission and the Royal College of Physicians, has said that statutory regulation is not required.

Prescription Charges

8. **Mr. Parry** asked the Secretary of State for Social Services what recent representations he has received concerning the scope and level of prescription charges.

The Secretary of State for Social Services (Mr. Norman Fowler): Since 1 January this year we have received 152 letters from Members of Parliament and 214 from members of the public about the scope and level of prescription charges.

Mr. Parry: Is the Secretary of State aware that the people who suffer chronic ill health, who are not covered by exemptions and live just above the poverty line cannot afford the increase in prescription charges? Is the right hon. Gentleman aware that in areas such as Merseyside, where there is a high number of chronic illnesses, this is a cruel tax on ill health and a prescription for more pain and suffering?

Mr. Fowler: I do not accept that. It would be more convincing if the Labour party had not reversed its position. It is no longer committed to the abolition of prescription charges. That has been made clear by the hon. Member for Oldham, West (Mr. Meacher). I am sure that on this occasion he has checked his information with the shadow Cabinet.

Mr. Yeo: Is my right hon. Friend aware that as the average prescription is even now subject to a subsidy of about 50 per cent. the only question on this issue is how much longer we can go on subsidising to such a large extent the relatively small number of people who pay prescription charges?

Mr. Fowler: My hon. Friend is right. On average, the £2 prescription charge provides only 44 per cent. of the cost of the prescription. It must be underlined that 72 per cent. of patients do not pay prescription charges.

Mr. Skinner: Will the Secretary of State acknowledge that one of the arguments used has been that prescription charges bring in money for the National Health Service? If that is the case, why did we have the appalling exhibition on television last week of a consultant reporting that a children's ward at Guy's hospital had to close down and that he was unable to use 20 beds for children who were critically ill? Why do all the arguments that the Secretary of State puts up about the National Health Service and the need for prescription charges result in the ruination of young children in Great Britain?

Mr. Fowler: The logic of what the hon. Gentleman is saying is that if we take away the resources that come from charges there will have to be further reductions in the services provided by the National Health Service. At the moment, charges raise 3·2 per cent. of National Health Service costs. In 1969-70, during the previous Labour Government, they were providing 3·5 per cent. There is now no disagreement, in principle, between myself and the Opposition on the fact that there should be charges.

St. Mary's Hospital, Hampton

9. **Mr. Jessel** asked the Secretary of State for Social Services what is the annual cost of running St. Mary's hospital, Hampton.

Mr. John Patten: The annual cost of running St. Mary's hospital, Hampton is approximately £276,400.

Mr. Jessel: Are not those costs low in relation to the services that St. Mary's hospital provides, and which are greatly cherished in Hampton? Is my hon. Friend aware that there are strong feelings locally that those services should continue? May I bring a delegation to see him?

Mr. Patten: Those sums of money are low. My hon. Friend has already made me aware, by his powerful private interventions, of the great value set on that hospital by his constituents. Yes, of course, I should be happy to see a delegation led by him.

King's College Hospital, London

10. **Mr. John Fraser** asked the Secretary of State for Social Services if he will seek to pay an official visit to King's college hospital, London.

Mr. Kenneth Clarke: I have at present no plans to do so.

Mr. Fraser: Will the Minister direct his attention to the problems of the accident and emergency department at

King's College hospital, which is the busiest in the south-east? Is he aware that the regional authority continues to deny funds to redevelop it and that when recently the department was able to save the life of PC George Hammond it had to shop around privately for body scanning facilities to save his life? Does the Minister not think that that is disgraceful? Will he reverse the spending trend?

Mr. Clarke: There is plainly always competition for funds between different units. There are body scanners in that part of London. There is one at St. Thomas's and one at Guy's. The Camberwell health authority chose to make arrangements with the Cromwell because, presumably, it is in its interests and those of NHS patients to have scanning done there. If an application for a scanner is made by the south-east Thames region, no doubt it will be considered in due course. The Camberwell health authority has also to concentrate upon improving other parts of its service. We must not allow highly publicised claims for items of equipment to divert the authority from its main priority.

Mr. Gerald Bowden: Can my right hon. and learned Friend say what support his Department gives to King's College in its specialties, in particular its treatment of liver diseases?

Mr. Clarke: King's is undoubtedly one of the major national centres for liver transplant operations, amongst other things. I am glad to say that the Government are making an additional grant of £132,000 from central funds this year for the work of the King's liver transplant unit.

Ms. Harman: The Minister mentioned the two National Health Service hospitals in the region that have CT body scanners. Is he aware that the reason why PC George Hammond had to be carted right across London to the private Cromwell hospital is that the waiting lists for scanners at the National Health Service hospitals are already full? As the King's district already lacks vital facilities, will he stop the further cuts that are being imposed on that district?

Mr. Clarke: I am glad to say that PC Hammond received most excellent care and treatment at King's College hospital, and I would not say anything against that. I believe that he was carted across to the Cromwell hospital in front of the nation's press cameras because someone wished to campaign for an item of equipment at King's College hospital. The Camberwell health authority is right to concentrate, as it is doing, upon developing services for the mentally handicapped and ill. That is the first priority in that district.

Unlisted Medicines

11. **Mr. Beith** asked the Secretary of State for Social Services what further discussions he has had with representatives of the medical profession about a scheme for prescribing unlisted medicines in exceptional circumstances.

Mr. Fowler: We have had several meetings with representatives of the medical profession to discuss a mechanism which would allow drugs not generally available at National Health Service expense to be prescribed in exceptional circumstances. Those discussions are making good progress and I hope that we can soon reach agreement.

Mr. Beith: Ought not the scheme to have been in place from the beginning of the operation of the limited list, and is it not wrong for the Minister to put the onus on the BMA when the state of his relations with that body are of no interest whatsoever to that minority of patients who may need drugs that are not on the list?

Mr. Fowler: I think that it was up to the BMA to start the talks. There is no way that I can start discussions with the medical profession unless it is prepared to have them. Even the Liberal party must accept that. We started discussions on the appeal mechanism as soon as was possible after the regulation was passed by the House. Progress is being made and I am optimistic that we shall soon have an agreement.

Mr. McCrindle: Is it correct to say that some doctors appear to be going out of their way to circumvent the provisions of the scheme? Will my right hon. Friend give an undertaking that he will do all that he can to ensure that, consistent with patients continuing to receive the drugs that they require, the anticipated savings will be achieved?

Mr. Fowler: Yes, I can give my hon. Friend an assurance on the last point. There is very little evidence that any abuses are taking place, but clearly we shall keep the position under review.

Mr. Loyden: Is the Secretary of State aware that serious concern and distress are being experienced by many patients because of the limited list? Would it not have been far better for him to await the outcome of his discussions and the establishment of an appeals machinery before taking the action that is now causing concern among doctors and patients?

Mr. Fowler: I do not accept that. We announced the proposals in November. That gave time for discussions and consultation with the public. It was entirely the responsibility and decision of the medical profession not to start those talks. As I have said, those talks have now taken place and I am optimistic that they will have a successful outcome very quickly.

Sir Bernard Braine: Is my right hon. Friend aware that not all doctors are going out of their way to frustrate these arrangements and that, in the case of the chronically sick, those who are permanently ill and need pain-killing drugs, many doctors are complaining—certainly to me in my constituency — that they are precluded from prescribing what they believe to be clinically necessary?

An Hon. Member: Nonsense.

Sir Bernard Braine: It is not nonsense in south-east Essex. What arrangements is my right hon. Friend making for greater flexibility in this matter so that patients' needs can be met?

Mr. Fowler: I agree entirely with my right hon. Friend that there is no evidence that doctors are seeking to abuse this system. The whole purpose of the talks that we are having is to meet any legitimate concerns that there may be. I think my right hon. Friend will accept and agree with me that in the first stages this new system has gone remarkably well.

Dr. Roger Thomas: Can the Minister inform us whether it is now legal and legitimate for general practitioners to provide patients with medications on the

so-called blacklist if they put down on the prescription form a list of the generic contents of that particular medication?

Mr. Fowler: In one or two cases that is clearly the case, as with the ingredients of a distalgesic. That is the case and always has been.

Open Heart Surgery, Manchester

12. **Sir Fergus Montgomery** asked the Secretary of State for Social Services if he will make a statement on the facilities for open heart surgery in the Manchester area.

Mr. John Patten: Open heart surgery in Manchester is provided at Wythenshawe hospital and Manchester royal infirmary. In the year just ended a total of 1,130 open heart operations were carried out in Manchester, 23 per cent. more than in 1983-84. The North-Western regional health authority is developing ambitious plans in its new strategy to increase heart surgery cases, and a substantial increase is planned in the next 12 months.

Sir Fergus Montgomery: I recognise the considerable advances that have been made in open heart surgery in the Manchester area, but may I urge my hon. Friend to impress upon the North-Western regional health authority the importance of trying to do even more of that vital work over the next decade?

Mr. Patten: The whole country has shared in the success which the North-Western regional health authority has seen over the past five years. For example, open heart surgery has more than doubled and coronary artery bypass grafting has gone up by 160 per cent. I shall impress on the regional health authority the fact that we expect to see that high priority maintained.

Mr. Eastham: May I assure the Minister that the medical profession in Manchester is far from satisfied with heart surgery operations in that area. Consultants and general practitioners are worried and distressed about the long delays, and the suffering that has been caused as a result. Is it not a fact that throughout the country there are increasing delays for people needing heart surgery? May I also tell the Minister that today my own union, the Amalgamated Union of Engineering Workers, forwarded a letter to me saying that in the Coventry area one of our members has now waited nine months——

Mr. Speaker: Order. That is a bit wide of Manchester, I think.

Mr. Eastham: It is still relevant to heart operations. One of our members has been waiting nine months for treatment. What will the Minister do about that?

Mr. Patten: I do not know about the AUEW in Coventry. What I do know is that there is a record number of open heart operations in Manchester, and the health authority is making a substantial, planned and proper increase in the number of operations in the coming 12 months.

Mr. Tracy: Is it the case that my hon. Friend is, perhaps, channelling too many funds to Manchester rather than to Guy's hospital in south-east London, as cited in the television programme mentioned by the hon. Member for Bolsover (Mr. Skinner) a few moments ago, or is it a fact that the South-East Thames regional health authority is not efficient?

Mr. Patten: Guy's hospital is also rather a long way from Manchester. However, what I can say about that hospital and that regional health authority is that we estimate that the authority could be saving as much as £1 million per annum by putting out its services to competitive tender. It is refusing to do so. That is why it is in financial trouble.

Mr. Alfred Morris: Will the Minister tell the House how many patients from the Manchester area have had to be taken to London for their heart operations in the past year, and what was the total cost?

Mr. Patten: I do not know the exact figures. I shall write to the right hon. Gentleman. However, I can tell him that in the past year the number of open heart operations has gone up by a quarter in Manchester, and there are substantial plans for real and sustained improvement in the level of services in the city.

Earnings-Related Pension Scheme

13. **Mr. Winnick** asked the Secretary of State for Social Services if he intends to bring forward any proposals regarding the future of the state earnings-related pension scheme.

Mr. Newton: Financial provision for retirement, including all aspects of the state pension scheme, is being considered as part of the current social security review. Any proposals for change arising out of the review will be published as soon as possible.

Mr. Winnick: Is the Minister aware that if there were any change in the scheme it would cause tremendous disapointment and shock for literally millions of people who depend on the state pension scheme in order not to live in poverty? Why does the hon. Gentleman not now take the opportunity to confirm that the scheme will remain in existence?

Mr. Newton: The Government's concern is to make sure that there is proper financial provision for people in their retirement, with the aim of ensuring that fewer than in the past have to depend on means-tested benefits. That is our strategic aim. It is with that in mind that we shall draw up our policies.

Mrs. Beckett: Will the Minister confirm that any proposals either to abolish or to weaken the state earnings-related pension scheme will go completely contrary to the assurances given by the Prime Minister during the last election campaign and by his right hon. Friend the Secretary of State when the reviews were set up?

Mr. Newton: Both my right hon. Friend the Prime Minister and my right hon. Friend the Secretary of State have made plain time and again this Government's commitment to looking after the interests of retired people. That is our strategic aim, and that is what we shall seek to maintain in the review.

NHS (Computerisation)

14. **Mr. Lewis Stevens** asked the Secretary of State for Social Services if he will make a statement on the progress of computerisation within the National Health Service.

Mr. John Patten: Computers are already in extensive use in the National Health Service. We are currently developing with health authorities a strategic approach to

the use of information and available technology aimed at further improving the management and delivery of health services.

Mr. Stevens: Will my hon Friend take into account the need for substantial monitoring of the development and use of computers so that we can see the tangible benefits as soon as possible?

Mr. Patten: Capital investment in computerisation in the NHS is running at approximately £100 million. There is evidence of that investment in my hon. Friend's area of north Warwickshire, where the district health authority is funding four practices, which cover about 40 per cent. of all patients treated by family practitioners in that area.

PRIME MINISTER

Engagements

Q1. **Mr. Forth** asked the Prime Minister if she will list her official engagements for Tuesday 16 April.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today. This evening I hope to attend a state banquet in honour of President Banda.

Mr. Forth: Is my right hon. Friend aware that millions of home owners throughout the country are appalled at the proposals of an Opposition Front Bench Member that a Labour Government would abolish mortgage interest tax relief? Will she confirm that her Government remain committed to our present policy of mortgage interest tax relief?

The Prime Minister: I saw the Labour party plan for abolishing mortgage tax relief. I confirm that, so long as I am at the Dispatch Box, mortgage interest tax relief will be a policy of the Conservative party.

Mr. Steel: Since the Chancellor of the Exchequer has told the House that inflation is likely to rise to 6 per cent. later this year, does the Prime Minister still agree with the target of 3 per cent. of which she spoke in the far east? When will she have a target for reducing unemployment?

The Prime Minister: I believe that inflation can be reduced further. My right hon. Friend the Chancellor of the Exchequer is right to say that it will increase slightly before it decreases, but we must pursue policies to reduce inflation. I remind the right hon. Gentleman that 3 per cent. is still inflation.

Mr. Hubbard-Miles: Does my right hon. Friend agree that commitments made to the working miners during the recent coal strike both in this House and by the National Coal Board must be honoured? As some of those miners seek transfers because of harassment and intimidation, does she agree that the promises made must be fulfilled speedily and sympathetically?

The Prime Minister: Yes, I am anxious that the working miners should be fully and properly looked after. My hon. Friend will notice that Mr. MacGregor issued a firm statement the other day which showed the action that he had taken and made it clear that wherever he was presented with firm evidence it would be followed up immediately.

Mr. Alfred Morris: How many extra flights into Manchester international airport will result from the Prime Minister's visit to the far east? Regarding her visit, does it help our country to talk about seeing off—[HON. MEMBERS: "Yes."]—a section of Britain's working people, who were recently described by the Earl of Stockton as the finest people in the world?

The Prime Minister: In the first part of the question, I think that the hon. Gentleman was referring to a possible application by Singapore International Airlines. Talks on that will be starting shortly. — *[Interruption.]* I am referring to Singapore. We dealt with the Malaysian matter earlier. I believe that more flights into Manchester are required from Singapore.

As for the second part of the question, I shall read out precisely what I said. Referring to strikes, I said:

"Then came the big one—the strike of coalminers. That is in the public sector. But the great achievement of that was not only that some miners stayed working, not only that we saw it off after a year—"

[Interruption.] Hon. Members do not want to hear the truth because it gets in the way of their propaganda. I said:

"The great achievement of that was not only that some miners stayed working, not only that we saw it off after a year, but that steelworkers were not going to come out in support, nor were the railway workers going to come out in support and the docks, of which most are private, were brought out under false pretences for about a fortnight and they got back to work.

So may I cheer you up a bit. We resisted that year-long strike and the two outstanding achievements were that among trade unionists in Britain not one trade union gave support because they were learning the facts of life."

That was the support from true, decent, honourable trade unionists. What I find is that everywhere I go people know that that coal strike lasted for a year, that it was pursued with violence and intimidation, that the Labour party supported it throughout and that the Leader of the Opposition did not have the guts to go to a meeting and condemn it.

Q2. **Mr. Stanbrook** asked the Prime Minister if she will list her official engagements for Tuesday 16 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Stanbrook: Will my right hon. Friend ignore the humbug from the Opposition about her very successful far eastern tour? Was her attention drawn during her absence to the evidence of ballot-rigging in the election for the leadership of the Transport and General Workers Union? If we want responsible and representative leaders for our great trade unions, should we not insist on mandatory postal balloting?

The Prime Minister: That was considered during the passage of the Trade Union Bill of 1984, which comes into force on 1 October this year. My hon. Friend will be aware that for some unions, such as the National Union of Seamen, postal ballots would not be appropriate. There is, however, a presumption in the Act that a postal ballot will take place, and if there is not to be a postal ballot a secret ballot must be carried out at the workplace or somewhere more convenient. There are very stringent conditions attached—everyone must be able to vote in secret and without interference or constraint, and if any member is dissatisfied with the way in which the ballot is conducted he can apply to the Certification Officer with his complaint and request a postal ballot.

Mr. Kinnock: As Britain's share of world manufactured trade has dropped by 20 per cent. in the six years during which the Prime Minister has held office, does she

agree that it would now be best for everyone if she concentrated her attention on policies for production and sales promotion instead of on trips for self-promotion?

The Prime Minister: If the right hon. Gentleman is really interested in selling goods, which I doubt, why does he support strikes which have a devastating effect on Britain's reputation? He supports the lot. And why in the world does he not recognise that if we are to get more jobs we must get our unit labour costs down? Neither of those facts will he recognise.

Mr. Kinnock: Has the Prime Minister not yet learnt that one of the best ways to reduce labour costs and to increase our export performance is to sponsor and encourage policies for investment, design, training and employment, which would also have an effect on labour relations? Why does she not introduce and encourage such policies instead of dashing around all over the place like an egotistical flea in a fit?

The Prime Minister: Investment in assets in Britain was at an all-time record last year. I held the first design seminar at Downing street, involving those engaged in design, that has even been held. We have the best training system ever known in this country. That is my answer to the right hon. Gentleman.

Mr. Pym: Discarding the absurd remarks of the Leader of the Opposition, and acknowledging the success of my right hon. Friend's visit to the far east, may I ask my right hon. Friend now to reveal her itinerary for the Whitsun recess?

The Prime Minister: I am grateful to my right hon. Friend. My destination for Whitsun has been fixed for some time; it is Chequers.

Mr. Corbyn: Will the Prime Ministers tell the House whether, after her visit to Sri Lanka, she does not now believe that it would be better for Britain not to export arms to that country, in view of the oppression of minorities there, and that the service training agreement with the Sri Lankan armed forces should be ended?

The Prime Minister: Sri Lanka has a terrorist problem. The hon. Gentleman will know that the Conservative side of the House believes that terrorism must never be allowed to win. Any applications for arms are dealt with specifically, and they are not usually revealed.

Q3. **Mr. Andrew MacKay** asked the Prime Minister if she will list her official engagements for Tuesday 16 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. MacKay: During her busy day, will my right hon. Friend find time to consider who are more likely to create real, lasting jobs—those who stay at home, carp, and make cheap propaganda points, or those who go to the far east and create the climate that will produce British business and orders?

The Prime Minister: I thank my hon. Friend. I believe that what the Labour party could not stand was the outstanding welcome that we received on the tour wherever we went.

Q4. **Mr. Alton** asked the Prime Minister if she will list her official engagements for 16 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Alton: Despite the inadequacies of some of the youth training schemes, does the Prime Minister not agree that the calls by some irresponsible members of the Labour party for young people to come out on strike and to leave their schools on 25 April is mischievous and irresponsible, and an attempt to use young people as cannon fodder?

The Prime Minister: I understand that that is the action which the trade union rights group proposes to take in Liverpool on 25 April. I deplore that politically inspired and counter-productive action. It is directly against the youth training scheme, which is designed to help young people to acquire more skills and better training in order to help them to get jobs. The action is totally inspired by the extreme Left wing of the trade union movement.

Q5. **Mr. Gareth Wardell** asked the Prime Minister if she will list her official engagements for 16 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Wardell: Will the Prime Minister tell the House what decisions her Cabinet colleagues made in her absence from which she will dissociate herself when she next goes abroad?

The Prime Minister: The hon. Gentleman will be relieved to know that there were no Cabinet meetings in my absence.

Q6. **Mr. Tracey** asked the Prime Minister if she will list her official engagements for Tuesday 16 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Tracey: Has my right hon. Friend had a chance to compare the statements on immigration made by the right hon. Member for Manchester, Gorton (Mr. Kaufman) with her own Government's policies? Does she agree that the right hon. Gentleman's statements are irresponsible, to say the least?

The Prime Minister: Yes, I saw the pledge by the Labour shadow spokesman to repeal the Immigration Act 1971, which he said was — [HON. MEMBERS: "Reading".] I am sorry; I am looking at what the right hon. Gentleman said. It was a deplorable pledge, which will give cause for alarm to a great many people. I note that the right hon. Gentleman proposes to repeal the 1971 Act, which was operated by the last Labour Government throughout their whole period of office, from 1974 to 1979.

Q8. **Mr. Winnick** asked the Prime Minister if she will list her official engagements for Tuesday 16 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Winnick: Does the right hon. Lady agree that it is utterly undesirable for someone with a known Nazi past, who has been active in Nazi organisations, to be employed as a civil servant? Was it known when he was appointed that he had a Nazi record and had served a term of imprisonment for Nazi activities?

The Prime Minister: I believe that the hon. Gentleman is referring to the employment of a civil servant in the Department of Trade and Industry. Inquiries are proceeding and my right hon. Friend the Minister for Trade will make an announcement as soon as possible.

Derek Harris (Death)

3.30 pm

Mr. Martin J. O'Neill (Clackmannan) *(by private notice)* asked the Secretary of State for Scotland if he will make a statement about the death of Derek John Richard Harris on Saturday 13 April in the Glenochil young offenders institution, in the Clackmannan constituency.

The Secretary of State for Scotland (Mr. George Younger): I very much regret that Derek Harris, aged 16, an inmate at Glenochil young offenders institution, was found hanging from the window bars of his room at 10.25 pm on Saturday 13 April 1985. Despite strenuous efforts by staff, Harris was pronounced dead by the medical officer at 11.5 pm.

Mr. Harris had been sentenced at Aberdeen sheriff court on 11 February 1985 to three months' detention at Friarton detention centre for offences of vandalism, breach of the peace, theft by opening lockfast premises and Road Traffic Act contravention. On medical advice, he was transferred to Glenochil young offenders institution on 28 February. After a period under close observation, he was placed on ordinary observation on 26 March. He was to have been released from custody on Friday 19 April, but he was also due to appear at Aberdeen sheriff court on 9 May to face further charges. He was informed of these further charges on 11 April.

Next of kin were informed of the death and police have investigated. As for all unnatural deaths occurring in prisons, a public fatal accident inquiry will now be carried out before the sheriff.

This is a tragic incident which I regard with very great concern. It would not be appropriate for me to comment further on the detailed circumstances of this individual case until the fatal accident inquiry has taken place.

Mr. O'Neill: I am grateful to the Secretary of State for making his statement. I should like to express my condolences to the deceased's sister and my gratitude for the co-operation that I have already received from governor McVeigh and his staff.

What further steps does the Secretary of State propose to take to allay public anxiety about the imprisonment of young offenders in Scotland? For the past five years, and after seven fatalities at the two institutions in the Glenochil complex, the Secretary of State has responded by widening the scope of fatal accident inquiries, by having internal inquiries, by having inquiries carried out by the chief inspector of prisons and he has established a committee on suicide in Glenochil, but still the suicides continue.

Does the Secretary of State think that Glenochil is different from other institutions or that the problems which are highlighted by the fatalities are common to the entire Scottish prison system in respect of the treatment of young offenders? Does he propose to widen the scope of options open to the judiciary in Scotland so that it has more than detention centres or young offenders institutions at its disposal?

My impression is that the range of options is far too narrow and that more radical steps must be taken as alternatives to the work being attempted in places such as Glenochil. I am informed by constituents who work there that they are at their wits' end to know what more can be done. Does the Secretary of State agree that the Scottish penal system is being asked to do too much for disadvantaged and inadequate young people who, because of the narrow range of options open to the judiciary, must be foisted on the prison system? Cannot the Secretary of State take urgent action? He should not hide behind the prospect of a fatal accident inquiry which will not necessarily be prejudiced by the action that I am asking the right hon. Gentleman to consider.

Mr. Younger: I very much share the concern of the hon. Gentleman in whose constituency these institutions are situated. I should like also to be associated with his expression of condolences.

As the hon. Gentleman rightly says, there have been seven tragic fatalities in the complex, but I should make it clear that only two of them have occurred in the detention centre part of the institution. The remaining five have taken place in the young offenders institution where no sort of regime under the title of "short sharp shock" is in evidence.

The question about the whole system is best answered by considering the changes that have been made in recent years in the options available for sentencing young people. The options have been greatly widened. Community service orders can now be carried into effect in areas covering three quarters of the population of Scotland, which is a huge advance. The number of young offenders in institutions in Scotland has declined by more than 20 per cent. in the past one and a half years.

There are more options available today, but I should make it clear that in a serious matter like this I would not close any options that are thrown up by the inquiries that are pending.

Mr. Gerald Malone (Aberdeen, South): May I add my condolences to the family of this young man who was in care in my constituency before going to Glenochil?

I am reassured to hear that the Secretary of State is not closing any options in view of the fact that he has instigated a working group to examine the problem. It is perhaps highly irresponsible, when two fatal accident inquiries are pending and the outcome of his working group is to be considered, for some people in Scotland to make across-the-board assumptions that the regime in Glenochil is not working satisfactorily. I refer particularly to the statement made by the Scottish Council for Civil Liberties. Does my right hon. Friend agree with me that irresponsible statements like that do nothing to help?

Mr. Younger: I agree with my hon. Friend on the last point. These are serious matters that are not susceptible to easy, slick comments made without proper thought.

As the House knows, the working group was set up by me last year to consider the precautions for dealing with possible suicide cases. That inquiry has started work and I am urgently considering whether there are ways in which I can accelerate the conclusion of its work. As the House knows, I propose that its conclusions should be fully published.

I must again make the point that in the cases that have happened so far—I exclude the two for which fatal accident inquiries have not yet been held—there has been no evidence that any of the tragic deaths was due to the nature of the regime. None of them had any connection whatever with the so-called "short sharp shock" regime, which is a separate matter.

Mr. Robert Maclennan (Caithness and Sutherland): Does not the Secretary of State recognise that the dependence of the Scottish penal system upon this blighted establishment at Glenochil, where there have been seven tragic fatalities, makes plain the need for a new, wider range of penal options for dealing with young offenders? Does he not recognise that his studied inactivity smacks of the view that young offenders should suffer pain and die quietly?

Mr. Younger: I think that the hon. Gentleman has fallen below his usual high standard with that sort of comment. These are serious matters. Nobody can take easily the death of anybody in detention at any time. I should like to treat the matter seriously.

It is important to make it clear that in the inquiries that have so far taken place on every one of the deaths, bar the last two, no common factor has been found. The sheriffs who have conducted the inquiries have explained to the best of their ability the reasons in each case. To put them all together and to describe the institutions as a whole as the hon. Gentleman has is highly irresponsible and unjustified.

I have already explained that much wider options are now available and are being made use of, and that the population in these institutions has been reduced by more than 20 per cent. I thought that the hon. Gentleman would welcome that.

Mrs. Anna McCurley (Renfrew, West and Inverclyde): Is my right hon. Friend satisfied that psychological screening of young offenders is adequate, because there has been some suggestion that in this case there was emotional disturbance? As the only similarity that we can find is the fact that people hang themselves, has any surmise been made on this fact, and has any conclusion been reached?

Mr. Younger: The procedures for sentencing young people to sentences that may result in detention in any of these centres are carefully controlled. A statutory requirement is that each inmate should be examined within 24 hours of arrival to see whether he is physically and mentally fit to undergo a period of detention. If he is not, he is changed to some other institution on the advice of the medical officer conducting the examination. This happened in the case of Derek Harris. I hope that that will give some reassurance to my hon. Friend.

Mr. Norman Buchan (Paisley, South): Will the Secretary of State accept that, although there may be no common factor in the various inquiries, this in itself is a matter of concern? Seven incidents ending in death is an overwhelming statistical fact. It is not sufficient to leave this matter to the present inquiry. We require, as the Scottish Council for Civil Liberties said, an investigation into sentencing policy, transfer policy, as happened here, and the nature of the regime. I wish that the Secretary of State would not write off the Scottish CCL's request as being slick. I am associated with it, and he knows my record. Does the right hon. Gentleman agree that, along with the statistical aspect of this, the infinite sadness of this case requires a new and urgent public review?

Mr. Younger: I agree that this is a matter of the greatest concern. I also agree that the fact that there is no common factor is something to which we should address ourselves.

As to sentencing policy, I should have thought that in this tragic case it was clear that the procedures had been operating sensitively. Derek Harris was found not to be fit for the original regime to which he was sentenced and was therefore transferred. Tragically, this did not make any difference to the train of events.

As to the nature of the regime, I should not like to prejudice any conclusions that may come out of the fatal accident inquiries or the study that is in progress about the precautions against suicide. My mind is open to suggestions or recommendations. None of the inquiries has suggested that the nature of the regime had anything to do with any of these tragic deaths.

Mr. Albert McQuarrie (Banff and Buchan): My right hon. Friend will be aware that the young man who unfortunately died—I too express my deep sympathy to his relations — was under the care of the Grampian regional social work department before being transferred to Glenochil. It was found that he was emotionally disturbed because of the death of his father in 1981.

Will my right hon. Friend take cognisance of the information that can be conveyed to him by Miss Mary Hartnell, the social work director at Grampian, and try to ensure that when young men are transferred to penal establishments their background history is given so that we can prevent incidents such as the sad one of which we have heard today?

Mr. Younger: I agree that the full background information on anybody liable to be sentenced to detention in such centres should be well known.

I shall explain the two stages that all such people have to undergo before they are sent to one of these institutions. First, statutorily the court must have before it a full social inquiry report before it can pass sentence on a young person, and that is the avenue by which the view of the social work director could be, and no doubt in this case was, brought to the attention of the court before it passed sentence.

I have already mentioned the second stage. Within 24 hours of arrival at an institution, a young person must have a full medical examination. If he is found to be unsuitable for the regime to which he has been sentenced, a change is made, as happened in this case.

Mr. Malcolm Bruce (Gordon): I associate myself and my colleagues with the expressions of sadness and regret at the death of Derek Harris, who, as the hon. Member for Banff and Buchan (Mr. McQuarrie) pointed out, was in he care of Grampian regional council and was, for 18 months, at Cordyce special school, in my constituency.

It seems from this case and from the one already under investigation that something is amiss with the screening policy. Will the Secretary of State agree that we need a full inquiry, not just into the operation of Glenochil—there has been an inspector's report into that—but into the sentencing and screening policy for such institutions? Given the widespread concern, will the Secretary of State undertake to make another statement to the House when the two investigations in progress have been completed and tell us whether he agrees that a full inquiry is necessary?

Mr. Younger: I am grateful to the hon. Gentleman. He will not expect me to come to firm conclusions until I have all the evidence before me. I still await a sight of the full

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report of the governor. I also wish to receive the fatal accident inquiry reports on the February case and this case and the full report of the internal inquiry into suicide precautions for which I have called. As I said, I shall try to bring that forward.

Once all those reports are in my possession, I shall consider them carefully. If any suggestions, proposals or recommendations are made, they will be considered carefully. In the short term, I shall be looking in the next few days for any immediate remedial measures that can be taken in the light of the governor's report. I assure the hon. Gentleman that I shall be receptive to any suggestions made in that report.

Mr. Bill Walker (Tayside, North): Does my right hon. Friend agree that, when considering matters as serious as this, it is wise never to forget that the people who work in these establishments are servants of the Government and the Crown and that they carry out an extremely difficult and onerous task on behalf of the rest of the community? Does my right hon. Friend agree that it is unwise to make statements about matters that are under investigation—and are often so complex that it is difficult fully to appreciate them—and thereby cast a stigma on people who carry out a difficult task, usually without complaint?

Mr. Younger: I appreciate the point made by my hon. Friend, and I should like to express my appreciation to the prison service in Scotland for doing a difficult job so well. In the service's defence, I should add that all the reports and inquiries on these tragic deaths have been clear on one point: none of the deaths has been due to ill treatment or to the nature of the regime. Those who work in prisons should be encouraged to feel that that has been the clear findings of inquiries into the other cases.

Several Hon. Members *rose*——

Mr. Speaker: Order. I will call the three hon. Members who have been trying to catch my eye and then the Opposition Front Bench spokesman, but I ask for short questions.

Mr. Dick Douglas (Dunfermline, West): Notwithstanding what the right hon. Gentleman has said about the difficulties and complexities of pronouncing on this incident and others, will he consider—particularly because of representations made by parents, including some in my constituency, whose sons are being sent to these institutions—consulting the Lord Advocate and the Solicitor-General for Scotland about halting the increase in the number of inmates in these institutions?

Will he call a halt, pending the result of the inquiries that are being undertaken? That would allay fears among parents and others associated with the inmates.

Mr. Younger: I appreciate that point. Events of this sort cause great concern to everybody, but particularly to those who have relatives in the institutions. However, Glenochil is a good institution, which has a good record in many respects. These tragic events are most regrettable and everyone concerned in the institutions will co-operate in doing everything possible to avoid such things happening.

There has been no increase in the number of people being sent to these institutions. The number has substantially declined over the past 18 months because we have provided alternatives. I welcome that, and should like to proceed further.

Mr. Gavin Strang (Edinburgh, East): Does the Secretary of State accept that we cannot regard this tragic death as an isolated incident? Is he not aware that the deaths have cast a serious blight on the Scottish conscience? Is it not clear that there is a radical need for changes in sentencing and treatment policies for young offenders?

Mr. Younger: With respect to the hon. Gentleman—I know that he is sincere—there is no evidence at this stage to support his remarks. If any link had been found between the previous tragic events—there has not—that might have led to his conclusion. However, I do not want to close the door to any recommendations or suggestions that may come from the inquiries that are pending. I shall have an open mind to any suggestions.

Mr. Gordon Wilson (Dundee, East): I accept the Secretary of State's remark that there may be no discernible common motivation between the events, but there has been a series of events. We can find a common thread in the age of the offenders and their geographical location. Does not the right hon. Gentleman realise that copycat suicides are not uncommon? For that reason, the media do not reveal the method by which suicides are committed. Therefore, would it not be irresponsible to ignore the fact that once an institution established a tradition of suicide, as has this institution, there might be a recurrence?

Mr. Younger: I appreciate the need not to encourage that feeling. In fairness to everyone concerned at Glenochil, I should say that there is no evidence to suggest any such record or reputation. It is of course tragic that seven deaths have occurred. The regime has been substantially the same since 1966, and more than 20,000 people have passed through these institutions. Therefore, the figure represents a small proportion. The population of Glenochil is not a typical cross-section of the prison population, and that must be borne in mind.

I should be most remiss and irresponsible if I did not repeat that I await the results of all further inquiries with an open mind.

Mr. Harry Ewing (Falkirk, East): Does the Secretary of State accept that, when there is one institution in a network of similar institutions with a record of seven deaths in five years, there must be something seriously wrong? In saying that, I do not cast any aspersions on the staff—I give them my full support. There are similar institutions at Polmont, Friarton, Dumfries and Noranside and a whole host of other institutions where such incidents do not occur, yet at Glenochil there have been seven deaths in five years. Therefore, there must be something seriously wrong.

Does the right hon. Gentleman accept that against that background, and as the last fatality occurred only three months ago in February, it is not satisfactory that the fatal accident inquiry into that fatality has not yet been held? However, I do not hold the right hon. Gentleman responsible for that. We are now awaiting another fatal accident inquiry into the weekend tragedy concerning the young man Harris.

I ask the right hon. Gentleman to do everything in his power to hasten the holding of the fatal accident inquiries,

to look with urgency at the work of the working group and to set himself a time limit to make a statement to the House, if possible before the end of June. We simply cannot allow this to continue. There is somthing seriously wrong, and we all have a responsibility to do something about it.

Mr. Younger: I fully accept the hon. Gentleman's good faith in this matter. I accept entirely what he said about the working group. I shall do all that I can to bring forward the conclusion of that study; today I made approaches to those concerned.

As has been said, the fatal accident inquiry is a matter for my noble friend the Lord Advocate. I shall, of course, draw to his attention what has been said today. It is worth pointing out that there is a statutory month before a fatal accident inquiry can take place, and there are sometimes difficulties in setting up the inquiries.

There is a difference between saying that there must be something wrong—which I do not think is yet fair to those involved in these institutions—and saying that we must take this matter seriously and take every step to find out the facts and the background to every aspect of these deaths so that we can find out whether there is something wrong. In fairness to those who operate there now, we must make it clear that there is no evidence of any kind yet that the nature of the way in which people are looked after there, or the regime and so on, had any bearing on the fatal accidents.

House of Commons Chamber (Microphones)

3.55 pm

Mr. David Harris (St. Ives): On a point of order, Mr. Speaker. It will not have escaped your notice that since we returned from the recess, two microphones have sprouted in the Chamber, one over my head and one over the head of the right hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Steel), the Leader of the Liberal party.

In view of the cost of installing these completely unnecessary instruments, would you care to make it clear to the House that neither I nor my hon. Friends had any wish for them to be installed and that the sole responsibility must rest presumably with the Leader of the Liberal party?

Mr. A. J. Beith (Berwick-upon-Tweed): Perhaps it might encourage the wider circulation of the minutes of the Services Committee for the hon. Member for St. Ives (Mr. Harris) to know that his hon. Friends and the hon. Friends of the hon. Member for Bolsover (Mr. Skinner) properly agreed that the microphone system needed improving.

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. This is a matter for the Services Committee.

Sir Kenneth Lewis (Stamford and Spalding): Further to the point of order raised by my hon. Friend the Member for St. Ives (Mr. Harris), Mr. Speaker. Might it be possible for the fact to be conveyed to the Services Committee that we on these Benches did not ask for an additional microphone to be placed above our heads, as there is no unruly element on the Bench below our Gangway? I was wondering whether an additional microphone had been placed on this side because it was hoped that the Opposition might be crossing the Floor of the House to join us — [HON. MEMBERS: "No."] — or because Opposition Members held hopes of occupying these Benches after the next general election.

Mr. Skinner: Further to that point of order, Mr. Speaker. I hope that you will take the matter seriously in endeavouring to discover how much it has cost to wrap the Leader of the Liberal party in cotton wool. I made no representations on the issue. I am satisfied with the microphone system that has existed in the Chamber for donkey's years. I see no reason why a microphone should be especially installed for the benefit of the Leader of the Liberal party, who is having an identity contest with the Leader of the Social Democratic Party——

Mr. Speaker: Order. That is not a matter for me. The hon. Gentleman must put a point of order, if he wishes to put one, on which I can rule.

Mr. Skinner: I hope that you will manage to establish the real reason why representations were made leading to the fixing of these new microphones, Mr. Speaker. In the House of Commons the Leader of the Official Opposition gets heckled, the Prime Minister gets heckled — *[Interruption.]*—and, as you can hear, I get heckled, just as others get heckled. That never worries me. I do not see why the House should spend taxpayers' money installing

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an extra microphone for the benefit of the Leader of the Liberal party. I am happy to share my microphone with all those who speak from the Bench which I normally occupy.

Mr. Speaker: I was about to say that so long as I do not get heckled it will be all right. It is clear that this is a matter for the Services Committee. I used to be a member of that Committee, which is composed of people of great wisdom.

Statutory Instruments, &c.

Mr. Speaker: By the leave of the House, I shall put together the Questions on the two motions relating to statutory instruments.

Ordered,

That the Value Added Tax (Finance) Order 1985 (S.I., 1985, No. 432) be referred to a Standing Committee on Statutory Instruments, &c.

That the Community Health Councils Regulations 1985 (S.I., 1985, No. 304) be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Peter Lloyd.]*

Political Parties (Income and Expenditure)

3.58 pm

Mr. David Winnick (Walsall, North): I beg to move,

That leave be given to bring in a Bill to provide for a limit on the amount of money which may be spent by or on behalf of a political party during the period of a general election campaign; to require companies to establish a political fund from which all political donations shall be made; to provide for a ballot of shareholders and employees before a political fund is established; and to ensure an entitlement for each shareholder to an additional dividend from the company in lieu of any donations to which such shareholder has objected.

Reforms are long overdue regarding expenditure by political parties during a general election campaign and in relation to political donations by companies.

We all recognise that it is right to limit the amount spent on behalf of a candidate standing for Parliament. A rich candidate is not permitted to try to buy votes. Therefore, on the local scene, equality and fairness prevail, and so far as I know, it has not been suggested that the ceiling on candidates' spending should be removed.

When it comes to the national scene however a different picture emerges. There, a political party can spend as much as it likes during an election campaign. Where is the logic in imposing strict restrictions on the amount to be spent by a candidate when parties can spend as much as they please? It was estimated that the Conservative party had between £15 million and £20 million available to spend during the last election. Labour had a maximum of £2·5 million. If the Tories had decided to spend the amount that they had available to them, they would have faced no restriction. They could have done so freely.

The present system underlines the way in which a candidate is limited—rightly—as to the amount that can be spent on his or her behalf. I believe that a restriction should be placed on national spending by parties during an election. An initial sum can be agreed, which can then be updated to allow for inflation. That is more or less what happens with candidates. At various times the Home Secretary suggests through an Order in Council that the amount that can be spent on behalf of a candidate should be increased. Under my Bill, the same system will apply to parties. Being a fair person, I suggest that £4 million should be the initial sum. That is a sufficient sum for a political party to spend during the next election as a legal maximum. If my Bill is accepted and if the Government decide to give time to allow the Bill to make progress, I shall be willing in Committee to listen to any suggestions about the initial sum that is to be set down.

The next matter I want to see changed refers to companies' political donations: companies should be placed in the same position in which unions have been in this matter since 1913. In order to donate for political purposes a trade union must have a political fund. That has been the position for more than 70 years. Companies, however, need no political fund and need hold no ballots. The Board just decides to make a donation. As we know, in the main, indeed almost exclusively—such donations are made to the Tory party or one of the Tory front organisations.

If companies have political funds, they will be brought into line with trade unions. It may be argued that a protest can be made at a company's annual general meeting. As

we know, such a protest is unlikely to get very far. In 1978, referring to the ways in which companies operate, a Law Lord stated in a legal judgment:

"It sometimes happens that public companies are conducted in a way which is beyond the control of the ordinary shareholders. The majority of the shares are in the hands of two or three individuals. These have control of the company's affairs. The other shareholders know little and are told little. They receive the glossy annual reports. Most of them throw them into the waste paper basket. There is an annual general meeting, but few of the shareholders attend. The whole management and control is in the hands of the directors."

That statement was made by a Law Lord who is not usually associated with ardent pro-trade union views — Lord Denning.

Recently, a survey discovered — I remind the Tory Members of what they obviously already know — that companies that donate to the Tory party receive many more knighthoods and honours than other companies dominating the economy. Clearly, the best way of going about obtaining a knighthood and the rest is by subscribing to the Tory party.

I propose that a ballot of shareholders and employees should be held in any company that wishes to donate to political causes. It would not be wrong to include employees. I do not believe that a person who has worked for more than 12 months in a company and who obviously depends upon that company to earn his living should be denied the right to decide how the company will donate for political purposes. As is the case with trade unions, a simple majority result would be needed. If a majority of shareholders and employees agreed that there should be a political fund, the company would be able to donate for political purposes. If there was no political fund, no political donations could be made.

There is little evidence for instance that the majority of people who invest in pension funds support the Tory party. Companies that have recently made large contributions to the Tory cause include the British and Commonwealth Shipping Co., Allied — Lyons, Hanson Trust, Taylor Woodrow, Guardian Royal Exchange Assurance, Plessey, Consolidated Goldfields, Marks and Spencer and Trafalgar House. When did they hold a ballot? When did they ask their shareholders to agree that such money should be contributed?

Compare companies with trade unions and leave aside recent legislation. Since 1913, no trade union has been able to donate a single penny for political causes unless it has first held a political ballot. If that is right for trade unions, why should it not be right for companies too? Why should there be a distinction? I should have thought that Conservative Members would agree. I see that the hon. Member for Southend, East (Mr. Taylor), being a fair-minded man, seems to agree with me. It is a pity that I did not include him in the list of sponsors of my Bill. It is not too late. I am willing to add his name, if he wishes.

The reforms that I have suggested should be put into operation as quickly as possible. It is difficult to understand how the Conservative party could have brought in recent legislation without attempting in any way to rectify the anomaly about which I have spoken. The only possible reason is that the Tory party, being a beneficiary of the present system, decided that it did not want its cause to be undermined. It is happy, though, to try to undermine the finances of its main political opponent. I suppose that we should not be surprised at what the Tory party does, because it is a very undemocratic party. It does not hold a ballot when deciding its chairman. At times I wonder which is the less democratic—the Communist party in the Soviet Union or the Tory party in this country.

Mr. Dennis Skinner (Bolsover): And the SDP.

Mr. Winnick: And the SDP, of course.

We all know that, despite political funds, any trade unionist can contract out of paying the political levy. I suggest that a shareholder who does not want to be a party to political donations should be able to contract out as well. In such a case, he would receive a slightly higher dividend.

This is a modest measure. It is rather non-controversial, I believe, and I hope that it will not be opposed. I shall write to the Leader of the House and the Prime Minister urging that time should be given to my Bill. I hope that the Home Secretary now in his place will ensure that his Cabinet colleagues will agree that my modest and non-controversial measure should receive Government time to make progress.

Question put and agreed to.

Mr. Speaker: Who will prepare and bring in the Bill?

Mr. Winnick: Mr. Brian Sedgemore, Mr. Ray Powell, Mr. Robert N. Wareing, Mr. Doug Hoyle, Mr. Max Madden, Mrs. Ann Clwyd, Mr. Sydney Bidwell, Mr. Eric S. Heffer, Mr. Stan Thorne and myself.

Mr. Ivan Lawrence (Burton): And Mr. Teddy Taylor.

Mr. Winnick: I am always willing to show a non-sectarian attitude, but the hon. Member for Southend, East will not agree to such a proposal.

Political Parties (Income and Expenditure)

Mr. David Winnick accordingly presented a Bill to provide for a limit on the amount of money which may be spent by or on behalf of a political party during the period of a general election campaign; to require companies to establish a political fund from which all political donations shall be made: to provide for a ballot of shareholders and employees before a political fund is established; and to ensure an entitlement for each shareholder to an additional dividend from the company in lieu of any donations to which such shareholder has objected: And the same was read the First time; and ordered to be read a Second time upon Friday 19 April and to be printed. [Bill 125.]

Prosecution of Offences Bill *[Lords]*

Order for Second Reading read.

4.9 pm

The Secretary of State for the Home Department (Mr. Leon Brittan): I beg to move, That the Bill be now read a Second time.

The recommendations of the Royal Commission on criminal procedure covered two broad areas which it regarded as related. The first was the proper ambit of police powers and the corresponding safeguards for the citizen. The second was the machinery for the conduct of prosecutions.

In proceeding with this legislation in the Session immediately following the enactment of the Police and Criminal Evidence Act 1984 we are showing our acceptance of the view of the Royal Commission that adequate and modernised police powers must be accompanied by safeguards against any misuse of those powers, and our acceptance of its belief that the time has come to introduce a prosecution system which is wholly independent of the police. Taken together, the two enactments will amount to the most far-reaching reform of criminal procedures this century.

The main elements of the present Bill will be familiar to the House. The first part establishes the general framework for the Crown prosecution service. It is to have the conduct of all criminal proceedings instituted by the police, but is to operate independently of the police or any other local influence.

Part II amends the law governing the payment of costs in criminal cases consequential on the introduction of the new service. Part III contains some procedural changes, mostly minor ones. There is also one major change which I regard as of particular importance. That is the introduction of time limits on the bringing of criminal proceedings. The introduction of the Crown prosecution service is designed to improve openness and accountability, to increase consistency in prosecution policy, and to contribute to the timely and effective prosecution of offences. As an element in the new arrangements, time limits have an important role to play as a discipline to prevent unnecessary delay on the part of all who bring prosecutions — not just the Crown prosecution service.

The changes introduced by the Bill are changes to a system which is in need of considerable improvement. While there may be room for differing views on how much improvement should be secured, I do not think that informed commentators would quarrel with the assessment of the Royal Commission that the current arrangements are characterised by

"their variety, their haphazardness, their local nature and, at least so far as the police are concerned, by the unitary nature of the investigative and prosecutorial functions."

Variations across the country remain greater than can be explained by reference to differences in local circumstances. That is incompatible with the fundamental principle of justice that like cases should be treated alike. It cannot be right, for example, that an offender has between twice and three times as much chance of being cautioned rather than prosecuted in some police areas as others. It is not as if all the forces making a high use of cautioning are rural, and all the low ones urban. There is no clear pattern. But, as one step towards improving consistency, I have recently issued to all chief officers of police guidelines on cautioning.

Another illustration of the variety of arrangements across the country is that in six areas the police do not have prosecuting solicitors departments, despite the recommendation of the Willink Royal Commission on the police more than 20 years ago to the effect that they should be set up in all force areas. In many areas, too, the practice of police advocacy continues—again despite the Willink recommendation that it was an undesirable practice, and an inappropriate use of training and expensive police manpower.

Another respect in which there is clearly room for improvement concerns the number of weak cases reaching the courts. The evidence is more readily available in relation to the Crown court, where in 1983 approximately half of all acquittals were by order or direction of the judge. That is to say, there was insufficient evidence for the case to be left to the jury. It is plainly undesirable for cases to continue as far as this in the system when there is no reasonable prospect of conviction: unfair for the accused and undesirable for the courts, which face quite sufficient pressure without this unnecessary burden.

For all those reasons, change is needed and the Bill, therefore, gives effect to the principle of an independent service recommended by the Royal Commission to meet those criticisms, and to establish on a statutory footing the independence of prosecutors from the police. It reflects the principle that those responsible for the investigation of the offence should not also be responsible for the conduct of the prosecution.

In one important respect we have departed from the Royal Commission's proposals. The Royal Commission recommended that in some respects the new service should be accountable to a police and prosecutions authority, which would be an extension of the police authority. That arrangement evoked the criticism that it would not sufficiently secure the clear separation of the prosecutor from the police, which was a central reason for the change. It was also thought to leave open the risk of improper local influence over prosecution decisions.

In considering the various alternatives, we had in mind the need to provide adequate safeguards against interference in individual prosecution decisions. Because the line between them and general prosecution policy is so difficult to draw, and because of the great local interest in particular cases, we concluded that the service should not be accountable to a local supervisory body. Nor do we believe that it would be right to separate accountability for policy from that for resources, which was a feature of the variants on the Royal Commission's scheme suggested in the course of our consultations.

The national service which we propose, as well as securing undivided accountability, has other important advantages. It will be so designed as to maximise efficiency and effectiveness. It also offers the best prospect of improving consistency in prosecution policy, which it will be the duty of the Director of Public Prosecutions to promulgate. One area in which consistency will be particularly important is the prosecution of juveniles, which was given considerable attention in another place. The director's guidelines will give full weight to the special factors which arise in cases involving juveniles.

It is important to stress that a national service need not be a centralised one, with the delay and extended lines of communication that that entails. No system is exclusively local or exclusively national. It is the balance between the local and national elements that is crucial. The Crown prosecution service established by the Bill will have strong local elements. In fact, the framework set out in the Bill allows for maximum delegation of decision taking to the local level, with Crown prosecutors able to exercise any of the powers and functions of the director with respect to the conduct of proceedings. This means that under the new arrangements it will actually be possible for more, not fewer, decisions to be taken locally, with some cases which are now referred to the Director of Public Prosecutions being conducted by the local Crown prosecutor.

The extent to which this will occur is set out in the White Paper published by my right hon. and learned Friend the Attorney-General last December. Among the cases currently referred to the director but which will for the most part be handled locally in future are straightforward murders, perjury, multiple rapes, kidnapping and serious robberies. The director is even now making arrangements to devolve some cases to prosecuting solicitors' departments to smooth the transition to the new service.

I shall not describe the provisions of the Bill in detail, but it may be helpful if I highlight some of its more significant aspects.

The head of the service is to be the Director of Public Prosecutions. Under him and appointed by him will be the chief Crown prosecutors, for the most part each covering a police area. The chief Crown prosecutor will need to work in close consultation with the chief constable in his area, but of course he will have to do so in a way which is consistent with maintaining his independence.

Mr. Teddy Taylor (Southend, East): In this excellent Bill there appears to be provision for the payment of salaries to almost every specified category except the chief Crown prosecutor. Does my right hon. and learned Friend feel that before the Bill completes its Commons stages he will be able to say what the salary level should be for the chief Crown prosecutor? In view of the substantial responsibility, does he believe it appropriate that it should be on a par with that of a chief constable?

Mr. Brittan: I should not like to make a commitment of that kind at this stage, but I am sure that this is a matter which will fall to be considered by the House in the course of the further deliberations on the Bill.

The director, as head of the service, will act under the superintendence of the Attorney-General, as he does now. By building on this well-established relationship our proposals secure accountability for decisions in the service while guarding against the risk of improper influence. It has long been a feature of our constitution that the Law Officers act in a quasi-judicial capacity when taking decisions on prosecutions in individual cases and in relation to prosecution policy.

The accountability envisaged for the new service is underpinned by the Director of Public Prosecutions' annual report. This will give details of any significant changes in the distribution of business between the centre and local offices, thus giving Parliament oversight of the degree of delegation acutally achieved in the new service. It will also include the code of guidance which the director is to promulgate to Crown prosecutors on the general principles governing certain decisions in the conduct of cases and any alterations to it. These general principles will, therefore, also be open to scrutiny by Parliament.

The Bill also provides for the transfer of existing staff in prosecuting solicitors' departments to the new service. Recognising the experience and calibre of such staff, the Bill sets aside the normal requirement for recruitment by way of competition and enables the staff to be transferred in a block under regulations to be made by the Attorney-General. The regulations will set out the terms and conditions which will govern the transfer, which will be negotiated with representatives of the staff concerned. These negotiations have started. As we said in the White Paper in October 1983, we are concerned to proceed in the fullest consultation with those who now work in the system. This is a time of considerable change for the staff concerned and I recognise the uncertainty that it has caused for them. But it is also a time of challenge, with the enhanced responsibilities given in the Bill and the career structure implied by a national service. I am confident that the staff concerned will rise to that challenge.

The cost of the new service will depend very largely on the numbers of staff to be employed by it. As some hon. Members may know, a study has been commissioned from management consultants on the factors affecting staffing levels in the new service, including the working methods to be adopted. The cost cannot therefore be finally determined until we have had an opportunity to consider the final report from the consultants, which will be submitted very shortly, but the cost of a national system is not expected to be significantly higher than that of a local one. Whether staff are organised on a national basis or locally, there will still be the same need for advocates in court and for the preparation and review of cases by lawyers and their support staff. There will be an extra cost for the small central management function which will be located in the Director of Public Prosecutions department, but this will be at least partly offset by the increased efficiency which we expect the national service to achieve, including the savings from increased delegation of casework.

Part II modifies the provisions governing costs in criminal cases. Changes are made both of principle and of practice. The new service will be funded directly by parliamentary Vote, and awards of costs from central funds in its favour are not therefore required. The Bill also puts other public authority prosecutors in the same position, while retaining the power of the courts to award private prosecutors their costs from central funds.

Part II will widen considerably the scope for granting costs from central funds to successful defendants who are charged with summary offences. There is, of course, at present no power to make such orders, and this has long been recognised as anomalous. This was clearly a matter of considerable concern in another place and the changes to the Bill that were made there as a consequence will represent a significant improvement to the current position. Powers are also sought to enable the courts to make such orders in respect of costs as they think fit against any party to the proceedings who has put an opponent to unnecessary expense in relation to those

[Mr. Brittan]

proceedings. Thus, part II not only brings the present provisions for costs up to date but introduces significant and, I hope, welcome reforms.

Mr. Ivan Lawrence (Burton): As the Government are busy decentralising, left, right and centre, partly on the argument that centralised costs are always higher than decentralised costs, is my right hon. and learned Friend being serious in suggesting that the costs involved in this measure will not rise substantially above those which would apply if there were a locally based independent prosecution service?

Mr. Brittan: I am saying that, and I gave the reasons why. I went on to talk about a different aspect of costs —the award of costs—but at an earlier stage I said that one was talking only about the extra cost of the small central management function of the Director of Public Prosecutions department, and I indicated that that would be at least partly offset by the increased efficiency which we expect the national service to achieve, including savings from increased delegation of casework. So I do take that view.

The House will recall that the Bill as introduced in another place included a clause empowering the Attorney-General to refer to the Court of Appeal any Crown court sentence which appeared to be excessively lenient. The particular sentence would not have been affected, but the Court of Appeal would have been able to offer an opinion on it. We saw this as a strictly limited but none the less worthwhile change which would have helped to strengthen public confidence in our system of criminal justice. The Court of Appeal already takes the opportunity, when passing judgment in appeals against sentence, to set out principles of sentencing in particular kinds of cases for the guidance of the lower courts, and I very much welcome its willingness to do so. The procedure which we proposed would have widened that role by providing an opportunity for the court to give guidance specifically in the context of cases where the sentence had given rise to public concern. My right hon. and learned Friend the Attorney-General made it clear that the power was one which he would want to use sparingly.

This proposal did not find favour in another place. I must say to the House frankly that my noble and learned Friend the Lord Chancellor, my right hon. and learned Friend the Attorney-General and I were not, and are not, persuaded by the arguments deployed there. It would be difficult to recognise the essentially limited measure which I have described in the apocalyptic visions which were conjured up by some of those who spoke in the debate in another place. Their chief criticism—that the procedure for referring sentences would have breached the principle that the prosecution should not be involved in sentencing decisions—seems to me, with great respect to those who advanced it, misconceived. There is a world of difference between routine prosecution involvement in sentencing decisions—which would, of course, be quite at odds with our traditions—and a procedure under which the Attorney-General, as a Law Officer, assesses whether a sentence has given rise to genuine public concern and raised issues which could usefully be ventilated in the Court of Appeal. Nevertheless, the strength and breadth of feeling on the subject in another place was considerable, and not to be set aside lightly—certainly not without a wider measure of support for the provision than has so far come forward.

Mr. John Morris (Aberavon) *rose*——

Mr. Brittan: No, I should like to finish.

I should accordingly like to reflect on the matter further. I have no present plans to reintroduce the provision during the remaining stages of this Bill, but I do not propose simply to let the matter rest. Public interest in sentencing—which was scarcely mentioned in the debate in another place—is strong and persistent and we shall do the country no service if we ignore it. I shall, as I have said, reflect on the matter further and will in any event have it very much in mind in preparing the Criminal Justice Bill which we plan to introduce later in this Parliament.

Mr. John Morris: I shall comment more generally on what the right hon. and learned Gentleman has said, but he distinguishes between the role of the prosecutor—the routine prosecution, as he calls it—and the intervention of the Attorney-General in a case under the original clause 22. How would the Attorney-General know how to intervene unless he had heard from one of the routine prosecutors?

Mr. Brittan: I think the right hon. and learned Gentleman will appreciate that there is a wide variety of other sources of information which the Attorney-General has, as all of us have, about particular cases which cause public concern. I am not suggesting that those involved in the prosecution process would be forbidden from communicating any concern that they had to the Attorney-General. However, that is a different matter from the legitimate concern that would arise if it were part of the routine prosecution function to consider in every case whether such a reference was necessary.

Mr. John Ryman (Blyth Valley): Has the Home Secretary considered, perhaps when thinking about the future Criminal Justice Bill, restoring the power of the Court of Appeal, criminal division, to increase sentences as well as reduce them upon an application for leave to appeal? That would be a jolly good way of discouraging frivolous appeals.

Mr. Brittan: It might be a good way of discouraging frivolous appeals, but it would not meet the particular concern with which the original clause 22 was designed to deal. It would be a very foolish defendant, or one who was very poorly advised, who found himself in a situation in which an unusually lenient sentence was passed and he none the less appealed. Therefore, whatever the merits of the hon. Gentleman's suggestion, it does not amount to an alternative to the proposition that was originally advanced.

One of the more significant new features which part III will introduce is a scheme of time limits on bringing cases to trial—new, that is, in England and Wales. Right hon. and hon. Members will know that statutory limits on the period before trial have for many years applied in Scotland.

We see clause 22, which provides for time limits, as an important part of our strategy for reducing delay in bringing cases to trial. I do not need to tell the House why the problem of delays is urgent and compelling. The Home Affairs Committee documented it in its report "Remands in Custody" last May. The increase in our prison

population since 1979 is not because more offenders have been sentenced to imprisonment or to longer terms of imprisonment; the number of prisoners under sentence has remained steady at about 35,000. Instead, the increase has come about because the number of prisoners awaiting trial has increased from 4,000 in 1979 to 8,000 now. Some of those in custody have waited a year or more. There are more untried prisoners partly because the courts are dealing with more cases and more people are being remanded or committed in custody. The other major factor is that the periods spent in custody awaiting trial have grown longer.

Where the accused is in custody, delay is particularly serious. All unnecessary delays are against the interests of justice. Memories fade. The accused is left uncertain of his fate and the impact of conviction and sentence is less closely connected with the offence. The case for speedy trial is overwhelming, whether or not the accused is in custody.

We have in hand a number of measures to tackle delay. My noble and learned Friend the Lord Chancellor has secured additional resources for the Crown court and is taking steps to ensure that they are used as efficiently as possible. He and I recently issued a circular to the magistrates courts about means by which delay could be reduced. We are anxious to encourage the courts to play a full part in tackling the problem. It is a problem the solution of which does not lie in the hands of the courts alone. The move towards statutory time limits, which would bite essentially on the prosecution, is therefore part of our strategy.

In going down that road, we are in tune with the Home Affairs Committee's helpful report. It is true that time limits will not of themselves increase court capacity, but they will set a standard, and their existence should stimulate the same sense of priorities elsewhere in the system and have a general "toning up" effect. The fact that the prosecution has a duty to prepare itself to proceed within a set period should generate a greater sense of urgency all round.

Accordingly, clause 22 gives the Secretary of State power by regulation to specify preliminary stages of proceedings, that is up to commencement of trial, and to set limits to them. Different periods may be set for different areas, in case the field trials which we are now planning suggest that this will be necessary — undesirable as it would be—in order to fix limits which are both tight and realistic. Two kinds of limits may be prescribed: custody time limits on the maximum period for which an accused may be remanded or committed in custody in proceedings for the same offence; and overall time limits on the period the prosecution is to be allowed to complete each stage of the proceedings.

The court dealing with the case will have power to extend a time limit in any case, but only if it is satisfied that there is good and sufficient cause for doing so, and that the prosecution has acted with all due expedition. There will therefore be a direct discipline on the prosecution. Of course, where the delay is caused by the defence, the prosecution could expect to have its application for an extension granted.

If a custody limit is reached, the accused will have to be released on bail. The clause provides for the regulations to apply appropriate provisions to release in those circumstances. The court might be empowered, for example, to require the accused to stay at a specified address or to keep away from witnesses.

If an overall limit is reached, the Bill provides that the accused is to be treated for all purposes as having been aquitted. This may mean that an accused does not have to face proceedings because the prosecution takes too long bringing the case to trial. Some will baulk at that result, but it is the only ultimate sanction to compel the prosecution to meet a time limit. It is possible now for the courts to require the prosecution to proceed within a given period, the consequence being that if it does not the case is lost. I trust, of course, that the new prosecution service will avoid that consequence by bringing cases forward expeditiously. That is the whole point and that objective, broadly, is what has been achieved by the Scottish legislation covering these matters.

Mr. Eldon Griffiths (Bury St. Edmunds): At least, as a matter of principle, will my right hon. and learned Friend try to see that these matters are dealt with in an even-handed fashion, so that the delays that can be brought about vexatiously by the defence will trigger off the same sort of treatment as when delays arise from the prosecution improperly or inadequately preparing its case? I have in mind the fact that some precise time limits are placed upon the police in bringing prisoners to a point where they can be charged under the new arrangements.

Mr. Brittan: I entirely agree that the benefit that we are seeking to confer by these specific time limits on prosecutions should lead to a tightening up of the whole criminal process, including, I hope, a more rigorous approach to unjustifiable delays on the part of the defence. I agree with my hon. Friend.

Mr. Robert Maclennan (Caithness and Sutherland): Why did the Home Secretary think it appropriate to split responsibility for setting the time limits between the Lord Chancellor and himself? As I understand it, under section 77 of the Supreme Court Act 1981 the Lord Chancellor has the power to set time limits in respect of a Crown court. It would seem more natural to concentrate the powers which the Home Secretary has described under the Lord Chancellor's Department.

Mr. Brittan: No doubt those matters can be considered in Committee. The provision to which the hon. Gentleman refers has not been a generally effective means of securing the purposes that I have just been describing. I think that what is proposed in the Bill will have that effect.

Mr. Lawrence: Can I tempt my right hon. and learned Friend to be a little more forthcoming about the time limitation which he envisages might be the rule for the regulations? Is he thinking about the 110-day rule, as there is in Scotland?

Mr. Brittan: I do not have in mind particular time limits in terms of a number of days. I shall explain how we hope to come to the decisions on what the actual time limits should be. I have described the scheme, but clause 22 is an enabling provision, leaving the specification stages to be limited, and the time limits themselves, to regulations to be made by statutory instrument. I should like to explain why we are not at this stage proposing particular limits which would apply directly.

The Home Affairs Committee recommended that the Government should commit themselves in principle to the

[Mr. Brittan]

introduction of limits, geared to the establishment of a national prosecution service, and should embark on experiments to test what limits might be feasible in summary and indictable cases. The Committee further recommended that the period eventually agreed upon should take into account the special difficulties faced by the courts in London and the south-east.

That is the approach that we are adopting. The powers will be there, if Parliament approves, when we need them. In the meantime, we shall embark on field trials in a few areas to test the practical implications and effects of the scheme. We shall also then be able to judge what limits are appropriate. It would be unwise to commit ourselves even tentatively to particular periods at this stage. The limits will need to be tight enough to act as a real discipline. On the other hand, they should not be so tight that there will be frequent applications to extend them to which the courts would feel obliged to agree. My Department is drawing up plans for the field trials, and we shall want to consult fully, both nationally and in the areas concerned.

Regarding the timing of the implementation of the legislation, we are aiming to bring the new service into operation in October 1986, except in the six police force areas covering the metropolitan counties, where — to avoid two reorganisations one after the other—the new service will start operating from April 1986. When the powers to make time limits can be invoked must of necessity depend on the outcome of the field trials, which will take a little time, but I can assure the House that we shall move as quickly as we can in this area. I wish to make it clear that our commitment to the principle is clear. The field trials will test not whether but how the time limits are to be applied.

The changes made by the Bill are of fundamental importance to the operation of our criminal justice system. It is my belief that improving the efficiency and fairness of the system, to which both the Crown prosecution service and time limits can contribute, will enhance public confidence in it. This should be an objective shared by us all. I accordingly commend the Bill to the House.

4.41 pm

Mr. John Morris (Aberavon): We in the Labour party welcome the main thrust of the Bill to set up a prosecuting service which is independent of those responsible for investigating offences — the police. There may be differences of view on both sides of the House about whom the service should be accountable to. It is interesting that the Government have adopted the views of a dissenting member of the Philips Royal Commission. Some are not persuaded that the proposed solution is right, but I go along with the Government's proposed solution. No hon. Member, and certainly not the Home Secretary, can accuse me of being an advocate of centralism but, indeed, of the contrary. In this area, which is different from policing—I am a fervent opponent of a national police force—there is no role for local or local government accountability for decision making.

I am satisfied that the proposals to decentralise decision making to the local officers are an important step to separate the agglomeration of wheat and chaff that has accumulated through piecemeal statutory intervention on the desks of the director and the Attorney-General. I am pleased that the Government have yielded to persuasion from another place to enhance the status or, at least, the title of prosecutors. Titles are important. I hope that that will help to reinforce the role of the chief Crown prosecutor and the Crown prosecutor, as opposed to Crown prosecutors and prosecuting officers, as originally envisaged.

Given our experience of the Government as an advocate and practitioner of centralism, the matter must be watched. There is an undertaking, when the service has settled down, to review the provisions which require the consent of the Law Officer or the director. Clause 9 provides for the director's annual report to be laid before Parliament. I believe that that was to be done many years ago.

More should be promised. England and Wales are entering into a novel area. Within five years of the operation of the new service, there should be an independent inquiry into its working. We propose Bills in Parliament, but we have no inbuilt machinery to consider how effective they turn out to be. Given the lack of unanimity about the accountability of the service, that is, about to whom it should be accountable, and given that the Government, who are relying on an internal working party's report, are flying in the face of the Philips report, we should at least be promised that if both the Government and I are wrong, without loss of face the machinery should be set up so that the matter can be reconsidered free from departmental restraints and inhibitions. A five-year period would be a proper and suitable period for the service to settle down.

The suggestion has been made that, although the Bill, which separates decision making and prosecution from investigating and charging, is an important step in the right direction for the freedom of the individual, it is part of a balancing act with the Police and Criminal Evidence Act 1984. Although the Opposition approve of the purpose of the Bill, that is in no way to be taken as our acceptance of that argument. When Lord Elton introduced the Bill, he expressed the aim to increase public confidence as one of the purposes of both Bills. Indeed, the Home Secretary also said that this afternoon. I hope that the Bill will do so. So far, the Police and Criminal Evidence Act 1984 has not earned its spurs in that regard. Indeed, the reverse is true. Public confidence is important and, as a sign of flexibility in considering what is being done, we should have the machinery, lest the Bill should turn out not to be right.

The Government have probably opted for the most expensive solution, despite what the Home Secretary said. He was especially vague about that. I thought that the Tory party was greatly concerned about taxpayers' money and that it should be quantified. However, the Home Secretary was not helpful in that part of his generally helpful speech. I see the concurrence from hon. Members below the Gangway that there was an element of vagueness and fudging in what he sought to tell the House.

This is not a privatisation measure. So far as private solicitors who continue to do some of the work in this area, and so far as the proposals are to do more magistrates' court work in-house with full-time officers as opposed to briefing barristers, this is an extension of State activity, and central State activity at that. I am glad that Conservative Members realised sharply, as I would expect, that that seems to run contrary to the whole theme of the Government's privatisation philosophy. I thought

that I would make that point so that the House would understand that I understand that, even if the Cabinet as a whole does not.

Despite the Government's assurances, I fear the long-term future—perhaps not so long term—of the criminal Bar. What will happen when the Treasury gets its hands on that? Who can put his hand on his heart and say that in five or 10 years' time there will not be a Rayner report or something of that ilk, which advocates more and more in-house work? I fear that that will be the Treasury's approach as surely as night follows day and it would strike at the heart of an independent profession which I believe to be one of the bastions of liberty.

The proof of the pudding will be in the eating. As I understand the arithmetic, after allowing for the transfer of staff now doing the work, the replacement of 600 police officers should make it a cheaper service, although the redeployment of the officers would be an additional financial burden. I therefore find the Home Secretary's position on cost difficult to swallow, unless it is a public acknowledgement that policemen are more highly paid than lawyers, which may well be so. Be that as it may, we are entitled to examine this aspect very closely in Committee and we shall not be satisfied with the type of case put forward by the Home Secretary today.

The service must be rewarded in such a way as to attract good people. The career structure promised must also satisfy some of the best people. I understand that existing prosecuting county services do not find recruitment easy. If the new service is to bear the promised fruit, as we hope, it must attract lawyers of quality who can give proper consideration to the material before them and, now that they are separated from police activity, take a more detached attitude to their responsibilities.

The physical rehousing of the prosecutors away from buildings occupied by the police, where necessary and practicable, will also be an important step in ensuring that independent prosecution, like justice, is seen to be done.

The Association of Prosecuting Solicitors has raised an important point about salaries and status. How will the salary of prosecutors be related to that of chief constables? The intention is clear in terms of status, but it will be undermined if salaries are not comparable. On this point, the Home Secretary was particularly vague and unhelpful. He must have some idea of the salary envisaged for a chief Crown prosecutor, and he can scarely maintain that he cannot disclose what he has in mind. I hope that the Solicitor-General will be able to help us on this important matter when he replies to the debate.

The same principle applies to this as to other specialist areas. I have some experience in this because many years ago I was responsible for that part of the scientific Civil Service that was answerable to the Ministry of Defence. Difficulties arose due to the relationship between it and other civil servants. I found that many run-of-the-mill scientists were better rewarded in toto than their counterparts in industry, but that problems arose when we wished to retain or obtain the services of more able practitioners because we were hidebound by general restraints and Civil Service career comparability. This aspect must be examined carefully and I hope that it will be a subject of particular concern in the review that we hope to establish.

We are also entering a new area in terms of the responsibilities of the Attorney-General and the Director of Public Prosecutions and their relations with the House. A fine balance must be achieved between accountability to the House and the danger of too detailed examination of individual cases that have been devolved down. If administrative devolution is undermined by the sheer weight of statistics and information flowing to the director's office, devolution itself may be negated.

More generally, I have often wondered how this country can afford an administrative machine which has to be prepared to answer to the House at two or three days' notice on the most mundane of matters which happen to come within ministerial responsibility. Certainly no industrial machine could afford that. Given the complexity of modern state intervention—whatever history may call the present Government it will not describe them as a non-intervention Administration—we must consider whether we can afford this, but that is a matter for another day. The application of the doctrine of ministerial responsibility poses real problems as we enter this new area and only a very confident or perhaps ignorant man would claim to have found the perfect answer at this stage.

The Attorney-General and the Director of Public Prosecutions will be intervening less in particular cases and there is to be a review to achieve more consistency in this respect, but to whom will the residuary legatee be answerable? Like the Government, I have rejected local answerability, so to whom is the Crown prosecutor to be answerable?

The office of the Director of Public Prosecutions is a marvellous safety valve for the Attorney-General. After an initial hiccup not long after the office was created, it has grown in respect. The Attorney-General can come to the House and state that he has been advised by the director. The Attorney-General is above all else a political animal —that is why he is here—whereas the director is not a political animal, and that is the strength of his office. That is a matter of considerable assurance to most people.

While the director's role was limited we could survive on the philosophy—attributed, I believe, to the present director—that his relationship to the Attorney-General is not that of a permanent secretary to a Minister, and, of course, it is not. Indeed, it is more. The director is an independent expert. But we are now in a new ball game. In a parliamentary democracy we cannot allow offices of state to expand, however well they are thought to be fulfilling the state's needs, without seriously considering the problems of accountability. The interface between the Crown prosecutor and the director, between the director and the Attorney-General and between the Attorney-General and Parliament poses fundamental problems.

I believe in the accountability to Parliament of all servants of the state. I do not believe that there is any short cut to that end and I am not sure tht we have found the right or permanent solution in this case. I believe that this aspect must be examined further. Experience will have to tell us how best to work it out in the future. The aim must be ultimate accountability with a minimum of particular intervention. This is not an exact science.

I very much welcome the improvement in the Bill in setting out what must be contained in the director's guidelines to prosecutors. That is an essential aspect of the need for the Bill — to achieve natural uniformity in decision making while allowing individual discretion within the guidelines. I am sure that anyone with knowledge of criminal work will agree with me here. In my youth, some county prosecutors were notorious for seeking their pound of flesh and the search for truth was

[Mr. John Morris]

not always the motivating factor. It would be putting it too high to say that persecution took the place of prosecution, but it came fairly close to that in some cases. Other forces were more relaxed, but even now there is far too much fiction in the idea that prosecuting counsel is an independent agent. Despite the efforts of the past few years in reducing the sheer numerical weight of counts in indictments, there is still room for improvement.

Counsel are not independent. Time is lost in the courts today in seeking new instructions during trials. Cases are brought that should not have been brought. Two or three youngsters may plead to offences involving, say, motor cars. The fourth, who refuses to plead to an offence of allowing himself to be carried in a vehicle, will have the benefit, at cost to the State, of a full trial. He is frequently very much on the margin. Therefore, mature, independent and speedy response will help to make the flame of justice burn more strongly. That is another of the hopes and aspirations in the Bill.

I listened with interest to the Home Secretary's comments on the original proposal in the Bill about the referral of sentences to the Court of Appeal. I was reminded of the words of the old song: "She would not say yes, she would not say no". The Home Secretary appeared still to believe in his original premise, but did not find it convenient or expendient to proceed now.

In all my readings of the Royal Commission and the White Paper I have yet to discover an independent progenitor of the clause as originally drafted, whereby sentences passed by a Crown court judge, which the Attorney-General believed should have been different, should be referred to the Court of Appeal. That would mean that the Attorney-General thought that the sentences were too lenient.

The other place did a great public service in throwing the clause out on its ear. Apart from the poor, benighted Government spokesman, the clause had only one friend among 14 noble Lords who spoke on it. Seminars of judges and recorders have thrown up their hands in horror.

What was the origin of the clause? The Government were elected on a platform of the maintenance and improvement of law and order. Resources were to be provided to tackle crime properly. The clear inference was that, after the period of the wicked Labour Government, the crime rate would fall. Resources were provided, but the crime rate did not fall. In every branch of crime, it rose. Ministerial activity had therefore to be apparent. At the Tory party conference the wolves were baying for blood. The "Hang'em and flog'em" brigade was in full cry. Scapegoats had to be found. The Home Secretary, bringing all his wisdom to bear, was the fall guy. His track record on capital punishment had won him many friends. He was aided and abetted by public concern about one or two sentences and by some unfortunate judicial comments. He therefore presented to the conference the tablets of stone—or at least one slab of reconstituted stone dust. Eureka—he had found the answer: let lenient sentences be referred to the Court of Appeal. There was a useful precedent. The Attorney-General could refer points of law of difficulty and dissatisfaction. Why not, therefore, report erring judges? Let them be put in the stocks in the Strand.

Having gone out on a limb quite unnecessarily in the wake of the Ponting case to support the trial judge in his law, the Attorney-General——

Mr. Mark Carlisle (Warrington, South): Quite right.

Mr. Morris: That may well be, but it was a novel role for the Attorney-General, given our belief in the constitutional separation of the judiciary from the Executive.

Whether he was right or not, he declined my invitation in a written parliamentary question to refer to the Court of Appeal important matters of law that had arisen in the trial. I do not blame him. The danger that after a jury had brought in a verdict of "not guilty" an appellate court might do the same thing was more than one man could stand.

I exonerate the Attorney-General and Solicitor-General of the present frivolity, which, fortunately, the House is not to be burdened with now — although the Home Secretary is putting a pistol to our heads, letting us know that he may well return to it on a more propitious day. I fear that the Attorney-General and Solicitor-General have been leaned on by their political friend, the Home Secretary. Apart from the fact that the machinery was ill-thought-out and that no Department of State except the Home Office could have devised such machinery, exemplifying both legal and political novelty, there was also a complete failure to understand the role and duties of the prosecutor. Prosecutional neutrality is fundamental to our judicial process. The prosecutor is himself a minister of justice. His job is to present the facts fairly and, only where the facts so justify, to seek — but not to strive unfairly to get — a conviction. His job is to present but not to persecute.

What role has the prosecutor in sentencing? The very rules of the Bar prohibit any role. I quote:

"Prosecuting counsel should not attempt by advocacy to influence the court in regard to sentence."

I have asked the Home Secretary how on earth, if there is a distinction between the occasional intervention by the Attorney-General and the norm for routine prosecutors, the Attorney-General is to find out whether something has gone wrong. The Home Secretary said only that there were other means. That must mean the newspapers. There would be a re-trial, as regards sentences, by the newspapers. That is a real danger. As judges and as the other place has argued at length, there would be elaborate campaigns to build up a head of steam before such a reference was made.

The Attorney-General (Sir Michael Havers): Although the right hon. and learned Gentleman has held many offices of State, he has never served in the Law Officers' Department. Every day, I receive many letters about sentences of all kinds. Plenty of information is received not from newspapers or prosecuting solicitors, but from ordinary citizens.

Mr. Morris: I am most grateful to the Attorney-General. That confirms my view. If the prosecutor is not to have a role, the newspapers would have such and would, together with independent letters, help to build up a head of steam that might make the Attorney-General's task exceedingly difficult in some cases.

The central theme of the Bill is to enhance the independence of prosecutors. The clause under discussion contradicts in one material part the whole theme of the Bill by clouding the traditional role of independence that prosecutors are enjoined to adopt.

Hard cases hardly ever make good law. Good law-making is not enhanced by seeking to placate political

supporters who are reacting illogically to current events. It would have given me considerable joy if the Home Secretary, having seen the light at last, had told the House today that the Government had no intention of proceeding with the matter. Unhappily, he gave us no such assurance.

Mr. Eldon Griffiths: I am not a lawyer and am trying to follow the right hon. and learned Gentleman's argument. Is he saying on behalf of the Opposition that sentences ought never to be increased?

Mr. Morris: If the hon. Gentleman, who acts for the police, had bothered to read the original Bill, he would know that even the Government did not suggest that there should be an increase of sentence. The original proposal was that opinion should be given about the adequacy of the sentence. That is an entirely different matter. I have not adumbrated the arguments advanced in another place, but could do so at length. The Lord Chief Justice has issued guidance from time to time on a wide range of issues which he thinks other judges should bear in mind, although each judge is wholly independent. That recently happened with cocaine, and the same has been true for non-violent offences. Such reasoned and lengthy judgments have been of great help. The Lord Chief Justice has been supported by other judges in the Court of Appeal when delivering such judgments.

We should consider the ignominy of a defendant who has been let off too leniently and has his name dragged through the courts again. However, I do not want to go into the merits of the matter.

I had hoped that the Home Secretary would pay tribute to the constructive way in which the other place considered the Bill. It has emerged a stronger and better Bill. There is much to welcome in it, but there are still some areas of concern, which I am sure will be approached constructively. The other place gave much thought to the Bill's effect on the prosecution of children and young people. The fears might be best met administratively. I welcome the extension of the right, to acquitted defendants, to take costs from central funds in summary trials and on certain appeals. However, I have reservations about the effect of those provisions on a defendant who is contributing to his legal aid.

I welcome the proposals to set time limits for the prosecution of criminal offences. I wish that they were more definite and left less to experiment. We might hope to reassess those provisions when the experiments are completed. The Home Secretary was especially vague and failed to respond when asked what period of time he had in mind.

Mr. Brittan: Does the right hon. and learned Gentleman favour the recommendation of the Home Affairs Select Committee that there should be trials on these matters before decisions are taken, or does he think that he knows all the answers now?

Mr. Morris: If the right hon. and learned Gentleman had been listening, he would have heard me welcome the experiments. However, I should have welcomed even more some indication that he had reached a view about what period should be involved. He seems to have none in mind and to be waiting to see what turns up.

Mr. Brittan: What is the point of experiments if that is not the case?

Mr. Morris: With respect to Ministers, the difference here is between an open mind and a blank mind. As with costs, the Home Secretary is not able to assist the House as much as he might.

The Government have not got it right as regards the discontinuance of prosecutions by the prosecutor. I agree that the prosecutor should be able to do that, but I suspect that many defendants will take their chance and insist that the prosecutor come to the court formally to offer no evidence, rather than rely on discontinuance, to avoid the possibility of future prosecution. We shall see.

I should have liked the Government to take this opportunity to introduce legislation on the right of defendants to advance disclosure of the prosecution's case in magistrates' courts. That issue has been around for many years and I should have hoped that we would be told——

Mr. Brittan: Is the right hon. and learned Gentleman aware that that has been done and that the relevant provision will be implemented in a matter of months? The right hon. and learned Gentleman ought to acquaint himself with the facts.

Mr. Morris: I have followed this issue with some care and I had hoped that the long-awaited promises would be fulfilled. I know that reform is coming, but I should like there to be some discipline to ensure that it comes soon.

I suspect that the minutiae of the Bill will not be the main cause of worry to us. There will be some points of difference, but they will be dwarfed by anxiety on both sides of the House about how the animal to which Parliament is giving birth will carry out its task. Its trainer is the Home Office, but its riders will be the Attorney-General, assisted by the Director of Public Prosecutions. They, not the Home Office, will carry the can. The Government have done much in another place to alleviate the fears, but we need machinery which ensures that independent expert judgment is brought to bear on prosecutions.

I have no objection to the proposal that investigating and charging remain under the same responsibility. The real power lies in the prosecutor's power to discontinue, provided that he is sufficiently robust. There should be greater uniformity and yet awareness of local needs. Guidelines should be framed to encapsulate those aims, which do not necessarily coincide and could be said to be potentially in conflict.

I am sure that parliamentary pressure for greater accountability to Parliament will grow. Lord Rawlinson percipiently observed in another place that the Bill might impose more parliamentary duties on the Attorney-General, and he wondered whether that had been thought of. I think that he is right. Bearing in mind the caveats that I have entered concerning the dangers of central accountability negating devolved administration — a difficult tightrope to walk—none of us should object to greater accountability. Indeed, in a parliamentary democracy we should welcome it. Nevertheless, we should always be wary of growing complexity and intervention by the modern state and ensure that the House does not abdicate its responsibilities. Any increase in centralisation must include machinery for accountability. Parliament will only have begun its task when the Bill is passed.

5.18 pm

Mr. Mark Carlisle (Warrington, South): I welcome the Bill. This is not a party political matter, and the Bill is important because it deals with the prosecution of offenders and, therefore, with our criminal law. I was therefore somewhat surprised at the near complete lack of support on the Opposition Back Benches for the right hon. and learned Member for Aberavon (Mr. Morris) during his speech.

It is right that the prosecution system should be independent of the police and that we should have a Crown prosecuting agency. I do not think that it will make much difference in practice, but it is important that justice is not only done but is seen to be done, and that the division between the investigation and the prosecution of offences should be recognised in this way.

Like the right hon. and learned Member for Aberavon, one can remember experiences of one's early days at the Bar when one felt that the prosecution, in the form of the police in certain smaller borough quarter sessions, was attempting to exert an unnecessarily substantial influence on the way that prosecutions were conducted. I do not believe that that happens today. Nevertheless, it is right that we have accepted the recommendations of the Royal Commission and are setting up a totally separate service.

I am convinced that the Government are right—and I am glad that the right hon. and learned Member for Aberavon, speaking on behalf of the Opposition, agrees—in having a centralised service and not one that is locally accountable. The Royal Commission was wrong in recommending that the prosecution authorities should be locally accountable. They should be accountable through the Director of Public Prosecutions to the Attorney-General.

One point with which I should like my hon. and learned Friend the Solicitor-General to deal when winding up the debate relates to clause 4, about which the Home Secretary said nothing. This clause, as it stands, merely provides that Crown prosecutors should have the same right of audience as solicitors holding practising certificates. One understands why the clause is there. Without it, barristers employed by the Crown prosecuting agency would not have the right of audience which at present exists for solicitors who would be employed by that agency. It is obviously right that they should have this right.

Equally, the clause says:

> "The reference . . . to rights of audience enjoyed in any court by solicitors includes a reference to rights enjoyed in the Crown court by virtue of any direction given by the Lord Chancellor under section 83 of the Supreme Court Act 1981."

The Solicitor-General knows well the concern that exists among the younger members of the Bar that the effect of setting up a Crown prosecuting agency may over the years amount to having a salaried prosecution service at the cost of prosecutions being done by members of the Bar. I do not believe that that is the Government's intention. Indeed, it would be totally unacceptable if the price for an independent prosecuting service was to be the death of an independent Bar.

I invite the Solicitor-General to repeat the assurance which I understand was given in another place, namely that the Government have no intention of widening the rights of audience of solicitors in the Crown courts, thereby allowing those employed by the Crown prosecuting agency to undertake prosecutions in the Crown courts. If the prosecution of cases, whether they be pleas of guilty, committals for sentence or appeals, were to be taken out of the hands of the Bar in the Crown court, that would have such a deleterious effect on the chance of young members starting at the Bar as to be a grave attack on the future of an independent Bar.

The Solicitor-General should also confirm that since, at the moment, a defence solicitor who has defended someone in the magistrates court is entitled to appear for that person on a committal for sentence or on appeal, clause 4 does not mean that the same will apply in regard to prosecutions. In other words, can he confirm that it does not give to the Crown agency the right to do committals for sentence or appeals in the Crown court? If it does, the Bar is right in fearing that that would be the thin edge of the wedge towards a salaried body taking over the prosecution of cases in the Crown court and, therefore, a serious attack on an independent Bar, which is extremely important for the future of the country.

Mr. Kenneth Hind (Lancashire, West): No doubt my right hon. and learned Friend will agree that, although the opportunity has been given for solicitors acting in criminal proceedings on committals for sentence and appeals to the Crown court to take advantage of their right of audience, they have singularly failed to do so universally throughout the country. Therefore, to extend that practice to the prosecuting side of the profession would no doubt be equally useless because they would find, as defence solicitors who specialise in that find, that they do not have the time to appear in the Crown court.

Mr. Carlisle: I am afraid that I do not agree with my hon. Friend—I wish that I did. I think that the reason why solicitors do not normally take advantage of the right to appear in the Crown court for the defence is that they probably have only one client and they find it more convenient to give that case to a member of the Bar who is already appearing in that court. If the prosecution authority had the power to deal with committals or with appeals, it migh have three or four cases in the same Crown court on the same day, and it would start using that power. It is because I think of that distinction that I am anxious that the Solicitor-General should confirm that the clause does not give that power and that the Government have no intention of widening the rights of audience for solicitors in the Crown court.

The second point with which I wish to deal briefly relates to the present clause 22. I shall reserve my remarks for the ill-fated clause 22 to the end. Clause 22 allows for time limits. This is an important part of the Bill. The Home Secretary is right when he says that the delay in cases coming to trial is of major concern in the conduct of our criminal business. Justice delayed is often justice denied. For those who are in custody and who are then acquitted or who receive a non-custodial sentence, it means that much time may have been spent unnecessarily in prison. That cannot be right.

My right hon. and learned Friend the Home Secretary mentioned the large number of remand prisoners. If my recollection of my days as a junior Minister at the Home Office is right, one might also point out that usually these people are kept in the most overcrowded conditions in any prison. One should think not only of those who are on remand in custody, but of those who are on remand on bail. Those of us who practise in the courts and who are used to appearing in court often forget the strain on an

individual who is charged with an offence which to him is of major importance even if it is of a reasonably minor nature. The fact that he has that hanging over his head for an undue length of time is not acceptable. In fact, it is utterly unfair. Therefore, anything that can be done to speed up the hearing of cases must be right. The third reason why it must be right is that the recollection of a witness of events is inevitably tarnished by the passing of time. If, by bringing in time limits, we help speed up the hearing of cases in the Crown and magistrates courts, the clause is welcome and important.

To digress for a moment, the reasons for the delays are extremely complex and varied. The delay is due partly to the increased volume of crime, but it is only that. To stick to what I know best, the Crown courts, they are chock-a-block with many cases which could have been dealt with in the magistrates courts. I suspect that I speak not only for myself on this point. My experience, sitting as a recorder in the summer months—most hon. Members try to sit in September, when there is no question of the House sitting—it is that one is regularly trying cases, at great expense to the state, which could adequately have been dealt with in the magistrates court.

What is more, one often finds that when the cases get to the Crown court the defendants duly plead guilty to offences which could easily be dealt with in the magistrates courts. There is nothing that one can do about it. One must not sentence a person more severely because he pleads not guilty or because he chooses to exercise his right to go to the Crown court. The only thing that one can do is to make him pay the costs, but, regretably, he is probably unemployed or on such a low salary that he cannot possibly pay. One has no sanctions against such an individual.

I realise that the proposals of the James committee, which reviewed the amount of work going to Crown courts, was controversial, but it is time that we again took the James report out of the proverbial cubby hole in the Home Office and dusted it off. We should at least debate its proposals in what court cases should be tried summarily.

Mr. David Ashby (Leicestershire, North-West): Does my right hon. and learned Friend think that perhaps the reason why some of these cases come to the Crown courts is that magistrates courts are so often badly serviced and run? Time and again there are cases where someone wants to plead not guilty, his case comes on one week, but the court sits for only one hour a day, and the next hearing is a week later, with the next one three months later, and so it goes on. At least in a crown court a case starts at the beginning and goes on to the end.

Mr. Carlisle: My hon. Friend is right. The extraordinary system in London, where cases in the magistrates courts are adjourned for weeks on end, is a disincentive for trials in magistrates courts. All I am saying at this stage is that we should address ourselves to the question of why so many trivial cases—they are of course important to the individual—get to the Crown court and block up the court. Equally, from my experience of sitting as a recorder, it is disturbing to find that, despite pre-trial certificates and such things, cases listed as trials often turn to pleas in court, and the court duly adjourns well before lunch. One cannot keep other cases hanging around just in case such a thing should happen.

Various aspects of the way in which we divide the work between the magistrates courts and the Crown courts, and the mehod of trial by Crown courts, need to be looked at if we are to deal with the matter of genuine concern—the delay that takes place. Some cases are so stale when they get to trial that they become irrelevant.

Mr. Lawrence: My right hon. and learned Friend may have missed a remarkable development in recent months. I am referring to the Government's implementation of private schemes for the section 48 requirement to serve the prosecution evidence in magistrates courts proceedings. As a result, there has been a large increase in the number of pleas of guilty in magistrates courts, which means that in due course my right hon. and learned Friend's court will be less burdened with cases coming up from the magistrates courts than it might otherwise have been. Perhaps my right hon. and learned Friend would like to congratulate our right hon. Friends on the Front Bench on that.

Mr. Carlisle: I do congratulate my right hon. Friends on that. I may have overlooked it, but I am glad that it has happened. As was said in the other place by those who have looked at these matters properly, that is one of the ways in which to encourage more cases to be dealt with by the lower courts. I welcome it entirely.

I make two other points about delay, both of which are personal and based on my experience, but worth making. The feeling is shared by many that cases take longer in London than elsewhere. I am not sure of the cause of this delay. It may be the fault of my profession, or it may be due to the organisation of the courts, but, whatever it is, one gets the impression that there is not the same urgency to get on with cases in the metropolitan area as in other parts of the country.

Secondly, there has been a remarkable change in the length of time that cases take. I think that my right hon. and learned Friend the Solicitor-General, who started at the Bar at about the same time as I did, as did the right hon. and learned Member for Aberavon, will agree that any case that took three days used to be thought of as a long case. Now, any case that takes less than two weeks is considered to be a short case. The photo-copying machine, perhaps our own verbosity—of which I am probably at the moment guilty—and various other matters all caused this to come about, and the problem needs to be considered. I welcome clause 22 and hope that it will have some effect this year.

The great thing about a Second Reading speech is that one can talk about what is not in the Bill as well as about what is in it. Therefore, I shall talk about what is not in the Bill now, but was there when it started in the other place—the old clause 22. I thought that the right hon. and learned Member for Aberavon spoilt his rather good argument by making a bad point about the Ponting case. Like him, I am glad that my right hon. and learned Friend the Home Secretary has decided not to attempt to restore that clause to the Bill.

I was concerned when I read the reports in the papers after the defeat of the old clause 22 in the other place that that was the Government's intention. As I attempted to express my view that I was opposed to such a move by my right hon. and learned Friend the Home Secretary, I say now in his absence that I am grateful that he decided not to do it. However, I am concerned at the suggestion that

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this decision is only temporary. Surely my hon. and learned Friend the Solicitor-General must realise that the old clause 22 was ill-thought-out, illogical and wrong in principle.

It was wrong in principle because the prosecution in this country does not have an interest in the length of sentences imposed. Whatever my right hon. and learned Friend the Attorney-General may have said, and whatever may have been said in the other place, the old clause 22 could not have been run without the prosecution having an interest in the length of sentences. Who otherwise will draw the matters to the attention of the Attorney-General? From whom would the pressure come if not from the prosecution, which was to be asked if it thought that the sentences passed were adequate?

The old clause 22 would also have meant that the Attorney-General would have had a direct involvement and interest in sentencing. It is as wrong that in sentencing in individual cases the Government or the Attorney-General should have a direct involvement as it is that prosecution counsel should have a direct involvement. The old clause 22 was misconceived and ill-thought-out, because it would not have dealt with the allegedly identified evil at which it was aimed. Of course, the occasional notorious lenient sentence causes concern, but the Bill did not provide that such sentences could be put right. It proposed that the Attorney-General should have the right, under the cloak of anonymity if possible, to refer a case to the Court of Appeal so that it could say whether the sentence was notoriously lenient or right.

Let us consider that concept. If there were to be anonymity and no one knew which case had gone to the Court of Appeal which said that Judge A was wrong, how would the public's concern be placated? If the intention was to placate public concern, that could be done only if it was known that an appeal related to the case of Mr. A who had been dealt with notoriously leniently.

It is nonsense to suppose that the public would be placated to hear that Mr. A, who had been fined £5,000, should have gone to prison for 12 months, but was still walking the streets. That would not improve the standing of the judiciary in the eyes of the public. It would not increase confidence in the working of the legal system. The proposal was ill-thought-out.

Such a procedure would be unfair on individuals. Sentencing is a matter for an individual judge, who hears all the evidence. Cases differ in degree and mitigation differs in individual cases. The only people who can make up their minds are those who hear all the facts in open court.

What would happen at the Court of Appeal? Would the judge be represented to say why he gave the sentence that he passed? Sentencing cold, knowing that the sentence that the court said it would have imposed will not be served, will lead to pressure for longer sentences. Therefore, sentences will be pushed up, but the Home Secretary and the Lord Chief Justice have both said that their general desire is to reduce the average length of sentence.

There is an adequate existing system. The Lord Chief Justice lays down guidelines for sentences. That has happened in cases that have caused great concern. The Lord Chancellor has expressed a view about the inadequacy of a sentence and, within a week or two, the Lord Chief Justice has laid down general guidelines on what the proper sentence should be in general cases, though not in individual cases, where the mitigating circumstances are not known to him. That is the right way to proceed.

Having spoken for far longer than I intended, I end by sending a message to the Home Secretary. Clause 22 had no friends except my hon. Friend the Member for Southend, East (Mr. Taylor). It was opposed unanimously by all who sit as judges, recorders or in any sentencing capacity. Obviously, my right hon. and learned Friend the Home Secretary had to say today that the Government would not necessarily accept for all time the defeat in the House of Lords and that he would look at the matter again. I suggest that, having looked at it, he should chuck it and forget it.

5.44 pm

Mr. Gordon Oakes (Halton): Like my right hon. and learned Friend the Member for Aberavon (Mr. Morris) and the right hon. and learned Member for Warrington, South (Mr. Carlisle), I support the Bill's general principle of separating the investigative and charging function from the prosecution function. I believe that both sides of the House accept that that is a good thing. However, I have more reservations than my right hon. and learned Friend or the right hon. and learned Gentleman about the centralising effects of the Bill on the prosecution service. The House ought to worry about that.

The right hon. and learned Member for Warrington, South tempted me to intervene when he put up an understandable, vigorous and spirited defence of the criminal Bar. I wonder whether, when we have an independent Crown prosecuting service set up by the Government, it will be necessary to be so preservative of the rights of the Bar. By definition, the Crown prosecutor will be a responsible, independent person. I hope that the Home Secretary will extend rather than restrict his use of the powers under section 83 of the Supreme Court Act 1981.

It would be nonsensical if a Crown prosecutor who had conducted a case from its inception had to hand it over to a barrister when it reached the Crown court. That would be particularly nonsensical in the case of a guilty plea. There may be some cases where it is necessary and no doubt the Crown prosecutor will often prefer to hand a case over to a barrister, but there will surely be many cases when it will be quicker and cheaper for the Crown prosecutor to carry on with the case, especially when there are guilty pleas.

I have not practised as a solicitor for 15 years, so I have no interest in the matter, though I retain a warm regard for my former profession. However, I should declare an interest as an honorary vice-president of the Association of County Councils — the hon. Member for Devizes (Mr. Morrison) is the other. The ACC is worried about the Bill's centralising effects.

Like my right hon. and learned Friend the Member for Aberavon, the association does not accept the financial memorandum. It believes that the proposed scheme will cost considerably more than is set out in the memorandum. My right hon. and learned Friend made an excellent suggestion when he said that we should look at how the system works over the next five years—this is a leap in the dark in England and Wales—and that if it does not

work properly or becomes too costly or too centralised or we find that insufficient local judgment is being allowed, we should produce a new Bill to remedy the defects.

In the old days, some courts were virtual police courts. Cases were presented by a chief inspector or an inspector or even by a sergeant. I sometimes felt great anger when I saw that policemen had spent considerable time, night and day, pursuing a case, only to have it thrown out on a simple, elementary matter of law when the prosecuting authority had been too mean to employ a qualified person to conduct the case. As a result, villains got off.

Circumstances have changed. All but six county councils have a prosecuting solicitors' department under either a chief prosecuting solicitor or the chief executive. Therefore, in the vast majority of cases there is that independence between the prosecution and the solicitor-client relationship or between the police—perhaps the police authority—and the prosecuting department of the county. That system works very well, but the Bill will throw it away in favour of a more centralised system.

My right hon. and learned Friend the Member for Aberavon said that he was second to none in his opposition to a centralised police force. I must say to him and to the House that a centralised prosecution service could be a first step along that road.

Another fear of the Association of County Councils is that, although the Home Secretary said that considerable local independence would be given to Crown prosecutors, the White Paper nevertheless contains a provision for very tight control should the central prosecuting office decide that it needs greater control. The Government may say that they are opposed to local prosecution because there is a risk that a politically-motivated county might influence its prosecutions. Can the Government tell me of any instance of that happening since the 1964 Act? That view might be relevant to certain centralised services where there may be political influence, but I do not think that there is a single instance—whether the political control of a county be Conservative, Labour or Liberal — of any political intervention at county level in the prosecution of a case. I am greatly worried about centralisation, about its possible effects and about the disruption of a system that is working so well.

I suppose that the Government will say that people in prosecuting departments can automatically, if they wish, go into the national prosecution service. Indeed, the financial and public service manpower memorandum shows, astonishingly, that the figures to operate the new scheme will be considerably greater than those needed for the existing scheme. It appears that jobs will be available, but that need not necessarily apply on the ground. A prosecuting solicitor, managing clerk or senior person may not want to leave his county. He may have a wife working as a teacher, or something similar. If he goes into the national prosecuting service he can be sent elsewhere. Therefore, he may elect to leave the prosecution service and go into another branch of the law. That could be a danger for existing staff.

I am speaking mainly on behalf of the Association of County Councils. It is seriously concerned about clause 17(2). Although I applaud most of the Bill in its effect on costs, clause 17(2) prohibits the payment of costs out of public funds to any local authority. I am talking not about the ordinary, run of the mill police criminal case, but of many other cases taken up in the courts by a local authority. The provisions of clause 17(2) could have serious repercussions on local authorities and the way in which they operate. Local authorities are scared to death of targets, limits and budgets and of what may happen if they stray a few pounds over a target. Therefore, there is the possibility that a local authority may be deterred from undertaking a major prosecution because it feared that even if it won its case the costs would be too great if it could not ask for them to be met by public funds. I do not think that the clause is necessary. I hope that in Committee the Government will agree to delete that little irritation from the Bill. Indeed, I know that they made a great many amendments to the Bill in another place.

I have considerable worries about the centralising effects of the Bill and I hope that in Committee the Government will agree to give much greater independence to the man on the spot—the local prosecutor—and less power to the central prosecuting authority.

5.55 pm

Mr. Eldon Griffiths (Bury St. Edmunds): It is always a pleasure to follow the right hon. Member for Halton (Mr. Oakes), with whom I have discussed many matters. I think that this is the first time that I have had the pleasure of following him on a strictly legal issue. Unlike him, I am not a solicitor. Nor, unlike my right hon. and learned Friend the Member for Warrington, South (Mr. Carlisle) and my hon. and learned Friend the Member for Burton (Mr. Lawrence), am I a barrister. That gives me an enormous advantage in dealing with this Bill.

The Bill has two origins. First, the Philips Commission produced an excellent report which recommended that an independent prosecution service be introduced. Secondly, the Bill has its origins in the Committee stages of the Police and Criminal Evidence Bill. In the last Parliament, the Government decided that an independent prosecution service was not necessary and could not be afforded. Therefore, it was not included—as Philips recommended—in that Bill. Indeed, it would have made that Bill so unwieldy that it would have been quite unmanageable in Committee, so the Government were right not to include it.

I distinctly recall that my right hon. and noble Friend Lord Whitelaw said that such a service would be extremely expensive and could not be afforded. I also recall that the Government reached the conclusion that they would be unable to get the Police and Criminal Evidence Bill through both Houses unless something was done about an independent prosecution service. So we owe this Bill not only to Philips but to the realities of parliamentary procedure—and that is democracy—in the Committee stages of that Bill. I make no complaint about that, and I do not think that my hon. and learned Friend the Solicitor-General will do so either.

I very much support the Bill in principle. When the idea of an independent prosecuting service was first adumbrated by Philips, it was opposed by many in the police service — in which I am happy to declare an interest. It was especially opposed by many superintendents who had been effective prosecuting officers. They were worried that the Bill would take away from the police a duty that they valued. Some of the strictures that we have heard, including some from my right hon. and learned Friend the Home Secretary, about the present system are not justified. I recognise that there has been a certain haphazardness and some public disquiet, but by and large, for the reason given by the right hon. Member for Halton

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—that in most counties there already is separation between the police and the prosecution—it is not the case that public confidence has been lost in the present arrangements.

On the contrary, compared with many other countries —and I have some knowledge of the United States and possibly a little of France and Germany — over the generations we have had a relatively efficient and certainly an economic system of bringing prosecutions against which there is not a strong indictment. Notwithstanding that, I think that the Bill should be carried. It clearly ensures that in future there will be a proper distance between those whose duty it is to investigate crime and apprehend offenders and those whose job it is to prosecute those people before a court of law. It must be right to distance these two functions. I believe that in the long run this will be in the best interests of the police service as well as in the interests of criminal justice.

I support the Bill just as strongly because of its outward appearance. In the end, it is the reality—the substance —that counts, but appearances matter too. The Minister of State in another place used an old cliché when he said that justice must not only be done but be seen to be done. The Bill will contribute to that end by the openness of the procedures, and therefore I welcome it for its appearance —for its cosmetics—as well as for its substance.

I must, however, make four points which cause me concern. The first is about the so-called specified proceedings. Henceforth, the Director of Public Prosecutions, and, under him, the new independent service, will become responsible for the conduct of all criminal proceedings, with the exception of specified proceedings. It is important that the Solicitor-General should tell us tonight exactly what those specified proceedings are to be. They are defined in the Bill as whatever the Attorney-General says specified proceedings should be. All the more reason why my hon. and learned Friend should state clearly what this means.

There is, unfortunately, a small but important group of people in society who will not benefit from the new independent prosecution service. I refer to police officers who are accused of minor criminal offences. Whenever a police officer is accused of a major criminal offence the matter goes to the Director of Public Prosecutions. Before the Police and Criminal Evidence Act 1984 was passed, all criminal charges against the police went to the director, and rightly so, for a charge of crime against a police officer is never minor. Any charge against a police officer involving crime means that he is in breach of his oath of office and contract with the public.

Unfortunately, the Police and Criminal Evidence Act created a distinction between those allegations of major crime against the police which will continue to go to the Director of Public Prosecutions and those minor criminal charges which may henceforth be dealt with by the local chief officer of police by way of discipline.

The value of the director, particularly in these matters, was that he guaranteed impartiality, total independence, and consistency as between one police area and another, and he guaranteed that if there was a decision not to bring proceedings under the 50-50 rule or as contrary to the national interest, that judgment would be made by him on a national and consistent basis. No chief officer of police can do that. No officer should arrogate to himself the ability to decide what is or is not in the general public interest.

Fortunately, that will not happen under the Police and Criminal Evidence Act because only minor criminal issues concerning discipline will be applied to police officers so charged. Nevertheless, it is wrong in principle that the Bill should say that henceforth all criminal proceedings shall be dealt with by the independent prosecution service except charges of crime against police officers which are regarded by the local chief constable as minor.

Having for more years than I care to remember been involved with the police, I know that many chief officers, admirable people though they are, can be affected by local pressures, quite apart from being influenced by a man's previous discipline record. In addition, their attitudes vary from one force area to the next. The purpose of the Bill is to remove haphazardness and inconsistency. Let the measure apply to all and not to all save that small number of police officers who are subjected to minor criminal allegations.

I cannot believe that my hon. and learned Friend intends to deal with this matter under the specified proceedings exception. The definition of "proceedings" may or may not cover the question of charges of crime, and that may provide a technical way out of the problem to which I have referred. Be that as it may, I urge the Solicitor-General to recognise that this is a matter of some importance to the police and should be dealt with clearly.

My second point of concern is about the same matter but in relation to clause 8. I shall not deal with Committee points at this stage, and I hope that the Government Whips will note that I have no desire to become involved in any Standing Committee proceedings. The weight of legal skills on Standing Committee would in any event, be such that my presence would contribute nothing.

Under clause 8, however, the Director of Public Prosecutions can, and no doubt will, require all chief officers of police to tell him what is going on. They must send him reports. I hope that under this power the director will require chief officers to report what they have been doing about all minor criminal proceedings affecting their officers. In that way, the director will be able to form a judgment in the event that a chief officer has been improperly influenced by local, political or other considerations or where he has been unjust or unfair to accused officers in his application of discipline.

My third point is about appeals against sentence. I join the overwhelming majority of police officers in being dissatisfied with the present situation in which derisory penalties are imposed and about the fact that, at least in some courts, there seems to be an unwillingness to make the sentence match the crime.

I appreciate all the arguments against what was proposed in the original measure, particularly in the ill-fated clause 23. I agree with my right hon. and learned Friend the Member for Warrington, South. Indeed, had it come before us, I would have voted against it because it was a dog's dinner. It would have created the worst of all worlds. It implied that, somehow, something would be done, but it would in fact have achieved nothing but chaos.

Therefore, from the point of view of the police service, on the one hand, and from the view of my right hon. and learned Friend, who may have seen it from a different angle, on the other, it is clear that, whatever disagreement we may have had on the substance of the matter, we come

together in believing that what was proposed was wrong. For that reason, I am glad that their Lordships decided to throw out the clause.

However, I part company with my right hon. and learned Friend the Member for Warrington, South in that I welcomed the remarks of the Home Secretary today in which I understood him to give notice of his intention to bring forward some mechanism by which appeal against sentence will in future be allowed. That, I gather, will be introduced when a new Criminal Justice Bill is brought forward. I hope that I interpret the Home Secretary aright on that. An examination of *Hansard* tomorrow will show that he went much further than simply making the best of a bad case. My understanding is that my right hon. and learned Friend gave an undertaking that the Government would provide a method of appeal aganst sentence, but we shall have to wait and see. I hope that the Government do so.

I appreciate the fact that my hon. and learned Friend the Solicitor-General may start from a slightly different base from that of my right hon. and learned Friend the Home Secretary. Sometimes, however, triangles on different bases have the same apex. I hope that the customary unanimity of view will be expressed later by the Government Front Bench.

I hope that there will be some form of appeal against derisory inadequate sentences. I express that hope not out of a desire for revenge or a wish to appeal to the public outside, who are affronted by over-lenient sentences, but in the interests of justice. Over-lenient sentences are as much an injustice as excessive sentences. My hon. and learned Friend the Solicitor-General should take action.

Mr. Mark Carlisle: I hope that it was not thought that I was implying that one should not be concerned about over-lenient sentences. One should be concerned about them, and I agree with my hon. Friend. Should we not try to achieve greater consistency in sentencing? That can be done only by the Court of Appeal giving guidelines in the way that has already been done in certain respects. I agree that over-lenient sentences are just as serious as excessive sentences.

Mr. Griffiths: I am glad that, as a legal amateur, I appear to have achieved a degree of unanimity between two Queen's Counsel, the right hon. and learned Member for Aberavon (Mr. Morris) and my right hon. and learned Friend the Member for Warrington, South, in accepting that excessively lenient sentences are as offensive as excessively harsh sentences. If there is consensus on the problem, let my right hon. and learned Friend the Home Secretary come forward with a solution and not simply do nothing, as he would do if he left out clause 23 and took no further steps. I for one shall wait eagerly to see what he produces. I do not envy him his task, but I look forward to hearing more details when we consider the Criminal Justice Bill.

I tread diffidently in considering my fourth point about delay. My concern is that it may be thought outside the House that all delays are inevitably caused by the prosecution. That is not so. In some cases the defence mischievously, vexatiously, frivolously or maliciously holds up the proceedings. That is not in the interests of justice. The Bill should be even-handed. It should place constraints on the prosecution. It is a scandal when justice is delayed and denied. It is a scandal when there is improper delay because of the inefficiency of the police or the courts. But equally it is not in the interests of justice when delays are caused for mischievous reasons by the defence. It is important for the court to be able to impose penalties on both the defence and prosecution alike for unnecessarily and wrongly delaying proceedings.

Not all the delays arise from the police service. My hon. and learned Friend the Solicitor-General knows a great deal about this aspect. The Police and Criminal Evidence Act has started a new series of clocks running with regard to the prosecution of offences. Regardless of the weather or the evidence, within 36 hours or, in some cases, 96 hours of a person being arrested the matter must be brought forward. No one knows more about this than my hon. and learned Friend, for we have soldiered through the vineyards—I through two, he through only one.

Is the ticking away of the clocks which has been brought about by the Police and Criminal Evidence Act additional to the requirements arising from this legislation that the Home Secretary contemplates introducing? It may well be that my right hon. and learned Friend wants to put both aspects together, and that could be one of the reasons why so many experiments are required. There is an urgent need for clarity. For example, a house may be burnt down and the police may have reason to believe that it was done not by accident but deliberately by the owner. It may take the police four days to sift through the rubble under which they find someone who has apparently been murdered. The police need time to undertake that forensic sifting before they can prosecute. I want to ensure that the time allowed by the Police and Criminal Evidence Act to permit the necessary investigation to be undertaken before a person is brought to trial is additional to the time allowed taken for bringing a prosecution to trial. I suspect that my hon. and learned Friend the Solicitor-General will be able to satisfy me on this point.

Mr. Ryman: Perhaps the hon. Gentleman has just made a completely false point. It is well established that it takes time to collect and examine forensic evidence. Inevitably, charges are brought and the forensic evidence is offered later when it has been assimilated and statements have been produced.

Mr. Griffiths: If I am on a bad point, the Solicitor-General will be able to meet my point entirely. One of the attractions of the House is that one can elicit clarity from Ministers and the apprehensions of those outside can thereby be lessened.

But the hon. Member for Blyth Valley (Mr. Ryman) is not entirely on a good point. His party took a strong line on this. The agreement that he has shown to the proposition that investigations take time and this must be allowed for was not accepted by the Opposition during debates on the Police and Criminal Evidence Bill. On the contrary, the Opposition opposed the idea and, on a number of occasions, voted that way on three-line Whips. Perhaps the hon. Gentleman, who does not always slavishly follow his party's line, did not do so.

I turn finally to costs. Originally, because of the expected very high cost, the Government opposed bringing in the Philips recommendations in the timeframe suggested. I shall not embarrass my hon. and learned Friend the Solicitor-General by citing the estimate that I was given but I believe that the costs will be a great deal more than the financial memorandum suggests. I do not

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know whether my figures are accurate, but it has been broadly put about that the 600 police officers who are in one way or another engaged in prosecution throughout the country—apart from those in metropolitan London—will be replaced by about 400 solicitors. Lest the right hon. and learned Member for Aberavon is under a misapprehension—he suggested that the police are better paid than the solicitors—I must tell him that 600 police officers are a great deal less expensive than 400 solicitors. Those police officers are not prosecuting full time, but are performing other duties as well. I believe that basic staff costs will be higher than has been suggested.

The Conservative party has rightly committed itself to containing public expenditure. That is central to everything that we seek to do in our economic and social policies. The Government, however, have drastically increased public expenditure in relation to law and criminal justice. In a sense, I am one of the shop stewards who have probably helped to bring about the largest public expenditure increase in a long time on the police. I am sure that that was a correct decision by the Government.

In addition, over the past two years, the Government have, through the Police and Criminal Evidence Act 1984, introduced new costs with the tape-recording of all interrogations—and rightly so, but there will be a cost. We have introduced a requirement for a new consultation procedure between the police and the local community—and rightly so, but it will have a cost. We have required detailed training of the police in all the new procedures provided under the Police and Criminal Evidence Act, in particular, custody officers and all that goes with that—and rightly so, but there will be a cost. We have brought about a new police complaints procedure and authority—and rightly so, but it will have a cost. We have vastly increased the paperwork of the police—not so rightly so, but it will have a cost.

Taking all those matters into account, I am worried that further costs will be incurred as a result of passing the Bill.

The Bill is a good one. But if we will the end, we must will the means. That goes without saying. I am worried that the aggregate cost of all those changes will place severe pressure upon the cash limits of my right hon. and learned Friend the Home Secretary. From experience I know that when his cash limits are pressed, police manpower often suffers. There are now 1,200 fewer police officers in post than there were a year ago. At the end of a year in which we had the miners' strike and at the end of a period during which all police establishments increased from the appalling levels that were left by the previous Labour Administration, police manpower establishments have rightly rapidly increased. Yet largely because of rate capping and partly because of the additional costs being incurred at the centre, actual police manpower levels are falling. We were not elected to achieve that.

All these proposals involve additional cost. I am anxious that it should not be taken from the police manpower budget. I make that appeal to the Chancellor on behalf of my right hon. and learned Friends the Home Secretary and the Attorney-General. If as a result of these important new measures the cash limits imposed upon the Home Office need to be expanded, let them be expanded. Let not the costs be taken from the police manpower levels.

I welcome the Bill. It will remove burdens from the police. It will separate the investigation and apprehension of criminals from the prosecution of offences. The Bill deserves to be passed, but there are some consequences that need to be thought about carefully.

6.22 pm

Mr. Robert Maclennan (Caithness and Sutherland): The hon. Member for Bury St. Edmunds (Mr. Griffiths) began by pointing out that he was the only non-lawyer to have spoken. He played on the value of his contribution because of that. I noticed that he slightly resiled from that position when it came to the matter of serving on the Committee. The hon. Gentleman's point of view is important. I must confess to being a lawyer but one with no professional knowledge of the practice of criminal law in England and Scotland.

As a Scot representing a Scottish constituency, however, I have considerable knowledge of the workings of an independent prosecution service. Some of the fears expressed about it when the idea was first mooted for England and Wales by Justice as long ago as 1970 were somewhat misplaced. The fears expressed by the right hon. and learned Member for Warrington, South (Mr Carlisle) about the risk that a national prosecution service would lead to a national police force were completely misplaced. No centralisation of the police force in Scotland has flowed from the existence of a national prosecution service.

I welcome the Bill's purpose and the establishment of an independent prosecution service, as do my right hon. and hon. Friends in the Social Democratic and Labour parties.

Mr. Eldon Griffiths: Liberal.

Mr. Maclennan: I do not know about the Social Democratic and Labour party. As the Bill does not touch the other side of the St. George's channel, its views are understandably not being expressed in the debate.

I welcome the Bill because I believe that it will ensure that the legal processes involved in prosecuting offenders are separated from those who are responsible for investigating crime. The arguments put forward by the Philips Commission on that point were compelling.

The Government were right to opt for a national rather than a local service primarily because that will ensure uniformity of practice throughout the country, and less because I believe that undue influence would be exercised upon a local service. I wholly support a decentralised police force—I am completely opposed to a national police force—but it has been disgracefully subject to local political pressure, notably by some irresponsible Labour-controlled local authorities or Labour-dominated police authorities, and at no time more than during the miners' strike.

The reason for supporting a national independent prosecuting service is that we wish to ensure high and uniform standards of conduct. I welcome the assurance given by the Lord Chancellor that the same rules of professional conduct will be required and expected of those in the service as of those in private practice. It is important to establish clearly in the public mind that the new service is not an extension of the Civil Service but a legal service wholly separated from the Administration.

In the light of the remarks of the right hon. and learned Member for Warrington, South, it must be said that the

separation of powers in this country is much less than Montesquieu described. There is some benefit in the legislature having a link with the judiciary, as the right hon. and learned Gentleman illustrated with his experience as a recorder. It was of considerable benefit to the House to hear views expressed by someone who has had to act in a judicial capacity. I would not, therefore, argue to the limit for the separation of powers.

I echo the concern expressed by the right hon. and learned Member for Warrington, South about the possible impact of clause 4 of the Bill. I hope that the Solicitor-General will have something to say about the concern that the clause may give rise to Treasury pressure to reduce expenditure on the use of independent barristers for prosecuting work. Like the right hon. and learned Gentleman, I take the view that that would be a wholly retrograde and undesirable consequence. I hope that our anxiety can be set at rest.

The broad framework of the Bill seems to me to be right. I do not offer the kind of grudging support to the principles of the Bill that was offered by the right hon. and learned Member for Aberavon (Mr. Morris) on behalf of the Labour party. He seemed to be saying that he agreed with the Bill but, because he was speaking for the Opposition, had to find reasons for refraining from giving it his benison. That is the kind of unconstructive opposition that leads to frivolous suggestions.

One frivolous suggestion that the right hon. and learned Gentleman made was that as a result of a provision of the Bill a statutory inquiry should be established in five years' time. Apart from any other consideration, it would be quite ridiculous to place the shadow of such an inquiry on those seeking to operate the independent service. Secondly, if such an inquiry were to be required by law —which seemed to be what the right hon. and learned Member was suggesting—it would be likely to freeze the practice during the next five years, when a flexible approach to the administration of the independent service is needed so that as problems arise they can be corrected, if necessary by administrative action, and not be put into some kind of capacious bag to be looked at when the statutory inquiry is set up.

The broad framework is, I think, right, although I accept what has been said about costs. Like the hon. Member for Bury St. Edmunds, however, I do not believe that the costs argument should have weighed against the introduction of the independent service. I believe that the Government, at an earlier stage in their life, were wrong when Lord Whitelaw refused to contemplate this on the ground of cost.

I turn now to a number of matters of detail on which some concern has been expressed. The first relates to the provisions on the setting of fees and expenses and, in particular, the setting of fees for counsel. I do not understand why the Bill proposes that the Attorney-General should settle the fees of prosecuting counsel by regulation. It would be infinitely preferable that it should remain a function of the Lord Chancellor to fix the level of fees for prosecuting counsel as he does for defence counsel. Indeed, prosecuting counsel should have a right of appeal to the taxing master.

This is not a pettifogging issue; I believe it to be a matter of some importance from the point of view of principle. The principle is that those who appear before a court ought to be represented by the best advocate available and should not be in any different position because there are different scales of fees for counsel prosecuting and for counsel defending. Perhaps I have not expressed that as clearly as I might. It is important that both sides in a case should be similarly remunerated for their effort. Furthermore, if we move down the track proposed in the Bill there is some reasonable expectation that it will disturb what has been called the "cab-rank rule". I hope that the Government will consider that point, because I cannot see that there are any advantages in what the Bill proposes.

Similar considerations apply with regard to witnesses' costs and expenses. In the Bill there is a certain confusion about this because under clause 19(3) the Lord Chancellor appears to have the power to regulate witnesses' expenses, but under clause 14 the Attorney-General seems to have the same power. That is perhaps a point that could be better dealt with in Committee.

On another important point of detail I should be grateful if the Solicitor-General would say why the Government have made the proposal that prosecution costs should be payable to private prosecutors only in the case of indictable offences. As I read the Bill, that is likely to put at risk the possibility of prosecutions for summary offences being initiated privately by important bodies such as the National Society for the Prevention of Cruelty to Children or the Royal Society for the Prevention of Cruelty to Animals. Although such prosecutions are rare, the costs of them should be reimbursable out of public funds, as is the case with indictable offences. I hope that that matter can also be looked at.

Another issue central to this debate, and about which I intervened in the Home Secretary's speech, is the question of the extensive powers to set time limits—a principle with which I am in full-hearted accord. I reiterate the point that I endeavoured to make in my intervention, but with greater clarity. I do not object to the concept of setting time limits, but this is a responsibility which ought to rest not with the Secretary of State but with the Lord Chancellor, who has the power under section 77 of the Supreme Court Act 1981 to set the minimum and maximum periods which may elapse between a person's committal for trial and the beginning of the trial in the Crown court.

It seems odd that the Lord Chancellor, who is responsible for the administration of justice, including the efficient management of the courts, and for the allocation of resources as between courts so as to ensure the maximum efficiency of the court service, should not have this particular power in respect of time limits. If we are to have a properly administered criminal court service, it is desirable that the Lord Chancellor should have that responsibility and, indeed, that all aspects of the administration of criminal justice should effectively be in the hands of a single department. It is known that many Social Democrats and Liberals favour the concept of the establishment of a ministry of justice, which would of course bring about that end. I regret the splitting of responsibility in what is now clause 22.

I turn now to the old clause 22, although only briefly because, like other hon. Members who have spoken, I welcome its demise. The proposal that the Court of Appeal should give advice on sentencing policy on a reference from the Attorney-General in respect of a particular case seems to me to show peculiar insensitivity to our legal traditions. It would be a highly unsatisfactory way of attempting to answer the perfectly legitimate question how

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best to ensure that the views of Parliament — and it really is ultimately Parliament's responsibility — about the appropriate sentences for particular offences are translated into effective decisions by the courts.

The Government's original proposal had few friends. I suspect that it was a gesture, but it was a misconceived gesture. I do not think that the Home Secretary, in his remarks upon the future of this principle, gave the commitment that the hon. Member for Bury St. Edmunds seemed to think he had given. It was not my understanding that he had undertaken to introduce any such proposal in the future Criminal Justice Bill or, indeed, in any legislation. He simply reminded the House that there was such a Bill in the pipeline and that he had an open mind. I think that that is a graceful way of backing down, and is certainly not to be taken as an attempt to reintroduce a wholly unacceptable proposal. I would prefer to give the Home Secretary the benefit of the doubt on that issue. [HON. MEMBERS: "Hear, hear."] I am glad that other hon. Members in the Conservative party take the same lenient view.

The Bill is not devised for the benefit of lawyers, although lawyers appear to have dominated the debate. The Bill is devised for the better administration of criminal justice. I believe, on the basis of the experience that we have had in Scotland of an independent prosecution service over a long time, that it will be as successful in England and Wales as it has been generally in Scotland.

I should like to refer to a point of detail in the remarks of the hon. Member for Bury St. Edmunds about the police. I was not aware of his point about minor criminal offences, but it is my understanding that in Scotland at least, if there is any element of criminality in an allegation against the police, the matter is referred by the chief constable to the procurator fiscal. If the hon. Member for Bury St. Edmunds is right, it would be wise to look at the Scottish experience, which has not given rise to great difficulties. It seems to be a suitable protection for the police.

Mr. Eldon Griffiths: I am not only right, but the matter has now been enshrined in the statute of the Police and Criminal Evidence Act, in that a chief officer will now be able to determine, at his discretion, whether a criminal charge against a police officer is a major one, in which case it must go to the Director of Public Prosecutions, analogously with the procurator fiscal, or whether it is a minor matter, in which case he will deal with it through discipline procedures. It is that mischief to which I object.

Mr. Maclennan: I was not referring to the provisions of the Police and Criminal Evidence Act described by the hon. Gentleman, which I accept. I was questioning whether the position would remain the same after the passage of the Bill that is now before us. It seemed to me that it might have the effect of repealing that provision. It would be extremely helpful if the Solicitor-General were to address himself to that question. I turned away from the conclusion of my speech because I was interested in what the hon. Gentleman had to say. I, like him, am concerned that the police should not be singled out for especially unfavourable treatment under the Bill.

This is a good Bill, and I have no hesitation in saying so from an Opposition Bench. Whoever said earlier that this was not a partisan matter struck the right note. Unfortunately, it was not said by the spokesman for the Labour party.

6.44 pm

Mr. Ivan Lawrence (Burton): The Government are rightly doing something more about law and order. They are making the prosecution of the offender more effective. New powers were given to the police by the Police and Criminal Evidence Act, but since we live in an age in which the individual is considered to be more important than he probably ever has been before, there must be a balance of his rights against the increased rights of the state. That is why an independent prosecution service separating the power of investigating offences from the power of prosecuting offenders is such an important and welcome element in that balance.

So far, so good. The Government are introducing an independent prosecution service, and that is what everybody wants to see. Unfortunately, they then proceed to go wrong. We could have had a national service or a local service. If national, we could have had it centrally directed or locally directed, or we could have had a local service with nationally directed features. There are strong reasons for having a national service, but there are also strong reasons for not having it centrally directed, yet the Government have fallen hook, line and sinker for a nationally, centrally controlled system. They have swallowed the bait prepared for them by the Civil Service, and they are making us look a bit silly about it.

In whose interest is it always to have a centralised control system of anything, with a large, expanding bureaucracy? Why, the Civil Service. Which party is it which has as its principle the decentralisation of control rather than its centralisation, and the reduction of bureaucracy rather than its expansion? Why, the Conservative party — this Government's party. So I come quickly to the first reason why I am unhappy about the Bill. It runs counter to what I, as a Conservative, stand for — the minimum of centralisation and the maximum of decentralisation.

Of course, there might be no alternative to doing an un-Conservative thing if reform and improvement are to take place, but that is not the position here, because the Philips Royal Commission report on criminal procedure produced a sensible alternative — a national system which was not centrally directed but was locally based and directed. Therefore, my second reason for dissatisfaction with the Bill is that it specifically rejects what I regard as the much more sensible approach of the Royal Commission, which stated in paragraph 7.24:

"a centrally directed national prosecution system for England and Wales is neither desirable nor necessary".

Secondly, in paragraph 7.27, the report stated:

"the most practical solution and the one that is likely to offer the best means of achieving local accountability is to work upon the basis of existing police authority areas with a modified form of supervisory authority."

Let us consider what centralisation is likely to lead to. First, to centralise, one needs a large national organisation. A small national organisation will not do. It never has done for anything that is under central control, because one will need monitors to see how the system is working out in the sticks, one will need people to come and go, reporting on how the matter is working, and one will need supervisors — not just typists, and not just minor functionaries, but people who are in control and

able to supervise. They will all add to the burden of large central organisational control and, therefore, to costs. Will this be the first time that costs will have been accurately forecast by Ministers speaking from the Front Bench, or will the costs be considerably greater?

The Conservative Government are fulfilling all their manifesto pledges by decentralising every nationalised industry known to man, and God bless them in their efforts. Why? One reason, we are told night and day—I agree with the reason — is that centralised control is always more expensive. If matters are allowed to proceed in their normal evolutionary way in local areas through local systems, which have an independent element because that is what this is about, the system will be much more cost efficient. We advance that argument in every other case, but miraculously that is the reverse of our arguments today. My right hon. and learned Friend assures us that the costs are limited and will be as stated in the Bill.

Secondly, the measure is not likely to strengthen the morale of solicitors, because solicitors who have locally based organisations which are performing well and efficiently will feel threatened. Along will come a nationalised, centralised organisation and solicitors, already destabilised by the measures which the House is taking about conveyancing, will feel edgy.

Nor, thirdly, is the measure likely to strengthen the morale of the young Bar. Several hon. Members have referred to it. The young Bar are barristers who have just qualified and who are beginning their careers at the Bar. They do a fair amount of local prosecution work, and their confidence, expertise and morale grow according to the work that they perform. However, they are like everyone else and wish to earn a living and to have a job. Obviously there will be work for the young Bar under the system, but it will not be as members of the young Bar. Increasingly they will be tempted into the more bureaucratic process —the safe life with holidays with pay, pensions and all that goes with being a civil servant working for the state boss. That is one of the serious features which we can consider, but not prove, might result from this over-centralisation.

When we remove young barristers, we dry up the process by which the independent Bar is sustained. It will not be long before that source of entry to the Bar slows down. That, together with the other features of the Bill, which will inevitably give to solicitors the right of audience in places where they do not now have such a right, means that it will not be long before the independence of the Bar begins to be swallowed up in this general centralising process, which has been the dream of civil servants for many years.

Mr. Eldon Griffiths: I do not disagree with all of my hon. and learned Friend's points. However, before he leaves the House collectively to burst into tears over the appalling prospects of the impoverishment and demoralisation of the legal profession and over impecunious solicitors and barefoot young barristers, how can he claim that that will be so when the measure will remove 600 police officers from their duties as prosecutors and increase the number of prosecuting lawyers by 400?

Mr. Lawrence: If the measure increases the number of lawyers prosecuting, it will increase them only if there are more cases. There will be more cases only if there are more police officers arresting people committing crimes. I hope that that will be the case, but it has not happened hitherto, and we cannot be certain that it will happen in future. If more lawyers are employed that will be good, provided that they are not employed by the state service. My hon. Friend is entitled to make light of my attitude to this matter, but the independence of the Bar is precious. It does not just happen, and it will not continue. The professions will become fused, and solicitors will appear for clients with whom they have a personal friendship. That is what happens in the United States, where the professions are fused. The independence of the Bar and the purity of our legal system will be undermined when that system takes over. We must guard against that.

There are signs in the Bill that that may happen. Not only I, but the young Bar and the Bar associations think that. Therefore, every hon. Member, whether he thinks highly or otherwise of the legal profession, should be worried about that and be careful lest we introduce a measure which speeds up the fusion of the professions and dilutes that especially important aspect — the independence of the Bar and the cab-rank principle, to which the hon. Member for Caithness and Sutherland (Mr. Maclennan) referred.

Mr. Maclennan: Are not the hon. and learned Gentleman's fears somewhat exaggerated in the light of our experience in Scotland, where an independent service has existed for many years and where there is no move towards the fusion of the two sides of the profession?

Mr. Lawrence: Experience of law and order matters in Scotland never ceases to amaze me. There must be a secret reason why everything seems to work just right in Scotland. I am happy that it does, and I hope that my right hon. and learned Friend will soon adopt from Scotland the flexibility of licensing hours, which has brought about a reduction in the amount of violence and crime contrary to expectation. We have much to learn from Scotland. I hope that the hon. Gentleman is right and that my fears are exaggerated. I hope that I am wrong and that my fears do not come about, although the Bill makes it more likely that they will occur. Afterwards, it is too late to start worrying.

The right hon. and learned Member for Aberavon (Mr. Morris) said that this was not a privatising measure. He is right. It is a nationalising measure, and a Socialist measure. As such, it was rejected by the moderate right hon. and learned Gentleman, who seemed to despise its Socialist nature when he spoke against it. It is a state employee's measure.

Fourthly, there will be a centralising function to the usual Crown prosecutors. At the Bar, those who must pass on the work of local prosecutions will tend to use their usual people — the usual Crown prosecutors — unless someone says, "Spin the work around. Give it to someone else. Make sure that everyone has an opportunity of doing this kind of work." The cab-rank system will be less likely to operate. That is directly contrary to the views expressed by my right hon. and learned Friend the Attorney-General in relation to Treasury Counsel prosecuting in the Central Criminal Court. In that context, he has said that we should spin the wheel so that Treasury Counsel does not automatically carry out that function and members of the criminal Bar generally can take part, perhaps leading to a fresher, shorter and more efficient use of resources than the system into which we have slipped. I wonder what my right hon. and learned Friend thinks of the reversal of that in the Bill.

[Mr. Lawrence]

For those general reasons, centralisation of this kind is likely to be dangerous. Is it really wise to reject the views of 14 of the 15 members of the Royal Commission, who regarded the scheme as undesirable and unnecessary?

My third reason for unhappiness about the Bill is that it will more readily lend itself to politically motivated direction. Strangely, the Government make the opposite point. They say that as there is politically motivated direction in county councils the matter should be centralised so that it does not happen. That may be true when many county councils are under Labour control and some are seeking to lean on local police forces in relation to miners and others while the central Government, under Conservative control, are pure and behave perfectly properly, taking no part in the judicial process.

Let us consider, however, the situation that might arise if a Government were formed by the right hon. Member for Chesterfield (Mr. Benn), a gentleman who has been in government in the past and who sees nothing wrong in pickets getting carried away to the point of violence when acting in the cause of the working man's right to employment in the pits. Is it far-fetched to suggest that a Government under the control of such a person might make an edict that there should be no prosecution of pickets in those circumstances? Something very similar certainly occurred when a far more moderate Labour Government reversed all the processes of legal morality by granting amnesty to the Clay Cross councillors. Moderate men and reasonable lawyers took the view that that was in order. One has only to look a step further to the eventuality — unlikely, one hopes — of a politically motivated power applying its Left-wing principles to a national prosecution service.

My fourth concern is that the logic of a national prosecution service may lead to a national police force. Once there is a national prosecution service, it would be so much more convenient for it to relate directly to a national police force than to a large number of local forces under county council control which might take decisions unhelpful to central prosecution policy. At present, local police forces work well and have a close democratic connection with local people, but they could easily be swept aside in the interests of centralised efficiency. The present system of local prosecutions, made independent of the police, would serve perfectly well. If change is needed, it should be based on the existing system. We Conservatives believe that all change should be evolutionary, not revolutionary, but the Bill proposes a revolutionary process—a centralised, Socialist process.

I am sorry that I could not be friendlier to part I of the Bill, but I am about to be even more unfriendly to another aspect of our deliberations. An astonishing feature of our debates has been the posture adopted and maintained with surprising tenacity towards the introduction of what is essentially a charade, a plaything and a spoof—the old clause 22, which may come back in a new guise in a new Bill. We are told that the Government have not forgotten it and that they are very much persuaded by the strength of the argument, but that there is no need to hold this Bill up in the meantime.

Who is persuaded? No one who has listened to the arguments has been persuaded, apart from my hon. and learned Friend the Solicitor-General and his colleagues. Those of us who practise at the Bar and who know the views of members of the Bar and of judges cannot but be astonished at the deafening silence of the Lord Chief Justice on this, although we were told that he was the originator of the scheme. I do not believe that he was even present when the matter was debated in the House of Lords, probably because it would have been inconvenient to have everyone turning to him and asking, "What do you think about this, Geoffrey?" I do not believe that the Lord Chief Justice thinks much of it at all.

It is suggested that the Court of Appeal should solemnly gather at 10.30 o'clock in the forenoon in the Lord Chief Justice's court and pretend to consider the evidence in a case referred to it by the Attorney-General, with only a transcript of the evidence, and no knowledge of the demeanour of the witnesses, and then deliver a pretend sentence, without any power to change the original sentence, and without having spent days on the case as the trial judge did. In other words, it would simply state that in a similar type of case, in similar circumstances, a defendant with a similar past might appropriately have received such and such a sentence. The prospect of a charade of that nature being undertaken with equanimity by Her Majesty's senior judges should be enough to raise substantial doubts about the whole idea.

It would be a different matter if the judges involved could change the sentence, if they could try the person again without having seen the demeanour of the witnesses and without the knowledge that the jury had. There might be some sense in that, although not much. The public would be able to make known their view that a pat on the head and tuppence out of the poor box was an inadequate sentence for someone who had raped four women, and that 25 years would be more appropriate. However, for the public to be told that the man would have been given a sentence of 25 years if he had appeared before those judges, but that nothing has been done because the judges are not empowered to give an additional sentence, will not cause a very loud sigh of relief. Is it likely that the public will say, "It is good that we have gone through this charade. We feel much better about the case"?

Mr. Maclennan: What about the converse position? It might be that a man who was to languish in gaol for 25 years should languish for only 15 years.

Mr. Lawrence: It is unlikely that in those circumstances the Attorney-General would refer the matter to the Court of Appeal, because the counsel of the man who had received the savage sentence would appeal in the normal way. The process is meant to apply only to sentences thought to be inadequate. There is now no right to appeal against the inadequacy of a sentence.

Mr. Ashby: Do not the same objections apply when there is an appeal against sentence? The courts do not see witnesses. They hear arguments and read the transcript. Surely the better point is the double jeopardy point. It is a cornerstone of British justice that people should not be put in jeopardy twice.

Mr. Lawrence: The double jeopardy point is a good one, but as the Court of Appeal has no power to increase the sentence there can be no objection to the matter being considered again by a tribunal which has not seen witnesses. The worst that can happen is that the tribunal will say that the judge before whom the case came initially knew best and that his sentence is not to be disturbed.

However, the double jeopardy point is important, and it was brushed aside in a cavalier fashion by my right hon. and learned Friend.

Happily, the appeal measure is no longer part of the present Bill. However, to say that it will increase public confidence is no answer to the criticisms. The public will be shocked by the realisation that the tribunal can do nothing and that the measure involves no change. In that case, why not leave things as they are? At present, the Lord Chief Justice comes down like a ton of bricks in any case where there has been a patently absurd sentence. He asks the judge for an explanation. If the explanation is acceptable, nothing more is heard. If it is not, the Lord Chief Justice issues a guideline to the effect that in such cases it should seldom, if ever, be the rule that there should not be a sentence of imprisonment, for two, three or four years. Such guidelines have been issued in drug-peddling cases and others, and they have been most effective. Thenceforward, the judges, who have to keep in touch with practice directions from the Lord Chief Justice, have known that in certain circumstances the convicted man should go to prison for, say, a minimum of two years.

The proposal has a third dangerous aspect. The Attorney-General is to refer the matter to the Court of Appeal. Where does the Attorney-General appear? He appears in this place. If the Attorney-General were given power to refer sentences to the Court of Appeal, his question time would consist of questions from a long list of interested hon. Members about why the case of Bloggs, James, Smith or Brown had not yet been referred to the Court of Appeal—or the play-games committee. His life would be a misery. Nothing would be achieved, except that our local papers would note the fact that the hon. and learned Member for Burton, for instance, had raised in the House the case of Bloggs and Bloggs and that the Attorney-General had stated that he had decided not to refer the case to the Court of Appeal. If he were to refer every such case to the Court of Appeal, the court would have to sit night and day, and that play-games court would become an interesting sideshow for foreign tourists. Nowhere else in the world would such an absurd situation exist, and the respect which we are led to believe the rest of the world has for our system of law and order would quickly evaporate.

The whole idea is nonsense. My right hon. and learned Friend has been warned that it is nonsense by all the members of the Bar, all the solicitors and all the judges. For all that I know, the Lord Chief Justice may have warned him too. I ask my hon. and learned Friend the Solicitor-General to pass on to my right hon. and learned Friend the Attorney-General the request that he should not be so stubborn. Either the Government will have to eat humble pie, or we will look extremely stupid.

I have three nice words for the Government. First, there is the implementation of the section 48 pledges for the pilot scheme, as a result of which statements for the prosecution are served upon the defence in the magistrates court. That is superb. In the pilot areas, the scheme has resulted in a large number of pleas of guilty. The sooner the scheme is implemented nationwide, the sooner there will a massive saving of time in our courts. Trials will be processed more speedily, there will be less likelihood that witnesses will forget their evidence, and there will be more opportunity for justice to be done. I give the Government 100 per cent. approval on that point.

Secondly, the Bill contains an enabling power to set a time limit on prosecutions. It is as unsatisfactory as all enabling powers and, because it is so vague, more unsatifactory than most. However, it is time that the Government had power to put a time limit on prosecutions. In cases where they were getting a little slow and behindhand, nothing would do more than such a rule to spur the police on to get their tackle in order. Such a rule is long overdue.

Thirdly, I welcome the rationalisation and clarification of the question of costs in criminal cases, though I do not entirely understand why it is necessary. I thought that many of these provisions already existed. If not, I welcome them. Costs in criminal cases are an important factor which is too easily overlooked.

I have three hopes: first, that there will not be a vote tonight, because if there is my personal position will be a little difficult; secondly, that my fears about the Bill will not materialise; and, thirdly, that I shall not be invited to serve on the Standing Committee.

7.19 pm

Mr. John Ryman (Blyth Valley): I am delighted that the hon. and learned Member for Burton (Mr. Lawrence) has not repeated his marathon performance of a previous debate. I feared at one point that he might. His speech was amusing if irrelevant. Perhaps I might make some serious observations about the Bill in just a few minutes.

I am surprised and sorry that a political and partisan element has been injected into the debate by some hon. Members. This subject has nothing to do with party politics. Hon. Members should be more sensible and treat the subject seriously. I am also surprised and disappointed that a great deal of time has been wasted on discussing a clause that is not in the Bill—what profit is there in that —rather than those that are and the many practical problems that will arise from the establishment of an independent prosecution service.

I believe that the standard of prosecuting services in Britain, with few exceptions, is extremely high. The quality of staff in the counties and office of the Director of Public Prosecutions and that of the solicitor for the Metropolitan police is high. It is important to maintain the high standard. It was not always thus. The House will know that the standard used to be abysmally low in some parts of the country. We all know where they were. The present high standards are getting higher and the first aim of the Bill should be to set up a department that insists on extremely high professional and ethical standards.

The task of prosecution is to bring the facts of the case to the court, and to do so efficiently and as speedily as possible with fairness and clarity. The tradition established by the DPP is good in regard to general policy. The weakness of the Director's department is that, because of the overwhelming volume of work and the shortage of personnel, cases sometimes do not receive the attention that they ought to receive at each stage. The new service will have many growing problems in attracting sufficient able, experienced and expert staff to enable it to be run efficiently and fairly. The lead must come from the top. Ability, fairness and high ethical standards permeate throughout a department from the top. The ever-open door at the director's department and at the solicitor for the Metropolitan police's department is healthy. Everyone can consult somebody with years of experience. That tradition is valuable and should be maintained.

[Mr. John Ryman]

When the new service is established, the director will have a huge department within which will be merged all of the county prosecuting solicitors' departments and the department of the solicitor for the Metropolitan police, which I suggest merits separate consideration. There will be immense problems. The Solicitor-General and the Home Secretary have been good enough to listen to my representations in private. I know that there is considerable anxiety among experienced, highly competent and conscientious staff in county prosecuting solicitors' departments and the department of the solicitor for the Metropolitan police about what will happen when the new service is set up. It is essential that the standards are high. The learning and experience gathered over many years should not be dissipated or lost.

The Home Secretary has told us that the final edition of the management consultants' report has not yet been delivered. However, we have had interim editions, day in, day out, and a chance to examine them. It is clear from the comments of prosecuting solicitors' departments throughout the country that the management consultants have not investigated the practical problems fully enough. The report has been a lengthy process. I do not doubt that it has been conducted objectively and fairly, but it wholly lacks realism in many respects. I shall not trouble the House with a list of examples, but the report suggests that 10 minutes be allocated to a member of the new department checking an indictment. That statistic was produced after a great deal of research, but it is wholly unrealistic. I defy anyone to check an indictment in 10 minutes. It is physically impossible, even if the person concerned has a background knowledge of the case and has familiarised himself with the statements in the case. No doubt such practical details can be sorted out later.

I have been interested in these matters for some time. The Royal Commission report was published some two years ago. The Solicitor-General was a Minister of State, Home Office when I had an Adjournment debate—at about 2 am—on the criminal justice report, to which the hon. and learned Gentleman kindly replied. I have had much time to consider these matters and I have had much help in that from members of the present Government and the previous one. There is little to quarrel with in the Bill, but I am worried about the practical implications of setting up the prosecution service. If the management consultants' recommendations are followed too precisely and various concessions are not made, the quality of the new service might suffer. It is most important that that does not happen.

Will the Solicitor-General give us the Government's reaction to the establishment of the new service, especially on staffing? We are not asking for any guarantees or undertakings, but it is most important that those who work in county prosecuting solicitors' departments, the Director's office and the department of the solicitor for the Metropolitan police know much more precisely what their professional future is to be. This is a matter not simply of money, although money is relevant, but of status, service and career prospects.

I suggest that London is quite different from the provinces in these matters. The biggest prosecuting department outside London is Greater Manchester, with about 6,000 indictment cases a year. The figure in London is about 18,000, three times as high. London is different from the rest of the country for two reasons: first, because of the volume of work, and, secondly, much more so because of the large number of Crown courts. In the Thames valley area, which covers three police forces, there are six or seven Crown courts. There are many Crown court complexes in London that have within them six or seven courts. That is why London is completely different and merits different consideration. I understand that the proposal is to have three separate areas in London, each with its own officials and administration to administer what is now the Metropolitan police area of London. There will be serious problems, which the Government should consider, in dealing with the new department in regard to London.

I shall give the Minister only one example. The tradition in London, unlike many areas outside, is that at the Crown court there is a large number of staff from the department of the solicitor for the Metropolitan police who oversee a case from committal to trial. Experienced, qualified, competent and conscientious staff prepare the papers, see the officers, prepare the notice of additional evidence and so on. That is not the practice in the country where all sorts of variations take place. Sometimes the papers are prepared in a solicitor's office miles away from the court and there is no contact between the court and the solicitor's office unless a telephone call is made. The same applies to the office of the Director of Public Prosecutions, where the people who are sent to court at the moment have not got the authority to make decisions. If instructions are required on a particular point, a telephone call has to be made to the professional officer in the director's office.

The purpose of the Bill is to change that principle. The proposal is that a qualified lawyer should see the papers at an early stage so that he may advise as to the formulation of charges; he will be able to advise the officer in charge of the case what witnesses are required, what additional statements should be taken and what further inquiries should be conducted. That is one of the biggest changes that the Bill makes.

That change should not interfere in any way with the present system, which is completely satisfactory, whereby experienced and qualified people see the case through from the date of committal. In the Metropolitan police area at every Crown court there are highly qualified and experienced staff who deal with these matters. I got the impression from the report of the management consultants that they did not appreciate that the system in London was different from the system in many other parts of the country, although I have been reassured on this point recently by officials from the Law Officers Department and the Home Office.

I hope the Solicitor-General will reassure me and others who are interested in the topic as to the future of staff in the department in London. They do not want to become bureaucrats and administrators. They are lawyers and they want to remain as lawyers, using their expertise as lawyers in the new department. It is most important that their skill and experience should be retained. Things will be difficult enough. The new department should not risk losing people who have spent years learning their trade and getting experience. I know the Solicitor-General is sympathetic in considering the anxieties that I have expressed on this point.

We want the new prosecuting service to succeed, but it will not succeed unless those who have spent their working lives in the service of the public in the prosecuting

solicitors' departments, in the director's department, and in the Metropolitan police solicitor's department can look forward to a worthwhile and satisfying career in the new department.

It is a complete waste of time to concentrate in this debate on topics that are remote from the direct ambit of the Bill, but are to do with criminal justice generally. Discussion about leniency of sentences, the sentencing power of the courts, rights of appeal and so on is wholly irrelevant.

I should like to clear up a point about an intervention that I made in the Home Secretary's speech. I asked him whether it would not be a good idea for power to increase sentences to be given to the criminal division of the Court of Appeal. He misunderstood my intervention. It was not about the clause that was rejected by another place. It was a completely different point. To discourage frivolous appeals, would it not be a good idea for the Court of Appeal criminal division to have the power, which would no doubt be used sparingly, to increase a sentence if an application for leave to appeal against the sentence disclosed that the original sentence had been manifestly too lenient?

Mr. Hind *rose*——

Mr. Ryman: Ironically the legal position is that Crown courts can, on appeal against sentence, increase the sentence, although I have only once come across a case where that happened. It is wholly anomalous that a Crown court should have the power to increase a sentence if there is an appeal against sentence and the Court of Appeal criminal division should not have the same power. Both should have it, or neither should have it.

Mr. Hind: The hon. Gentleman has already made the point that I wished to make. It is that this anomaly exists between the appellate jurisdiction of a Crown court to increase sentences and the Court of Appeal, which does not have such a power. The Court of Appeal tends to rely on the system of deleting remission for a prisoner who pursues his appeal too far. If the system was changed, as the hon. Gentleman has suggested, frivolous appeals would be avoided and any advantages within the rules of the prison system that an individual would gain during the period running up to appeal would be lost. I agree fully with the hon. Gentleman.

Mr. Ryman: I am delighted that somebody agrees with me about something. The point was made earlier that I do not slavishly follow my party into the Division Lobby. Perhaps not, but I always support the Labour party except on the occasions when I do not. It would be far better if hon. Members did not adhere rigidly to party political doctrine. I was appalled by the speech of the hon. and learned Member for Burton (Mr. Lawrence) which was crude and doctrinaire. It is far better to judge these matters on their merits. On the merits this Bill will do a great deal to make the prosecution service successful, with a highly professional and ethical standard, a high degree of confidence and efficiency and a high quality of staff within it.

The cost of this Bill has been glossed over by every hon. Member who has spoken today, by the Home Secretary and in all the commentary about the Bill that I read before coming to the debate. The cost of the establishment of the service must be enormous. I have heard the figure of £5 million mentioned, but that is absurdly low. The cost will not be anything like as little as that. Before a single salary is paid, a single piece of office equipment is bought or any of the additional new staff are taken on, the Bill enjoins the service to have new offices, which must not be within the courtroom precincts. There is a specific provision in the Bill for local authorities, but many of them may find it financially impossible. Both Crown and magistrates' courts will have to provide new buildings to house the new department.

The cost of all this will be astronomical and I hope that the Law Officers and the Home Secretary will join in twisting the arm of the Chancellor of the Exchequer. In a Government who are committed to reducing expenditure, we shall have the unusual spectacle of the Law Officers' department and the Home Office greatly increasing public expenditure. If this service is to succeed, a lot of money will have to be spent.

If the standard is to be high, we have to pay the lawyers properly. Those starting the new department should not be just the failures from the Temple. If we are to attract high quality lawyers from both sides of the profession, and high quality clerks, they must be given decent salaries. I do not mean astronomical salaries, but realistically attractive salaries to attract men and women of the right type. That will cost a great deal of money.

The Government will have to come clean sooner or later about the estimated cost figures, even if the negotiations with the Treasury are not completed. I understand that some of these posts have already been advertised, but the Bill has not gone through the House and therefore is not law. I am told that in Hertfordshire, for example, advertisements are appearing for posts in the new prosecuting service. Similar advertisements are appearing in the press and other local legal publications elsewhere. Perhaps the Solicitor-General can help me on this point. How can those advertisements appear advertising posts at certain salaries if the legislation has not gone through the House and if negotiations with the Treasury have not been completed? How can money be earmarked for salaries? It is all very well to anticipate events, but unusual things happen in the course of legislation.

I emphasise that the people setting up the department will have to be paid handsome salaries. There must be no stinting or we shall not get the right quality of people. Perhaps these are Committee points, which can be dealt with later, but I should like the Solicitor-General to answer them.

7.43 pm

Mr. David Ashby (Leicestershire, North-West): I suspect that the hon. Member for Blyth Valley (Mr. Ryman) will be reminded time and again about his remarks on party politics. I agree with much of what he said about the prosecution, but he was a little unfair on my hon. and learned Friend the Member for Burton (Mr. Lawrence), who spoke before him. Like my hon. and learned Friend, I had some fears about the Bill. I thought that it was over-centralising the prosecution service, and I know that in Leicestershire, part of which I have the honour to represent, there were great fears.

However, since the Bill was first announced, we have had the White Paper "Proposed Crown Prosecution Service", which was published last December. Having read the paper carefully, all my fears were allayed. The service will be regionally organised—I suspect that we

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shall have a Leicestershire prosecution service—and the cases which have traditionally been dealt with by the Director of Public Prosecutions will still be dealt with by him. Those cases which require a great deal of expertise, such as some of the fraud cases, will be dealt with by those parts of the department which have the expertise. There will be a saving and undoubtedly an improvement in the standard of prosecution.

I welcome the Bill in its broad outline. It became necessary following the Royal Commission's report and because of the wide variations in practice throughout the country. I wish that I had the strong belief of the hon. Member for Blyth Valley that the prosecution service is of a uniformally high standard. I do not think that it is. I think that it varies from the excellent to the indifferent. Arrangements for prosecuting also vary. Some counties, such as Hertfordshire, use independent solicitors entirely, and they are very good because there is good rapport between them and the police, and the work is spread around. I have not seen bad prosecutions in Hertfordshire. That is an example of the good rapport that there can be between the independent solicitors, of whom there are several, and the police.

In Surrey only one solicitor is used, and although he is in private practice he is virtually a police prosecutor. My knowledge is of the Metropolitan police solicitors, who are of the highest standards and the greatest objectivity. It is a service of some size and is able to attract people of the highest calibre. However, we cannot judge the rest of the country from the Metropolitan police solicitors alone. Smaller areas do not have the advantages of London.

Putting all these prosecutions under one department —the DPP—has attractions. Those attractions are there provided that the organisation is, as it will be, regional, and that the various needs of the area are taken into account. I agree with the hon. Member for Blyth Valley, who disappeared as soon as he spoke, that we shall require prosecutors of the highest calibre. It is no good expecting to have the service that we require from people who have not succeeded within their own professions. Therefore, we shall need to pay people well to attract them into the top echelons of the service.

The advantage of a Second Reading debate is that one can talk about what is not in the Bill as well as about what is in it. There is one big omission from the Bill. The public generally think that all prosecutions for criminal offences are brought either by the police of by private individuals. The public are wrong.

The Home Secretary said that the reasons for the Bill included the need for an independent prosecution service, openness, accountability, consistency and the timely prosecution of offences. He emphasised the need for an independent prosecution service.

There are other prosecuting authorities apart from the police. The special investigations department of the Customs and Excise brings charges on the importation and possession of drugs, the importation and possession of obscene articles and the evasion of duties. Those are not difficult offences to prosecute. There is nothing specialised about Customs and Excise prosecutions. Similar cases are dealt with by the police. The same people defend them, and often the same barristers prosecute them. Yet the Customs and Excise has a vast prosecuting department, with any number of solicitors.

Are we looking for real savings and for a proper state prosecution service? If so, why is the Customs and Excise department excluded from the Bill? I can see no justification for its exclusion. I know why that has been done, and I know about the difficulties which the police and the Customs and Excise have in co-operating with each other. Perhaps there is some trading-off between the Customs and Excise prosecuting department and the police prosecuting department, but there can be no justification for the expense involved in maintaining two prosecuting authorities when one would do.

If we are to have independence, openness, accountability, consistency and the timely prosecution of offences, why are the Customs and Excise excluded? People go to prison for anything between six and 12 years for drug importation offences. They are serious offences. Why are the Customs and Excise excluded from the Bill?

What about the port police, who deal with offences in port areas? What about the transport police? Why are their prosecutions not to be conducted by the central prosecuting agency? I have not asked a parliamentary question about the number of police forces or prosecuting authorities in this country, but I know that there are very many of them. Why, for example, are prosecutions by the Atomic Energy Authority police not to be conducted by the independent prosecution service?

What about the Post Office, which prosecutes television licence offences? What about the vehicle licensing sections of the Department of the Environment? What about the regional traffic commissioners, who prosecute offences involving heavy lorries? What about the inspectorate of the Health and Safety Executive? What about the Inland Revenue?

I understand that the new authority will have a large department which will be highly specialised in fraud cases and will probably have available computers through which it can run figures and highlight where fraud is occuring. Why should the Inland Revenue maintain a separate prosecuting department with a vast supply of solicitors and other staff?

I see no reason why the new authority should not be a proper prosecuting authority using the guidelines set out by the Home Secretary. The independence that is so necessary should be open to all. If I were to be prosecuted for an Inland Revenue offence, I should like to have that independence, openness, accountability and consistency, though perhaps not the timely prosecution of the offence.

With all the fervour that I can produce I say that a coach and horses has been driven through the Bill and that it is not good enough to have a Bill which deals only with police prosecutions and not with prosecutions generally.

If we brought the Inland Revenue experts into the new prosecuting service—jobs will be protected under the commission—for the general prosecution of frauds, considerable savings would be achieved. The same would be true if we brought the Customs and Excise experts into general drug cases.

I share the doubts that have been expressed by hon. Members about the costings in the Bill. The way that we are heading is a very expensive way. However, if we used the many prosecuting departments for the nation in the new prosecution service we could achieve the suggested savings.

Unlike the hon. Member for Blyth Valley, who is still not in his place, I raise the vexed question of clause 22, which has been taken out of the Bill, without apology. The

Home Secretary threatened the reintroduction of the clause. I agree with the many hon. Members who have said that clause 22 should not form part of our criminal process. It was shallow, it was hollow. It meant nothing and would merely involve deciding which judge was to be bashed this week. The other place was right to throw it out.

I would never accept that the prosecution should have a right to appeal to the Court of Appeal for an increased sentence. The principle of double jeopardy is very important. It has been hallowed within our criminal law system not simply for five or 10 years, but has grown up over hundreds of years. It should not lightly be thrown away by anyone, and especially by the hon. Member for Blyth Valley. It is so easy to say that we should change the system, but there is a knock-on effect. If we undermine something that is so fundamental, that has an important effect on the whole process of criminal justice. It is something that we should preserve.

I welcome the provision on timing. I was a sponsor of a Bill presented by the hon. and learned Member for Montgomery (Mr. Carlile). The Bill did not get very far, but I am glad to note that its sentiments are echoed in this Bill. It is essential that justice should be speedy, because memories fade. There are delays on both sides, and they happen not only in the Crown courts but in the magistrates courts. We must ensure that undue delays do not happen. We must impress upon the judiciary that it must be even-handed in this matter.

If the prosecution presents a notice of additional evidence at the last moment, that may delay a trial, because the defendant would have to make further investigations. Many trials have been delayed by the late service of such a notice. Where that happens and trials may be unnecessarily delayed, judges should be prepared to refuse to grant the submission of that evidence. Too often judges will say that they cannot stop the submission of that evidence, but that the defendant has the right to ask for two or three weeks to investigate the matter. There must be fairness on both sides.

I agree with my hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths) that these matters must be even-handed. I do not believe that the delays necessarily arise in the way that has been expressed in the House. I welcome the fact that, in certain cases, the prosecution is now disclosing its evidence in advance. That could help to bring about speedy trials in magistrates courts. Cases often go to the Crown court because the magistrates court is unable to cope adequately with the volume of cases. Magistrates courts are often unable to cope with defended cases which may last for more than a day. Indeed, they do not seem able to cope with cases which may last for three or four hours.

All those who have practised in the courts have experience of attending a court when a particular day has been set aside for a case. On arrival, they find that the overnight charges will last until 11 am, the further remands will last until 1 pm, the case might then start at 2 pm, but at 3.30 pm the magistrates say, "Sorry, but we have a tea engagement and must finish early." The case is then deferred for perhaps two weeks, or even three months. That happens time and time again. Therefore, it is no small wonder that solicitors advise their clients to go for trial in a Crown court if they are to obtain any sort of justice. At least then the trial will begin on the due date and continue until it is finished, and there will be a jury to judge the case.

I criticise those who think that the solution to the problem is to build more and more Crown courts. That is wrong. However, nor is the solution to be found in building more magistrates courts. We should find a better way of organising magistrates courts. There should be more stipendiary magistrates, and there should be better organisation of the whole process. That would alleviate much of the problem in the Crown courts. It is trite and easy to go along the road of building more Crown courts.

I remember when there were only a few courts in London, but they coped. We have now more than quadrupled the number of courts in London. The number of offences has not quadrupled, yet there is still the same delay in cases coming to trial. Therefore, putting in more money is not the solution. Everyone may think that it is the easy solution, but it is not. The better solution would be to reorganise the whole system. There should be better organisation of the list system, better organisation of the way in which we charge, and the whole process should be changed. Indeed, perhaps too many people are being charged with trivial overnight offences, and they should be dealt with in a different way. Charges relating, for example, to being drunk and disorderly take up a great deal of time.

Although I believe the Bill to be a good measure, it does not go far enough. It will be far more expensive than we originally thought. It will deprive a great number of people who may have committed offences of the very safeguards which the Bill originally envisaged. There will be first-class and second-class offenders. The first-class offenders will be those who have been arrested by the police. They are fortunate, because they will have an independent prosecuting authority looking after them. If I am to believe my right hon. and learned Friend the Home Secretary—and this is the whole basis for setting up the service—the second-class offenders will not have the advantages of the independent prosecuting service. That sort of anomaly must be considered.

Why should the independent prosecution service not cover the military police, the naval police, the RAF provost police and the Ministry of Defence police?

Mr. Greg Knight (Derby, North): And the transport police.

Mr. Ashby: I have already mentioned the transport police. I have not previously referred to the armed forces police. I see no reason why they should not be subject to the same safeguards and the same prosecuting authority in this country, and probably abroad. There would be no difficulty about someone going abroad when cases were being prosecuted. So many of those cases could be prepared in this country. After all, people who have committed offences and are court martialed are defended by barristers and solicitors, so why should there not be the same prosecuting authority? The laws are virtually identical, so we are concerned with the same offences. I apprehend that there would be a great saving in the defence budget, and that should commend itself to the Secretary of State.

8.10 pm

Mr. Derek Spencer (Leicester, South): It is about 20 years since I was the pupil of my right hon. and learned Friend the Attorney-General and trod in his footsteps in the eastern counties. During the intervening years many

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aspects of our criminal justice system have changed. If this measure is passed, another chapter in that evolving story of change will have been written.

In those 20 years or so I have appeared as counsel and sat as a recorder in cases which have been conducted on the basis of four different systems, each with its own strengths and weaknesses. First, I appeared in a few cases in magistrates courts in which the police were their own advocates. The advantage of that was that it certainly was quick, and it was probably cheap, but it had the grave disadvantage of not looking much like justice. I remember to this day the embarrassment of a young police officer being re-examined, no doubt by his chief superintendent, to try to repair a hole which had emerged in the course of the prosecution case in cross-examination. We can now put that behind us without any sense of regret.

The second system which I have seen operated at first hand is that by which the police themselves instruct privately local firms of solicitors on the ordinary client basis. That system is close to my heart. I was brought up under that system in East Anglia. The system is to this day in operation in Leicestershire, and I know that they will be sorry to see it go. It has great strengths. It enables the police to brief local firms of solicitors whose standards are of the highest and to receive advice apposite to the locality.

But for all its strengths, the system has weaknesses. It leaves open the suggestion that a prosecution has perhaps not been brought when it should have been brought, for local reasons, or that a prosecution has been pressed further than justice required. Therefore, although I feel with the police in Leicestershire with my heart, with my head I am against them, and as with the first system of which I have had experience, the time has come to wrap it up.

The third basis on which prosecutions are conducted —it is now the most common basis—is that of county prosecuting solicitors, or, in the metropolitan police area, by the metropolitan police solicitor. The strength of that system is that it provides for a police authority comprehensive legal advice on a regular and accessible basis.

I pay tribute in particular to the managing clerks of the Metropolitan police solicitors' department who over the years have rendered sterling service in the cause of the administration of justice. Mr. McGrory, for many years at the Old Bailey, and Mr. Walter Ball, at the other side of the square and latterly across the river, set high standards which their successors followed. They were managing clerks of the old school.

If the new service is to prosper, their successors must display the same standards of integrity and competence. I hope that when my right hon. and learned Friend supervises the work of the staff commission which is to be set up under clause 12 he will ensure that the successors of the managing clerks of the Metropolitan police and county prosecuting police service will suffer no loss under the new system and that they will continue to be the backbone of the new, as they were of the old.

The disadvantage of the county prosecuting system— I include the Metropolitan police system—is that for all its merits it lacks the independence which is required of a successful prosecuting service. Only recently, when I was instructed by the Metropolitan police, I advised that the results of certain police inquiries which had been conducted abroad should be disclosed to the defence. It was much to their advantage, and to the disadvantage of the Crown, that that course should be taken, but it was clearly the right course to take.

Within hours of my tendering that advice, the two zealous police officers, who were disappointed to receive it, had gone hotfoot to one of the solicitors of the Metropolitan police saying that they did not want to comply with the advice that I had tendered and that they thought that I was letting the side down. They were, of course, properly put in their place by the solicitor to the Metropolitan police. The fact remains that they felt able to make that journey.

I am confident that under the new system police officers who are disappointed with the advice given by prosecuting counsel will not think it appropriate to repeat journeys of that sort. They and everyone else will be able to see that it is a truly independent service and that the solicitors who are acting are not solicitors representing the police.

The fourth system of which I have some experience is that conducted by the Director of Public Prosecutions. The advantages of that system are well known—the integrity of the organisation, its independence and the high standards that it sets. However, as with all organisations, it suffers from disadvantages and weaknesses.

As at present constructed, on occasions it is remote from the local flavour of cases which are, under the current rules, referred to it. Under the new system, of central supervision but under local operation, some cases which at present are referred for examination and conduct by the director centrally will find their way to the local Crown prosecutor. Thus, those who bemoan the changes that we are contemplating as excessive centralisation fail to recognise that in some respects, in day-to-day operation, cases will be dealt with in the areas in which they arise. We shall have improved the present system under which the Director of Public Prosecutions operates.

The staff of the Director of Public Prosecutions occasionally labour, through no fault of their own, under another disadvantage. Because of the pressure of time, they sometimes find themselves acting as a post box between the police who have sent them a case and the counsel they are to instruct. In some cases the police have been known to say that the papers have been gathering dust in the director's office. After inquiry by my right hon. and learned Friend the Attorney-General, the papers have been found to be with the police. Under the new unified system, the tendency for briefs to fall between two stools — sometimes they appear to do so—will be eliminated.

Although I have twinges of regret, I welcome the proposals in the Bill. Two other topics have exercised the minds of certain hon. Members, the first of which is the matter of appeal against sentence by the Crown. Although I know that I am very much on my own in saying this, I have always been puzzled by the fact that a dissatisfied defendant could go hotfoot to the Court of Appeal and get his sentence reduced, but, when a manifestly unjust sentence had been passed by a court, virtually nothing could be done if the offence had been tried on indictment. Reference has been made to some minor exceptions to that, and one still remains. The Crown court still has all the powers on appeal that the original magistrates court had available to it. Therefore, if so minded, the Crown court can increase the sentence. Is that at odds with the double jeopardy rule?

The former Court of Criminal Appeal used to have power to increase sentences. Lord Chief Justice Goddard on occasions did so, with salutary effect. Was that in breach of the principle of double jeopardy? Although I accept in its strictly literal sense the argument that the prosecution is not involved in sentences, I think that by implication that is a lot of pompous nonsense. Almost inevitably it is the prosecution that furnishes the court with the facts—either in aggravation or in mitigation—that enable it to assess what is a just sentence. There is nothing wrong with the prosecution fulfilling that role, not only at the first instance when the case is tried but in the Court of Appeal when the sentence may be reviewed. There is no difference in substance between the approaches at the two levels.

We frequently see testimonies to the public interest in those sentences that are a threat to the safety of the public because they are unduly lenient. They leave the public with the feeling not merely that the law is an ass but, in a number of instances, that it is a dangerous ass. That is a most unhealthy state of affairs. I would encourage my right hon. and learned Friend the Home Secretary to continue his pursuit of finding an acceptable way to alleviate this public disquiet.

I would even have gone so far as to accept the benighted clause 22—not because it was acceptable but because I would have viewed it as a partly open door which the public, once they had been able to insert their shoulder, would assuredly have shouldered open to bring about a full right of appeal against sentence. I know from my experience at judicial conferences that the judiciary almost to a man is completely against that measure; so is the vast body of opinion in my profession. I am not deterred by that. Some matters are too important for the Bar and even too important for the judiciary. Public disquiet about manifestly unjust sentences is one of those matters, and something must be done about it.

The second topic that concerns hon. Members involves the clauses that will impose a time limit on the completion of cases. The first time a case fails because time has expired under the new provisions will compose a number of minds wonderfully in the area in which it takes place. I think that it will be an effective way of composing minds throughout the prosecuting system — the police in bringing the papers together, the prosecuting service in briefing counsel, and counsel in drafting the indictment and getting the case ready for court.

The pulse of some cases falls to a lamentably low level on some occasions. One wonders whether a case is still alive. It requires a positive act of resuscitation to bring it back to life, sometimes years after its birth. That is regrettable and, under these clauses, it will end.

I welcome the changes that the Bill makes. There will be the usual touch of nostalgia that all lawyers always feel about worthwhile legal reforms. The legislation will mean that some of my legal experience of the past 20 years lies once again on the shelves of legal history.

8.28 pm

Dr. John G. Blackburn (Dudley, West): When we gather to debate the Second Reading of this important Bill I am sure that one of the most important matters on our minds has been the origins of the legislation. We go back to 1978, to the Royal Commission under Sir Cyril Philips. In that connection, I see on the Benches many of the cast from the old Police and Criminal Evidence Bill which fell immediately before the last general election. They look as young as they did on that occasion.

I am delighted that my hon. and learned Friend the Member for Burton (Mr. Lawrence) did not pursue the pathway that he pursued the last time he addressed the House on the Water (Fluoridation) Bill, keeping us here for five and a half hours. Perhaps the reason is that tonight he was speaking without a fee.

I am especially concerned about one of the important features which has been brought to our attention and which was the kernel of the issue involving the Royal Commission. On page 127 the report states:

"the arrangements are characterised by their variety, their haphazardness, their local nature and at least as far as the police are concerned . . . the nature of the investigative and prosecutorial functions".

There was considerable complaint about the lack of consistency. The House speaks with one voice when it seeks consistency through the provision of these services. I agree with all the comments of my right hon. and hon. Friends who have stressed the need for a high quality service in keeping with the tradition of our legal system.

As recently as 24 hours ago, I received an important message from my constituency which expressed anxiety that 400 members of the legal profession would be needed to administer the service in the courts. My local chairman of magistrates has been in touch with me and suggested that the figure could be nearer 700. It is a matter of speculation. I am worried that there have already been moves within the legal profession, in particular, among those engaged at local court level, to move to higher paid positions, and that that action has been taken before the House has given approval to the Bill. It is also a matter of anxiety to many people, including myself, that 600 police officers will equal 400 barristers. That is the equation that will be used in the manning of the service.

The service is new. It has received wide acclaim in the House today. We must guard it jealously to ensure that it is presented in a fine and honourable way.

I associate myself with the considered comments of my hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths), who said with feeling and from considerable experience that the cost of administering the service must not come from the Home Office budget. As a devoted disciple of the Conservative party, I am worried by the fact that we spent £1 billion on the police service in 1979 and that by 1983 we were spending £2·5 billion. That is the measure of the Government's commitment to law and order. I should be sad if the Home Office budget were reduced to cater for the service envisaged in the Bill.

My right hon. and learned Friend the Member for Warrington, South (Mr. Carlisle) mentioned in his most excellent speech an important factor which occupies the attention of all engaged in the legal process—that there should be a speedy conclusion to cases brought before the courts. In many instances, the failure to have a speedy conclusion to a case is not the fault of the prosecution.

The House has always been generous to me, and I am sure that on this occasion, Mr. Deputy Speaker, you will grant me licence while I relate my work on the Home Affairs Select Committee. I was staggered when I went to Brixton prison—the biggest remand prison in Europe. I spent several days there studying the procedures. I was astonished beyond belief to find that there were people in prison who had been on remand for a year. That would be

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unacceptable if it were the fault of the prosecution, but those men were there for a year because of the defence. I was even more horrified when several prisoners told me —I use this expression because it was the one they used to me — that they were "working the system". The system is that if they have a number of previous convictions and are likely to be sentenced to, for example, five years' imprisonment if found guilty when they appear before the Crown court, it is better for them to remain on remand where they have the benefit of daily visits and their own food. The fact that the man has been in custody for a year is taken into account when the judge sentences him. We should have justice, because that binds us in the House, but we should have it speedily for the sake of the prisoner and the prosecution.

During the debate, we have heard the voices of management consultants, the police, the legal profession —solicitors and barristers—and two recorders. During my many years in the police, I often prosecuted in cases such as those referred to by my hon. and learned Friend the Member for Leicester, South (Mr. Spencer). His was a history lesson, and he made me feel old when he related that experience. When we prosecuted we knew about the case and its background. On sober reflection, and perhaps with a touch of nostalgia, we look back on those cases and the relationship between the police and the public, and when the pages of history are written that will be seen as commendable and as something that brought the police and the public together.

I have spoken about all those voices, and I should like to speak now about the voice of the people who elected me and gave me the great privilege and honour of representing them in the House. I must tell the House of the unpleasant features of my work as a dedicated servant of my constituents. If we are to have justice my soul's cry is that we have equal justice throughout the country because no one is above the law and, by the grace of God, no one is beneath it. One of my constituents was arrested for damaging a padlock valued at £1·68. He was taken to prison and spent three weeks there. At the end of three weeks, he was found murdered in his cell. There were subsequent trials, but no conviction.

I am speaking with the voice of my people when I say that that should never have happened. But it did happen and, tragically, when I visit the widow and the two children of Mr. Barry Prosser I realise that, if we had had a fair prosecuting system, as envisaged in this Bill, when I went to that house and met the dog and the family I would still have met Mr. Prosser. People tell me about such cases in my visits to the constituency and in correspondence. I listen to the voice of the people and I beg those on the Treasury Bench to do so. The people are saying exactly what my hon. and learned Friend the Member for Leicester, South is saying—that perhaps there should be provision for an appeal by the prosecution against the sentence.

I had a constituent who was brutally assaulted in her home. She was left for 36 hours with her injuries and, as a result, she died. The assailant appeared before the court. The tragedy of the abuse of and disrespect for the law meant that that man, who had previous convictions, was sentenced to five days in prison.

The voice of the people is saying that there should be a right of appeal by the prosecution. If it is right—as I believe that it is—that the convicted should have the right to appeal against conviction and sentence, it is equally right that the prosecution should be granted the facility, in exceptional cases, to appeal against the sentence. But the law of this land must always be saturated with compassion.

I am particularly opposed, because of my former experience as a police officer, to any concept of a national police force. I lived through an era in the police service when the small forces of some 200 men gathered together and formed larger forces. A new concept came into the criminal investigation department — the concept of regional crime squads. Those squads were working to the absolute maximum as regards their area of responsibility. If we are to have a national prosecution service, it is vitally important to satisfy the people that that service is at least at regional level and is administered and negotiated at regional level rather than at national level. In that respect I very much agree with the argument of my hon. and learned Friend the Member for Burton.

I believe that the people will welcome this Bill because it has the priceless virture of independence. It removes from the police the burden of determining prosecutions. That will be welcomed throughout the land. There have been suggestions—I will put it no higher than that—that there will be an opportunity in future legislation perhaps for the provision of an appeals procedure. I believe that the legal profession—the prosecuting profession, if I may so describe it—will use it with the greatest care and very rarely.

I hope that, in responding to this debate, my hon. and learned Friend the Solicitor-General will do me the courtesy of mentioning, in particular, clause 18 concerning the award of costs against the accused. I should like an assurance from him that when any person is convicted of an offence in the Crown court the court may make an order for such costs to be paid by the accused to the prosecutor as it considers just and reasonable. Perhaps this is the wonderful spirit of compromise, but I believe that if there is an appeal to the Crown court and the person making the appeal has gained financially as a result of his actions—and that appeal, as we have heard from the legal profession, which has been very well represented in this debate, is a very expensive exercise—if the appeal is lost there should be an opportunity under clause 18 to make an order for costs and it should be used. One of the great problems is that the laws are there but they are not used or implemented and are thus held in contempt.

It is in that spirit that I welcome this Bill, with its origins in the Royal Commission. I welcome the voice of public opinion that has brought about these changes by evolution. However, I give a guarded warning to the Ministers on the Treasury Bench that many people will be looking very carefully at the costs of the measure and the question of an appeal by the prosecution in certain circumstances, and will look forward to the proper implementation of clause 18.

With those comments, I wish the Bill godspeed.

8.47 pm

Mr. Kenneth Hind (Lancashire, West): One of the major concerns that I first had in considering the prosecution service was that the distance which has traditionally been maintained in the English legal system between the executive and the judicial prosecuting function should continue. The Bill does that quite

admirably and I hope that in carrying out his functions the Attorney-General will maintain impartiality in making decisions on prosecution and speaking on behalf of the Government as their Law Officer. That distance is very important in the structure of our constitution, although unwritten.

The Bill, which I very much welcome, takes the system of prosecuting one great step further forward. My hon. and learned Friend the Member for Leicester, South (Mr. Spencer) outlined the different systems that exist. Perhaps in his nostalgia we see many of the failings of the existing system. The most important failing at the moment is that the police, in every case where a prosecuting solicitor acts, are the clients. Therefore, they give the instructions, and the pattern of behaviour of that prosecuting solicitor or barrister appearing for the Crown is dictated very much by the views of the police.

Over the years, the maintenance of the fiction that a barrister, once charged with a case, controls it and directs its course has led to the idea that the prosecution is conducted by counsel, particularly in Crown court cases. Having seen practice at the Bar in both the provinces and London, I regret that in London that fiction has been further eroded to a large extent. However, the Bill will restore the original position.

From personal experience, on several occasions, I know that police officers are charged with the investigation of the case. They gather the evidence, come to court and, particularly in London — it is totally unheard of in parts of the north of England—they sit behind counsel all the way through the case, both before and after they give evidence. In my opinion, that is a monstrous situation, which the Bill will see the end of. The consequences are that the case is directed by a police officer, who may come to court during the year up to perhaps a maximum of 20 times, to deal with 15 or 20 different charges. As a consequence, he takes no overall view of the policy considerations that are necessary in the prosecuting department covering the whole area. Therefore, his experience and influence are limited and, in many respects, bad.

The Bill places into the hands of a group of professional lawyers the control and policy direction of prosecutions within a defined area. Those who, like myself, have practised in the provinces and who have detailed experience of the county prosecuting solicitors departments can see the strength of adapting that policy to the problems of the locality and dealing with them through an overall policy. That is what the Bill will do. It will take away the influence of the police in deciding who should deal with what, what the accused should be charged with and the overall direction of the case. A fresh mind, which is objective and based on decided policy, perhaps gathered over a period of time, will direct the policy.

It is important to look at the way in which the system will go. I can tell the House from experience that particularly in West Yorkshire, where I know the system extremely well, a representative of the prosecution service sits in every Crown court. The cases in magistrates courts are prosecuted by a solicitor representing the county prosecuting department. The Bar does not appear in the magistrates courts, except in very long cases in West Yorkshire. Despite what I have heard and the reassurances that have been given, I must warn my colleagues in the metropolis that that is the way the system will go.

In each case before the Crown court, if there is a representative of what will no doubt become the metropolitan Crown prosecutor's department, that will be a welcome help in the prosecution of cases. In places such as inner London there are perhaps one or two staff from the prosecutor's department covering 12 or 13 courts. If a crisis arises and there is a need for the prosecuting solicitor to give a further opinion, particularly when counsel clashes with the police over the direction of the case, someone coming into the case who has had nothing to do with it is handed the papers and told, "The case is based upon this. It has been going for a fortnight. I am sure that you will pick it up quickly." Such a practice will, I hope, come to an end.

I join my hon. and learned Friends who have said that 400 solicitors taking over the system throughout England and Wales will be totally inadequate. Looking at the costs, I am sure that there will be much greater overheads than have been suggested so far. We shall find that the present county prosecuting solicitors departments will appear very much like Rolls-Royce departments when they are compared with the metropolis, which will be like a 1935 Austin. There will not be a uniform system if the existing county prosecuting solicitors departments are run side by side with the newly created department. In my experience of the London system, the department is too small. There are too few solicitors. I echo the tribute of my hon. and learned Friend the Member for Leicester, South, who said that the people there worked very hard. They do, but there are too few. They cannot possibly cover properly the prosecution problems which this city faces.

The second matter with which the Bill is concerned is the delay over trials. Again, London compares unfavourably with the provinces. When I first came down to London on a regular basis as a Member of Parliament, I used to return on the train with a former colleague at the Bar who is now a circuit judge, sitting at Southwark. He used to say to me that it was not unusual for him to try a case that was 12 months old. In the metropolis, because of the sheer inefficiency of the organisation in the courts, the time taken to bring cases to the Crown court is far too long. We have seen the effect of that recently. A year is too long. Witnesses' memories decay. One even loses track of witnesses. If a 12-months-old case were tried in the north of England, it would be described as an old case. If we look at the record of the north-eastern circuit in particular, we find that the average time for a case to come before the Crown courts is between four and six months, and that is from arrest to trial. We should be working on such a time limit.

I hope that the Home Secretary will draw on the Scottish experience when he draws up his regulations for the time for cases to be brought to trial. I hope that we shall see a real tightening up of the system in London, to the betterment of speedy justice in the area. Twelve months on remand in custody at Brixton is totally wrong. The problem must be solved. Only the House can solve the problem.

Hon. Members have spoken of cases where defendants who knew that they were facing long sentences deliberately played the rules of the prison to ensure daily visits and privileges, such as cigarettes, parcels, and visits from wives or girl friends. We must consider the rules carefully, because we can also make the system more efficient in that respect. Unfortunately, the Bill does not deal with that matter.

[Mr. Kenneth Hind]

When the Home Secretary draws up his regulations, perhaps he will consider carefully the success of the provincial circuit in listing cases and dealing speedily with them, especially compared with London. It is unfortunate that I am the only hon. Member to have spoken in the debate who has a great deal of experience of practice in the provinces.

Hon. Members have mentioned matters which are not included in the Bill. I take the point of my hon. Friend the Member for Leicestershire, North-West (Mr. Ashby) that the Bill does not include the other aspects of prosecuting that exist—Customs and Excise, Inland Revenue and the transport police. I do not accept what he says about the armed forces or the Atomic Energy Authority police, but there is room for the inclusion of the Inland Revenue police and Customs and Excise.

Many large drug prosecutions are taking place in which customs officers and the police worked side by side in the investigation and consequent prosecution. I am thinking of the importation and distribution of drugs, especially where officers from both branches are working underground to bring about arrests and subsequent trials.

I am pleased that the Bill does not deal with the movement of cases from Crown courts to magistrates courts—I disagree with my right hon. and learned Friend the Member for Warrington, South (Mr. Carlisle) about that—in the sense that the right of jury trial has been a fundamental plank of our democracy. That should always be so. My hon. Friend the Member for Dudley, West (Dr. Blackburn) referred to the man who stole a padlock worth £1·68. If an elderly person is accused of stealing from a supermarket and has 60 years of good character behind him, he may think that as a matter of principle he should be tried by his peers. That is one reason, above all others, why the right of jury trial should be preserved.

We often avoid summary trials. It is a fact of life that if we took three lawyers from these Benches who practised in the courts before they were elected, the tribunal would probably be extremely cynical. They would say, "We have heard it all before. We have met such clients." However, the point of a jury trial is to bring 12 members of the general public from their ordinary walks of life to deal with the matter. They do not apply the cynicism of a lawyer, but introduce a draught of fresh air. They apply the objective values of daily life to the problems. A movement towards more magistrates court cases merely for reasons of cost is bad, because it undermines a fundamental principle on which our unwritten constitution relies.

I shall address my closing remarks to the missing clause 22. Much has been said about it. The most fundamental problem with the clause as it was drafted was simply that if a mother or father of the victim of a manslaughter case felt that the judge was wrong to impose two years imprisonment or probation on the convicted manslaughterer and knew that if the case were referred to the Court of Appeal it would examine the facts and decide that the convicted person should have got 10 years instead, they could do nothing about it and the convicted person would be able to walk the streets a free man.

That is highly unsatisfactory. My right hon. and learned Friend the Member for Warrington, South may have been right when he said that this was a matter for constant examination by judges in their sentencing conferences and for the Lord Chief Justice to give sentencing directions in the Court of Appeal to make it clear to recorders and Crown court judges how the policy should be operated.

Overall, this is a very good Bill. It is a big step forward for the judicial system and one that has been needed for a long time. I hope that the House will give it full support and appreciate that we may be making history today.

9.5 pm

Mr. Greg Knight (Derby, North): I suppose that a past interest is no interest at all, but I place on record the fact that I used to practise as a solicitor in Leicester. In Leicestershire the police do not have a prosecuting solicitors' department but use solicitors from private practice, of whom I have been one. If I were to base my judgment today on my experience of the way in which the system has worked in Leicester, I should be arguing for the dismantling of the prosecution service and for the police to be able to hire those solicitors whom they regard as right for the job. It is necessary, however, to take a broad view and, although things have worked well in Leicester and, I believe, in Derby, there have been problems in other parts of the country.

A number of solicitors employed in that way have not been prepared to apply their own judgment to cases given to them by the police. The same applies to less experienced members of prosecuting solicitors' departments. Having been asked to appear for the prosecution in a magistrates court, they may be far from happy with the case and feel that the evidence does not justify the case going ahead but they are reluctant so to advise the police, perhaps fearing that they may get a reputation for being a "softie" and that the police may not seek their services in the future. In other words, solicitors in private practice and young advocates making their way in prosecuting solicitors' departments may hesitate to crib at directions given to them by the police. That is undoubtedly a weakness in the present system.

As my hon. Friend the Member for Dudley, West (Dr. Blackburn) has said, the police still prosecute in many cases. Even in Leicester not all work is given out to solicitors. The police are closely associated with the case, which my hon. Friend seemed to regard as an asset. The problem is that they are also closely concerned about the outcome. In that situation, I believe that there is some danger that justice may not be done. I entirely agree with my hon. and learned Friend the Member for Leicester, South (Mr. Spencer) that justice must always be our target and one of the main criticisms of the present system is that it is patchy.

As I have said, the existing system has worked very well in Leicester, but other parts of the country have been less fortunate. Indeed, in some areas the attitude of the prosecution has varied from week to week. More than once I have been acting for the defence in cases in which the police had no objection to bail one week, with the result that bail was granted, but the following week—without any new facts having come to light or any suggestion that other offences might have been committed, but merely because a different police officer or prosecuting solicitor was appearing in court—bail was suddenly opposed and the defendant remanded in custody.

I hope that one of the benefits of instituting a national prosecution service will be that guidelines will be laid down for those whose job it is to prosecute cases and that there will be a degree of uniformity throughout England

and Wales. At present, in many areas, the public have lost confidence — perhaps fairly in some cases — in the police. I hope that if the power to decide to proceed with a case is removed from the police confidence will be restored.

Some hon. Members have said that they are afraid that by setting up the centralised prosecution service we shall create a bureaucracy. However, if it leads to even-handed justice, the measure will be welcome.

I now wish to raise two specific points. Clause 11 makes provision for the transfer of staff currently employed by local or police authorities. Is there to be an element of judgment, when the transfer takes place, of the ability of members of staff who have previously been working for prosecution departments, or is the clause merely intended to deal with the formality of the change of employer?

Clause 18 is about costs. I hope that the Government will take note of the fact that in the past there has sometimes been injustice when the prosecution has succeeded in a case and, after the conviction, has set a figure for the costs of the case. In a large number of cases in which I have been involved, that figure has not been justified or explained to the court. Inevitably, however, the defence solicitor has to accept it and the court will make an appropriate order. According to clause 18, a convicted defendant can be ordered to pay "just and reasonable" costs. May I be assured that, because of the inclusion of the words "just and reasonable", it will be necessary for the prosecution to give a brief justification of its figure? In a number of cases the costs have escalated, perhaps because of the illness of a prosecution witness or the absence due to other work of an advocate whom the prosecution wished to take a particular case. In the end —I am thinking mainly of cases in the magistrates court — the prosecution may have mentioned a figure for costs not all of which, in my opinion, should have been the responsibility of the defendant. I hope that the words "just and reasonable" will mean that those who apply for costs will need to outline to the court how the costs were arrived at.

I turn to what I may call the missing clause. Whenever a profession, even my own, closes ranks, I become suspicious. The comments of my hon. and learned Friend the Member for Leicester, South must carry some weight. Whenever a sentence is passed that seems ridiculously lenient, there is a great deal of public disquiet. It is surely reasonable and proper that the prosecution should be able to take the matter to an appeal tribunal that could comment on it. I hope that the House will not accept the view of another place, and that the Government will decide to reinstate the clause.

I wholeheartedly welcome the Bill.

9.14 pm

Mr. Nicholas Brown (Newcastle upon Tyne, East): The Bill touches but lightly on party politics and its principal provisions are welcome to the Opposition.

The hon. and learned Member for Burton (Mr. Lawrence) described the Bill as a revolutionary Socialist measure. If it is—I have my doubts about that—we should have some more of it. Conservative Members present do not strike me as fitting the description "Revolutionary Socialists" and their leader, the Home Secretary, would not identify himself as one. The Bill sets up an independent prosecution service for England and Wales similar to that in Scotland, and establishes statutory time limits on the prosecution of criminal cases. In principle, the proposals are welcome and have been recognised as such by almost everyone who has spoken today.

My hon. Friend the Member for Blyth Valley (Mr. Ryman) rightly paid tribute to the standards of the prosecution service. Our support for an independent prosecution service implies no criticism of those who service the existing machinery. I have a high regard for their work. Our support for the establishment of a separate and independent service is based on the key conclusions reached by the Royal Commission on criminal procedure that the present arrangements are defective and fail to provide a filter to avoid bringing to court cases which lack merit. Only yesterday I raised at Question Time such cases with the Attorney-General.

The Royal Commission concluded that the functions of the police chief should end with the decision to seek prosecution, after which the case should be dealt with by an independent service which could, if it felt it was right to do so, discontinue the prosecution. I am worried about how the relationship between the new service and the police will work in practice. I envisage substantial scope for argument between a police chief who wants to prosecute and a newly independent service which argues that the evidence is not strong enough. It would not be right to establish a service in such a way as to encourage a chief constable to settle every local argument by appealing for a national decision from the office of the Director of Public Prosecutions.

I fully appreciate that good working relations between the police and the prosecution service will be of considerable importance. However, the relationship that has existed hitherto is being changed. It is important that that happens in practice as in well as in theory.

I agree with my hon. Friend the Member for Blyth Valley that the staff of the new service deserve some consideration. It might sound trivial, but the job title is important. I am grateful for the Government's recognition of that. If the new service is to be firmly established, the staff commission will have to be able to meet the legitimate anxieties of employees and clarify matters such as the tenure of office and continuity of service.

I hope that the new service provides a career structure that attracts able people and enhances the administration of the law. It is right that the legally qualified officers of the service have the same rights of audience as practising solicitors. I welcome such provision. I noted the reservations of the right hon. and learned Member for Warrington, South (Mr. Carlisle), but I do not share them.

I wonder whether the Government will consider the idea of an inspectorate for the new service. I recognise the strengths of examining the possibility of that and understand that the annual cost of such an institution is not prohibitive. Perhaps we should return to that issue in Committee rather than go into it now.

The intention is that the new service will be a national service for England and Wales. I understand the desire of the Government to provide a service free of undue local influence. The narrow decision on whether the evidence warrants prosecution should be taken professionally, without lay and political intervention. That means that it should be taken without lay and political intervention nationally as well as without such intervention locally. However, it must be said also that policing policy and the

[Mr. Nicholas Brown]

generality of the administration of justice are matters of considerable public concern. It is the failure of police authorities to get to grips with these issues, largely because of the power of chief constables over operational matters, that leads to public concern and some public disquiet.

Somewhere in the system there has to be accountability. The issue may run wider than just this Bill, but it is long overdue for review. My right hon. and learned Friend the Member for Aberavon (Mr. Morris) spoke in some detail about accountability, which is a live issue. Without canvassing a solution, may I content myself with saying that it is a subject to which the House must return.

Advocates of the Bill hope that it will at least halve the current 14,000 referrals to the Director of Public Prosecutions. I hope that that turns out to be the case. So that we may see how well the new structure is serving society, I urge the Government, in spite of what Conservative Members have said, to give consideration to reviewing the new structure after a year or, at the very most, within three years of its establishment. There should be within the Bill a commitment to review. I am not expressing an opinion on the type of mechanism, but there should be a way of picking up loose ends and things that have not worked out as we might hope.

I was taken with the argument advanced by my right hon. Friend the Member for Halton (Mr. Oakes) who urged the case for a review. He referred to his reservations about centralisation. Given the concern that he expressed and the concern of the Association of County Councils, may I add my voice to their call for some mechanism to examine the workings of the new structure that we are setting up?

Hon. Members have referred not just to what is in the Bill but to what we thought might have been in it. I was slightly saddened to hear the Attorney-General intervene in the speech of my right hon. and learned Friend the Member for Aberavon and refer to his mailbag. The one method that should not be used for deciding whether a sentence is just or unjust is that whereby individual members of the public write to express their opinion, based probably on nothing more than what they have read in the newspapers. Inevitably the popular press will print what it thinks people wish to read and will not provide even a popular balanced version of the proceedings in court.

The proposal in the original clause 22 was superficially attractive. I understand what the Home Secretary said: public opinion runs deeply on sentencing policy. However, the original clause 22 was not the way to deal with it. The method that was outlined in that clause was fraught with so many real dangers that I hope we have heard the last of it. May I confine myself to saying that I am glad it has been dropped from the Bill, not least because of the other matters in the Bill that have general agreement?

The prosecution of juveniles was referred to in another place and it is right that it should be discussed here, too. It is touched on lightly in clause 27. We all accept that there are special features to juvenile crime. To deal with it solely through the mechanism of punishment, as one would deal with adult crime, is not sufficient. We shall go into this in more detail in Committee. There is a case for a separate and distinct department to deal with the prosecution of juveniles.

On time limits, I wish, as do my hon. Friends, that the proposals were more definite, but I welcome the principle and I understand the Government's arguments. I particularly welcome the Home Secretary's statement that the field trials will test how and not whether we should have time limits. I hope that the trials result in definite dates being fixed. I accept that they may have to be different initially for different parts of the country. However, the case in principle has been well made in the debate today, and no hon. Member has spoken against the principle of having time limits.

I have no experience of the criminal law—the only way in which I would have is if I had been on the receiving end of it. As a union official for the then General and Municipal Workers Union before I came to the House, I had to deal with the civil law. I administered the legal services on behalf of the northern region. The regional secretary, Tom Burlison, courageously pursued pioneering case law on asbestosis. I had bitter experience of seeing defendants, usually insurance companies, delay cases, waiting for the applicants to die because the compensation that would go to their families would be less than what would go to the defendants. It was not nice to see that being done, and it prejudices me in favour of time limits. The law should be promptly available to everybody.

The hon. Member for Bury St. Edmunds (Mr. Griffiths) referred to the part of the Bill that states that some matters will not be referred to the prosecution service. I had assumed that this was to deal with minor matters, and I had not appreciated that there was an issue involving minor offences committed by police officers. If that is the case —perhaps the Solicitor-General will clarify the point—I have some sympathy with the point of view expressed by the hon. Member for Bury St. Edmunds. It would be difficult for a young police officer who has done something wrong, but is not such a substantial crime that it automatically comes before the courts, to be in a position in which his superior was holding that offence over his head. Even with the best of intentions, that is not the right way to deal with these matters.

Some hon. Members have been unduly alarmist and over-critical about the costs of establishing this new service. It is worth the cost; it is a justifiable expense. However, so that we can see precisely to what we are asking the House to commit itself, it would be of assistance if, in Committee, the Government could table an explanatory note showing how the costs are arrived at. The hon. Member for Bury St. Edmunds said that he was concerned about the effect of the Bill on police manpower, and the hon. Member for Dudley, West (Dr. Blackburn) made the same point. However, as I understand it, the only part of the Bill relating to manpower is the freeing of some 600 policemen from other duties, and I should have thought that that would be welcomed.

The hon. and learned Member for Burton put up a strong case for his trade union, and, as a trade unionist, I do not think any the less of him for that. As only the third non-lawyer to take part in the debate, I hope on behalf not just of the profession but of the people that the outcome of our deliberations will be the better administration of justice.

9.29 pm

The Solicitor-General (Sir Patrick Mayhew): We have had a remarkable debate which has been

characterised by the diverse and deep experience of every hon. Member who has spoken. The debate has benefited considerably from that.

I shall begin by dealing with a number of matters of detail, because the debate has not lacked attention to detail in relation both to what is in the Bill and what is not.

The right hon. and learned Member for Aberavon (Mr. Morris), whose support for the Bill I noted with gratitude, said that there should be a provision requiring the Bill to be reviewed, perhaps within five years. I remind the House that clause 9 provides that the Director of Public Prosecutions should make an annual report, that the Attorney-General should publish it and that it should be laid before Parliament. Under clause 9(3), the Attorney-General may provide by regulation that certain matters should be dealt with and that the DPP should report on those matters. That gives Parliament an effective means of keeping a close monitoring eye on how the Act is working.

The hon. Member for Caithness and Sutherland (Mr. Maclennan) said that if a five-year period were written into the Bill we would freeze practice when we needed flexibility and responsiveness to experience in the early years. There was some force in the hon. Gentleman's comments. I do not think that there will be any lack of scrutineers of, or commentators on, the working of this radical new measure. Therefore, I cannot hold out the prospect of meeting the right hon. and learned Member for Aberavon in that regard. However, I agree that it is important that a close eye should be kept on how the Bill develops.

The right hon. and learned Gentleman spoke about the status of chief constables and chief Crown prosecutors. Decisions on the gradings of chief Crown prosecutors and other posts in the new service will be taken in the light of the consultants' report which will be submitted shortly. It is important that chief Crown prosecutors and all prosecuting members of the new service should be remunerated on a basis that ensures that they provide the high standards that will be required.

Mr. John Morris: As this is such an important matter, will the Solicitor-General give us an assurance that he will seek advanced guidance from the consultants so that we shall know the salaries before we debate the matter in Committee?

The Solicitor-General: That will depend on when we get the consultants' report. It is expected at the end of this month, but it is the Government's intention to place as much information as possible before the Committee and the House.

The right hon. and learned Member said that he was disappointed that there was no provision in the Bill for advanced disclosure of prosecution material, but, as my hon. and learned Friend the Member for Burton (Mr. Lawrence) pointed out, that provision has already been implemented in legislation that will take effect next month. A pilot scheme for that legislation is already having satisfactory consequences. I do not think that there is anything between us in that regard.

My hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths) raised a point of detail when he asked about specific provisions in clause 3 in connection with alleged minor criminal offences by police officers. The Bill does not alter the current position under the Police and Criminal Evidence Act 1984. Chief officers will still be required to submit reports about complaints to the director where there is an allegation of crime unless the chief officer is of the view that there should be no criminal proceedings. Usually, the report will go to the director before proceedings are instituted, but in wholly exceptional circumstances an officer might be arrested and charged —for example, for murder. If there is any further matter of detail in that regard it can best be dealt with in Committee.

My hon. Friend also raised a point about the number of police officers currently engaged in prosecution duties. It is not only 600 police officers as he suggested, but the equivalent of 600 full-time posts. That is an important point which was not made clear in the debate.

The hon. Member for Caithness and Sutherland asked why time limits should not be imposed by the Lord Chancellor. The time limits will have an effect across the criminal justice system. For example, they will have a bearing on the state and occupancy of remand prisons. It is thought much more appropriate that they should be fixed by my right hon. and learned Friend rather than by the Lord Chancellor, whose existing power is relatively limited.

The hon. Member for Blyth Valley (Mr. Ryman) asked about the future of the staff in the Metropolitan police solicitor's office. I listened to him with sympathy. There will be no shortage of work that will be both challenging and rewarding and that will make full use of the very considerable degree of expertise and experience to be found among the staff of that department. He also asked whether certain posts had been advertised. Some have been advertised by the director in those areas that currently do not have a county prosecuting solicitor.

My hon. Friend the Member for Derby, North (Mr. Knight) asked whether the "just and reasonable" provision in clause 18 meant that the prosecution had to justify its request for costs. It must certainly be prepared to justify its request and it is open to the court to test the claim. That is perfectly proper.

I hope that I might be allowed a personal note, having dealt — not very excitingly — with matters of detail. However, they were important matters and I hope that I have managed to deal with most of them, if not all. I was pleased, although not surprised, that my right hon. and learned Friend had managed to secure a slot for the Bill in this Session's legislative programme. I was not surprised because when the Police and Criminal Evidence Bill was before the House, the then Home Secretary, my right hon. and noble Friend Lord Whitelaw, made it clear that the Government accepted the need for an independent prosecuting service. It is not accurate to say that he had at any earlier time dismissed the suggestion as costing too much money. During the passage of that measure he made it perfectly clear that we were committed to it. I was particularly pleased because, when I was in charge of that measure in Committee, I was met with a certain scepticism about the firmness of our intention to legislate.

The House will remember that the first part of the Philips Royal Commission report deals with the investigation of offences while the second part deals with the independent prosecuting service. I was, frankly, surprised by the width and intensity of the criticism that we met for not having implemented the recommendations

[The Solicitor-General]

of both parts at once. It was said in some quarters, and somewhat repeatedly, that we wanted the one without the other and that we were never going to do the second part.

Sir Cyril Philips, the chairman of the Commission, made it clear in a letter to *The Times* that he never envisaged that we could do both at the same time. Indeed, it would have been an immensely unwieldy process, as my hon. Friend the Member for Bury St. Edmunds pointed out in his speech. We could not have done them both. As Sir Cyril Philips said, the Government were on course and he hoped that the second part would be done shortly.

Not surprisingly, the ending of the present unitary arrangements — by which the police investigate and charge offences and then, in most instances, go on to prosecute the suspects as well — has been widely welcomed by hon. Members and has been seen as the Bill's most welcome provision and reform.

That welcome came from the right hon. and learned Member for Aberavon, my right hon. and learned Friend the Member for Warrington, South (Mr. Carlisle), the right hon. Member for Halton (Mr. Oakes) and, among others whom I have not mentioned, my hon. Friend the Member for Leicestershire, North-West (Mr. Ashby), my hon. and learned Friend the Member for Leicester, South (Mr. Spencer) and my hon. Friend the Member for Dudley, West (Dr. Blackburn), who gave a moving account of a personal experience from his constituency, cases which led him to support the independence which is the key to the system which the Bill is designed to establish.

It was not through any finding of deliberate unfairness or partiality in police prosecuting policy that led the Royal Commission to make its recommendations. On the contrary, as my hon. Friend the Member for Bury St. Edmunds will recall, the Royal Commission said:

"A police officer who carries out an investigation inevitably and properly forms an opinion as to the guilt of the suspect. Having done so, without any kind of improper motive, he may be inclined to shut his mind to other evidence telling against the strength of the evidence he has assembled."

If we had no reason for anxiety about the way in which the system is working now; if we had no reason for anxiety about the delays before a suspect is brought to trial when, for example, he is kept in custody; and if we had no anxiety about the proportion of those acquittals which occur because the judge has either directed or ordered acquittal, we might more readily put up with carrying on with the present system. But we have anxiety on each of those scores.

I will not labour the matter because in his opening speech my right hon. and learned Friend drew attention to the delays that occur on remand in custody or on bail. It is legitimate, however, to say that in spite of the efforts of the Lord Chancellor — who has provided 50 new courtrooms in Crown courts and 45 more circuit judges, and plans to complete 50 more courts in the next three years—the sheer pressure of work in the Crown courts results in an average wait, after committal before trial, of nearly 10·5 weeks when in custody and 15·5 weeks when on bail. That is on a national basis. As several of my hon. Friends pointed out, in London the position is worse, the figures being 16 weeks and nearly 26 weeks respectively.

When cases come for trial, 25·9 per cent. of not guilty pleas lead to acquittal by the jury and a further 22·9 per cent. are acquitted or discharged on the order or direction of the judge. A survey carried out for the Royal Commission showed that in about 20 per cent. of cases there had probably never been sufficient evidence. It is plain, therefore, that our present prosecution arrangements cannot by justified by the claim that the selection of cases is beyond improvement. I take very much the point made by my hon. Friend the Member for Derby, North that on occasions solicitors do not tell the police that in their opinion there is not sufficient evidence. In this context, the Royal Commission reported:

"this empirical evidence gains support from some people with wide experience of prosecution work—"

that point has been reinforced in this debate—

"evidentially weak cases have been continued by the officer in charge, sometimes in the face of continuing advice from the lawyer with the conduct of the proceedings".

Those words reflect a feature that has been widely criticised. Under our arrangements, the chief constable is the client of the county prosecuting solicitor or the equivalent prosecuting officer. I do not believe that that is right. The debate has evidenced a wide degree of support for the proposition that the client should be the community and not the chief constable. That factor is of particular significance where private solicitors are employed to advise on prosecutions rather than county prosecuting solicitors or solicitors employed by a police authority. That is the reason why the Royal Commission made it an essential feature of its proposals that there should be a division of responsibility between the police and the prosecutor so that someone with legal qualifications shall make the various decisions that are needed to ensure that, so far as practicable, only properly selected, prepared and presented cases come for trial. The Bill provides this. That is why it has been so widely welcomed.

Most controversy during the debate has concerned local or national accountability. I listened carefully to my hon. and learned Friend the Member for Burton. The Royal Commission criticised the present arrangements as lacking in openness and accountability and not making for consistency in policy and practice. My hon. and learned Friend said that a Conservative Government should always decentralise, never centralise. He said that there was more risk of politically motivated direction if we centralised. I must disagree with my hon. and learned Friend on each of those points. Maintenance of objective is the first principle of war. It should also be the first principle of political action. Our objective is to achieve a prosecuting service that is independent of improper influence. My hon. and learned Friend says that it is un-Conservative to centralise, but I suggest that it is fundamentally un-Conservative to tie oneself to dogma for the sake of dogma when informed forecasts show that the object will be damaged if one does. All the informed forecasts give us their answer. Virtually every comment on the Royal Commission's recommendations on local control stated that this will not work and that there is too great a risk of political influence. That is an important point.

I remind my hon. and learned Friend the Member for Burton of a leading article in the *Daily Telegraph* shortly after the publication of the Bill. It stated that the

"Prosecution of Offenders Bill proposes a 'nationalised' centrally controlled system, staffed by 2,500 civil servants of whom some 1,300 woud be lawyers, and costing the taxpayer an estimated additional £4 million a year. This should be seen, however, as the necessary price for ensuring that so far as possible prosecution decisions and policy remain free from political interference."

I was surprised to hear my hon. and learned Friend say that he thought that more political interference would result if we followed this course. Does he wish the prosecuting officers in the police force regions to be subjected to the same type of pressure as chief constables have, on recent occasions, had to face from those in political authority in their areas? I thought that his point was fundamentally wrong.

If there is to be local accountability, the Crown prosecutor must be adequately protected from the risk of improper influence. In the course of our extensive consultations no one could suggest a scheme for local accountability which adequately protected the Crown prosecutor from the risk and, at the same time, avoided the split between responsibility for the service and for the resources that will fund it. I do not believe that we could be confident that if they were given control over prosecution decisions, all authorities would act as responsibly as the best undoubtedly would.

At present, the decision whether to prosecute rests with the chief constable, as part of his responsibility for operational questions. I was asked by the right hon. Member for Halton whether there was any evidence of political pressure upon a prosecuting solicitor. There was a report that the county prosecuting solicitor for Derbyshire was told by the county council that he could not use and would not be given funds to use counsel to prosecute people accused of offences arising out of Mr. Scargill's recent strike.

I come to the subject of delegation to local decision. The principle is that prosecution decisions should be taken locally except in cases of importance or difficulty. I say to my hon. and learned Friend the Member for Burton that under the provisions of the Bill, as he is aware, some decisions which at the moment are reserved to the Director of Public Prosecutions will be taken locally by the Crown prosecutor. That is decentralisation which is achieved by the Bill.

The Government have decided in favour of block transfer of existing staff because of practical difficulty of individual recruiting and because of our confidence in the general quality of staff currently employed in prosecuting solicitors' departments. There will not be the usual examination. My hon. Friend the Member for Derby, North asked about that. There will be a block transfer because of the experience that those people have had. The exact numbers required will depend upon the report of the management consultants. The working party estimated 578 extra lawyers and 218 extra support staff. About 600 police officers are currently engaged in a full-time prosecuting role.

As to the staff of the service, the Government wholly agree with what has been said about the need to maintain a high quality, but it will of course be open to the director to designate as Crown prosecutors qualified people from either branch of the legal profession within the service. They will have identical functions. I have been asked about clause 4. It is designed only to ensure that.

As was made clear in the other place on 17 January, it is no part of the Government's intention to use that clause as a means of altering the balance between the two parts of the legal profession. The Government hold strongly to the view that the public interest requires the continuance of a strong and independent Bar, and that rights of audience in the Crown court should accordingly continue to be confined as at present to an independent Bar which prosecutes and defends. That was accepted, I think, by the right hon. and learned Member for Aberavon.

I hope that what I have said meets the anxieties of my right hon. and learned Friend the Member for Warrington, South. I confirm that clause 4 does not confer upon prosecuting solicitors the right of audience in the Crown court now enjoyed by defending solicitors under the provisions of a direction made by the Lord Chancellor under section 83 of the earlier Act. Those points were mentioned by the hon. Member for Caithness and Sutherland and by my hon. and learned Friend the Member for Burton.

My right hon. and learned Friend the Home Secretary's response and purpose in introducing time limits is to reduce the delay in bringing cases to trial in magistrates and Crown courts. The Lord Chancellor is already introducing new management measures to enable targets to be set and met. The principal recommendation of the Home Affairs Select Committee's report in June last year was for the adoption of time limits. It said that there should be preliminary trials to test what limits might be feasible having regard to the special difficulties in London and the south-east. The Home Secretary had already put in hand re-examination of that issue before the recommendation was published.

I am grateful for the welcome given to these proposals by the right hon. and learned Member for Aberavon. They were welcomed by my right hon. and learned Friend the Member for Warrington, South and by my hon. Friend the Member for Bury St. Edmunds, who expressed anxiety about the Police and Criminal Evidence Act. The time limits—the clock, as he put it, that was established and wound up and started to tick by the provisions of the Police and Criminal Evidence Act—have nothing to do with the time limits that we are dealing with here. Under the police Act, those time limits relate to what happens before charge. Under this Bill, the time limits relate to what happens once the prosecution has been commenced.

I am grateful for the very wide support which clause 22 has generally received. I do not think that I need say more about that.

As to costs, the major change effected by the Bill is in the funding of prosecutions. The Crown prosecution service will be directly funded through the normal Vote procedure and this removes the need for the courts to award costs on a case-by-case basis from public funds in cases instituted by the police. The Lord Chancellor is also empowered by regulation to enable courts to order one party to pay costs incurred by its opponent as a result of an unnecessary or improper act or omission. That is a valuable disciplinary measure and will enable courts to take a greater hold over, for example, prolix counsel or dilatory solicitors.

An important change is that the Government have agreed that even if a defendant is acquitted in a summary case the court may make an order for the payment of his costs out of central funds. I say to my hon. Friend the Member for Dudley, West that the normal practice will be to exercise discretion in favour of the defendant unless there are positive reasons for not making such an order —for example, where the defendant's own conduct may have brought suspicion on him and misled the prosecution. It will no longer be necessary for a defendant to be acquitted on all counts in one indictment.

A fair amount of time has been taken up on the issue of what has been called old clause 22, now no longer in the Bill. This is by no means an open and shut issue. A number of considerations have to be taken into account if we are to do justice to the feelings of our constituents. It is important to remember that the full facts, including sometimes some of the most influential facts, that have led to the passing of a sentence simply do not get given full weight and sometimes are not even mentioned in a necessarily short media report. On the other hand, there really is a feeling—as my hon. Friend the Member for Dudley, West expressed it — of helpless frustration among members of the public in the rare case of a really mistakenly lenient sentence. That is what lay behind the Government's initiative.

I was very grateful to the hon. Member for Newcastle upon Tyne, East (Mr. Brown) for saying that he well understood what lay behind the Government's thinking. My right hon. and learned Friend has stated his position upon that, but, lest there be any misunderstanding, it bears repetition.

I have had warning orders, and therefore I shall conclude by saying this, having sat here throughout this extremely interesting debate. Not long ago a very distinguished legal journalist said to me that he was extremely surprised that the Government had introduced this Bill. He is a regrettably frequent critic of the Government. I asked him why he was surprised, and he replied, "I never thought that you were actually going to do it." This Bill, which so commended itself to that journalist, I now have great pleasure in commending to the House.

Question put and agreed to.

Bill accordingly read a Second time and committed to a Standing Committee pursuant to Standing Order No. 42 (Committal of Bills).

PROSECUTION OF OFFENCES BILL *[Lords]* [MONEY]

Queen's Recommendation having been signified—

Resolved,

That, for the purposes of any Act resulting from the Prosecution of Offences Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of—

(a) sums payable in respect of expenditure incurred by the Director of Public Prosecutions in the discharge of his functions;

(b) any expenditure incurred by the Secretary of State or the Attorney General which is attributable to that Act;

(c) any sums required to meet payments ordered to be made out of central funds; and

(d) any increase attributable to that Act in the sums so payable under any other enactment.—*[Mr. Neubert.]*

Police

10 pm

The Minister of State, Home Office (Mr. Giles Shaw): I beg to move,

That the draft Police (Anonymous, Repetitious Etc. Complaints) Regulations 1985, which were laid before this House on 4th April, be approved.

It may be for the convenience of the House if we take also the following two motions:

That the draft Police (Complaints) (Mandatory Referrals Etc.) Regulations 1985, which were laid before this House on 26th March, be approved.

That the draft Police (Complaints) (Informal Resolution) Regulations 1985, which were laid before this House on 26th March, be approved.

Mr. Deputy Speaker (Mr. Ernest Armstrong): Yes, that will be convenient.

Mr. Shaw: We are debating this evening three of the six statutory instruments required to allow the Government to bring into force part IX of the Police and Criminal Evidence Act 1984 on 29 April 1985. The six instruments fall into two groups.

The first is made up of the Police (Discipline) Regulations 1985, the Police (Discipline) (Senior Officers) Regulations 1985 and the Police (Complaints) (General) Regulations 1985. They were all laid before the House on 2 April, having been made by my right hon. and learned Friend the Home Secretary on 28 March. They do not need the approval of the House and are therefore not before us at present.

The second group is made up of the Police (Complaints) (Informal Resolution) Regulations 1985, the Police (Complaints) (Mandatory Referrals Etc.) Regulations 1985 and the Police (Anonymous, Repetitious Etc. Complaints) Regulations 1985. They have been laid before the House in draft form and, before they can be made, the drafts need approval by resolution of both Houses of Parliament. It is these latter regulations which are before the House this evening and for which I am asking the House's approval.

The six regulations will be complemented by the Police (Appeals) Rules 1985, which will deal with appeals to the Secretary of State by police officers against the decision of their chief constable, or against the decision of the police authority in the case of senior officers, and which will be laid before the House on 18 April. Together with the Act itself, they will provide a new and, in the Government's view, a much improved framework for the investigation of complaints against the police and for the determination of disciplinary proceedings against police officers of all ranks.

Part IX of the Police and Criminal Evidence Act will abolish the Police Complaints Board and establish a new Police Complaints Authority. It is only right—I am sure that the House will agree with this—that I place it on the record that the Police Complaints Board is not being abolished for any failure on its part. Far from it. Within the powers which the relevant legislation gave it, the board has done a thoroughly professional job of examining with an impartial eye complaints and investigation reports and chief constables' proposals for disciplinary action against officers whose behaviour had led to the complaint. I am sure that hon. Members in all parts of the House will agree that Sir Cyril Philips, the chairman, and his colleagues and

their predecessors at the board have done an excellent and worthwhile task and laid an invaluable foundation on which to build.

The new authority will have two main functions. It will take on the valuable job at present performed by the board in looking at complaints investigation reports to determine whether appropriate disciplinary action is being taken. As a new and important task, however, it will be required to supervise the investigation of complaints of the most serious kind and will have power to supervise the investigation of complaints of slightly less seriousness. I shall refer shortly to the draft Police (Complaints) (Mandatory Referrals Etc.) Regulations, which deal with such matters.

I remind the House that Her Majesty has been pleased to appoint the former Parliamentary Commissioner for Administration, Sir Cecil Clothier, as the authority's first chairman. Sir Cecil will, of course, be well known to many of us, and I have not the slightest doubt that the energy and firmness that he showed in his former post will prove to be of the utmost value in his transfer to the no less intricate and sensitive area of complaints against the police. My right hon. and learned Friend the Home Secretary has, in addition, already announced that Admiral Bell of the present board and the right hon. Roland Moyle will support Sir Cecil as his deputy chairmen. He hopes to announce the names of other members of the authority shortly.

I do not wish to pre-empt that announcement, but I can assure the House that they will bring a wide spread of experience and expertise to the work. Two are lawyers, and of those one is a barrister with a long career in business, the other a solicitor and part-time supplementary benefit appeals tribunal chairman. Two have long experience in industrial personnel management. Two have a background in community and race relations. We have an ex-Army officer and a ship's master with fleet administration experience. One is, like Admiral Bell, formerly a member of the Police Complaints Board. Add to that breadth of experience a commitment to work full time with the authority, and I am convinced that they will make up a very strong team indeed.

Mr. Robert Maclennan (Caithness and Sutherland): The Minister has not said anything about the geographical spread and the locations from which the members have been drawn. Will he assure the House that they will not all be London based?

Mr. Shaw: The new authority will be London based. It will have a permanent membership, as I have said, which will be drawn from various parts of the country. It is, however, open to the authority in due course to consider the possibility of regional offices for regional work and, on the investigative side of the authority's work, travel into the areas concerned will take place.

Mr. Eldon Griffiths (Bury St. Edmunds): Perhaps I missed what my hon. Friend had to say, but how can he tell us about the background of the chaps without naming them? Is there a constitutional difficulty? Can he tell me whether any of them has a background in police work?

Mr. Shaw: My answer is in two parts. First, we would wish to announce the team when it is complete. I have spoken of those who have so far accepted my right hon. Friend's invitation to serve. Secondly, it is not the intention that they will have been involved in police work. We are dealing with an authority which seeks to have complete impartiality and independence in dealing with the work that is brought before it. My hon. Friend will agree that in the case of the Police Complaints Board many such people gave substantial and distinguished service to the handling of police complaints while that board existed.

The second innovation of part IX of the Act is the introduction of a system to provide for the informal resolution of complaints which, while they require examination, can nevertheless be handled in a way which stops short of reaching the full complexity of a thorough formal investigation, with all that that entails. The draft Police (Complaints) (Informal Resolution) Regulations 1985 will deal with that.

Thirdly, the Act provides a more formal framework of responsibility than exists at present for the investigation of complaints against senior police officers, that is to say, those of a rank higher than chief superintendent. Except where a complaint against such an officer has to be referred to the Police Complaints Authority on the ground of its seriousness, that new procedure is not before the House tonight. It is set out in the Police (Discipline) (Senior Officers) Regulations, to which I referred briefly earlier.

Finally, there is an improvement in discipline procedures, of which I should remind the House. This is the provision in the Act for officers of chief superintendent rank and below to be legally represented at hearings where they face the three most serious punishments available to a chief constable—dismissal from the force, requirement to resign or reduction in rank. Again, the provision and the way it will work are not before the House tonight but are part of the package of measures which will come into force on 29 April.

The Police (Complaints) (Informal Resolution) Regulations will apply to those complaints which do not require the full complexity of a formal investigation. I have deliberately avoided using the word "trivial" about complaints, as the complainant regards any complaint as serious. However, the House will agree that many issues can be described as small and of lesser importance than those which would require the full examination procedure. However, it is only fair to recognise that positions arise in which a member of the public is left angry or concerned enough about a police officer's actions to want, not so much to trigger the full complaints procedure as to draw them to the attention of someone in authority and to seek an explanation or possibly an apology. The informal resolution regulations have been designed to that end.

A further prerequisite to informal resolution is the Act's requirement that the complainant must give his consent to the use of the informal procedures. That means that even if the police are perfectly satisfied that a particular complaint might be informally resolved, it is in the last resort open to the complainant to decide whether to accept that form of resolution. If he wishes, a full investigation of the complaint can be made. I stress that the complainant must be satisfied that this is the system which he wishes to use and that informal resolution is both sufficient and satisfactory to him. If he is not so satisfied, the full investigative procedure can be carried out.

On the draft Police (Complaints) (Mandatory Referrals Etc.) Regulations, I remind hon. Members that section 87(1) of the Police and Criminal Evidence Act already requires referral to the Police Complaints Authority of all

[Mr. Shaw]

complaints alleging that the conduct of a police officer resulted in the death of or serious injury to some person. "Serious injury" is defined as

"a fracture, damage to an internal organ, impairment of bodily function, a deep cut or a deep laceration."

The instrument before us deals, first, with other types of complaints which must be referred to the authority. In these cases, however, it will be left to the authority to decide whether or not to supervise the investigation of the complaint.

The White Paper "Police Complaints and Discipline Procedures", which my right hon. and learned Friend the Home Secretary laid before the House in October 1983, indicated that there would be a category of complaints below the most serious group which would be required to be referred to the authority for discretionary supervision. This category would consist of complaints alleging corruption, less serious cases of assault having resulted in actual bodily harm and other serious cases reflecting adversely on the reputation of the police service. Draft regulation 4 of this instrument fulfils that undertaking.

Regulation 5 sets out the powers of the authority to impose requirements in relation to investigations. A further proviso is included to ensure that the authority cannot, through inadvertence or pure ill luck, impose a requirement which would adversely affect the admissibility of evidence at a criminal trial or make adequate evidence hard to obtain. Finally, the regulation requires the authority to consult a chief officer before imposing any requirement as to the resources that he should make available to an investigation and to have regard to any representations that he might make.

The draft Police (Anonymous, Repetitious Etc. Complaints) Regulations are a re-enactment of part of the Police (Withdrawn, Anonymous Etc. Complaints) Regulations 1977. The part relating to withdrawn complaints is now to be found in the Police (Complaints) (General) Regulations, which are not before the House. The remaining parts will allow the authority to dispense with the requirement that a complaint should be investigated in certain circumstances. The first is where a complaint is anonymous. The second is where a complaint is substantially the same as a previous complaint and contains no fresh allegations. The third is where it is not reasonably practicable to complete an investigation.

As I have explained, the three sets of draft regulations need to be viewed as part of the wider system of procedures which offer a fair and workable approach to complaints against the police. I commend them to the House.

10.12 pm

Mr. Clive Soley (Hammersmith): The Opposition have serious reservations about the complaints procedure introduced by the Police and Criminal Evidence Act, but within that context we do not wish to quibble with the three instruments. They are satisfactory within the context of the Act, although the Act itself is far from satisfactory.

I have never understood why the Government chose yet again to become involved in such a complex method of dealing with complaints, although the present system is better than the previous one, which had the unenviable record of being disliked by everyone. Nevertheless, when I spoke at a Police Federation meeting the other week a diagram showing the operation of the procedure was produced which made some of the diagrams produced by the GLC and the metropolitan counties in relation to the Local Government Bill look like minor jigsaw puzzles and showed a number of ways of resolving complaints to be both convoluted and unnecessary.

I have always believed that there is much to be said for simply introducing the existing ombudsman system, which would have the advantage of allowing Members of Parliament and councillors outside London to take up complaints in the first instance. If the complaint was satisfactorily resolved at that stage, there would be no further involvement and one of the instruments before us would not be needed. Cases which could not be satisfactorily resolved between the chief constable and the Member of Parliament or councillor could be referred to the ombudsman, as in the case of complaints relating to housing, social services or taxation. Following the Second Reading of the Prosecution of Offences Bill today, there is a further safeguard in the ability to turn to the independent public prosecutor if criminal behaviour by a police officer is alleged.

All in all, there could have been a far simpler and less complex system than the one put before the House in connection with the Police and Criminal Evidence Act, but, within the context of the legislation to be brought into effect on 1 April, I have no quibbles.

I welcome what the Minister said about the appointments. I personally welcome the appointment of Roland Moyle, who used to be a Member of this House. I welcome the others too, but I do not know them. I knew Roland Moyle when he was a Member of the House, and I am sure that he will do an excellent job. I do not doubt that the other members whose appointments have been announced will also do a good job.

If the Minister has not finished compiling his list, I ask him to consider making the body as wide as possible so that it reflects as accurately as possible the structure of society. The Minister was right to say to the hon. Member for Bury St. Edmunds (Mr. Griffiths) that people involved with the police should not serve on the board. I do not believe that they would wish to do so.

There would be a case for including a trade unionist or someone with similar experience. I also hope that the fact that half the people of this country are women will be recognised. There should be some female representation. The ethnic minority groups will have a great deal of concern about the police complaints body and I strongly urge the Minister to ensure that they are represented on the committee. I hope that the Minister will make use of this opportunity.

I hope that in due course we will have a complaints procedure that is far simpler and less convoluted, and which will be fully accepted by public and police alike. I suggest that the Government should consider a system such as I have outlined tonight.

10.17 pm

Mr. Eldon Griffiths (Bury St. Edmunds): I, too, welcome what my hon. Friend has told us about the status of the new police complaints authority. Nothing could more clearly show the importance that Government and Parliament attach to it than the fact that the chairman is to be appointed by the Prime Minister and will be no less a person than the former Ombudsman, Sir Cecil Clothier. Having worked with them over the years, I should also like

to pay tribute to Sir Cyril Philips and to Admiral Bell. I am delighted that Admiral Bell is to continue as deputy chairman of the authority. I also agree with those who knew him in this House that Roland Moyle will be an admirable member of the new authority.

I have to take issue with the hon. Member for Hammersmith (Mr. Soley), who implied that people should, as it were, be appointed to the authority by constituency. He believes that a member of an ethnic minority should be appointed, a trade unionist, a woman and so on. I understand the need for a broadly based authority that will enjoy public confidence. However, the worst that could happen would be that the members of the authority had to vote according to their constituency interest. That is the opposite of what is sought, and I am sure that that is not the hon. Gentleman's intention. The selection of those who are to serve in a quasi-judicial role should reflect their personal integrity, experience and authority and not the fact that they represent a body of opinion that may have a certain attitude to the police service.

The hon. Member for Hammersmith said that it would be inappropriate for a former police officer to serve on the board. His anxiety was that, because of his connection with the police service, such a person might be inclined to vote his ticket. The same logic must be applied to the remainder of those who are to be appointed. I hope that there will be no conscious decision to select people as representatives. They must stand on their own merits.

I am not a total admirer of the new police complaints system. I have been involved in the matter for far too long —since the 1976 legislation, which was introduced by the late Dr. Summerskill on behalf of the Labour Government. It was a disaster. We knew that it would not work. A further effort did not work satisfactorily, as Sir Cyril Philips was good enough to say in his triennial report. We now have a third attempt. The system is immensely complex, and I shall confine myself to the informal resolution procedure.

The police service already has an informal resolution procedure. Anyone who wants to make a complaint can go to a police station and if there is a sensible sergeant there —there usually is—he will try informally to resolve the complaint. It is my experience that in seven, and possible nine, out of 10 cases, the complainant is upset at the time because of an incivility, a misunderstanding or excessive officiousness on the part of a police officer and there is an informal resolution because the sergeant or inspector explains the situation.

We are now importing, under the guise of an informal resolution, a rather structured and formal procedure. It will require some paperwork, which is spelt out in the regulations. The complainant must have the informal procedure explained to him and he will then have to consent to it. Knowing the police service, that will have to be in writing. Almost implicitly, the complainant might imagine that, by agreeing to an informal procedure, he is abandoning his right to take the matter further. There might be a problem there.

Similarly, the officer will have to give his consent. It would be extremely odd if the consent of the complainant had to be sought but the wretched police officer's did not. I understand from the detailed consultations between the Police Federation and Home Office officials that the consent of both parties will have to be obtained. That will not always be easy. Police officers are sometimes on rest days, they might be away on a course or even on a picket line. There will be problems in getting the consent of the officer in question.

I understand that an honest third party will have to be found, although, surprisingly, that is not mentioned in the regulations. That third party will have to sit in while the informal resolution procedure takes place. I cannot recall the name that has been given to the outside party in the Criminal Evidence Act 1984, but a member of the good and great in the local community will be asked to sit in on the conciliation procedure to ensure that all is well done. I must not complain about that, but I assure my hon. Friend the Minister that experience will work out as I am suggesting. There will be some formality in what was previously informal. That is regrettable. The House has agreed that that should be so, and it would be wrong for me to go back over it, but I am worried about how the informal resolution procedure will take place.

My hon. Friend the Minister said that when a chief officer of police deals with a police officer under the discipline regulations and exercises his great power to sack, demote or change severely the career of that officer, there will henceforth be a right of access to a lawyer. That is right. It was a hard-fought battle through more than one session of the Committee stage of the Police and Criminal Evidence Bill. At the end of the day the police service as a whole is glad that Parliament agreed to that. There is, however, the question of the cost. At the moment the costs are to be borne by the voluntary funds of the Police Federation. I am not certain whether that would sit well with the Opposition. They might take the view that in trade union matters it should be dealt with differently, but it was part of a bargain entered into between those of us who were involved in the matter and the Government. The Government were reluctant to see a lawyer introduced, but eventually, when there was no majority on the Committee to get the Bill through without that provision, the arrangement was that the Police Federation could have a lawyer, provided that the lawyer was paid from voluntary funds.

I want to put this point precisely to my hon. Friend. If as a result of the Police Federation using its own voluntary funds the lawyer demonstrates that the chief officer is wrong, and that he has unjustly brought a charge that could lead to dismissal or demotion, what happens then? Are the funds of the Police Federation still to be at risk, even though it has demonstrated that the chief officer was wrong? That would be contrary to the case in all other courts of law and would be unjust. I hope very much that the Police Complaints Authority, which is to have an oversight of all complaints that are made by members of the public against the police, will have no less an oversight of those cases where police officers are brought before their chief officers under discipline and are treated badly. What is sauce for the civilian goose ought to be sauce for the police gander. I mean by that that there should be an even-handed approach.

I remind the House that discipline in the police service can be onerous. There is no lonelier man than a young police officer brought up before his chief, who has virtually absolute power over him and who could, until the introduction of a lawyer was agreed, operate like Captain Bligh of the Bounty, with an inconsistency between one police area and another that is not very much short of scandalous. In circumstances where a police officer has been wrongly treated, the Police Complaints Authority

[Mr. Eldon Griffiths]

should have a duty and power to oversee that injustice as well as any injustice that is done by the police to members of the general public. I ask my hon. Friend to comment on that.

In regard to anonymous complaints I am glad that an order is being introduced. All that it does for practical purposes is to allow the new Police Complaints Authority to operate in exactly the way that the Police Complaints Board did.

I conclude with a general point. We have gone through a year or so in which the police service has been castigated more severely perhaps than at any other time. Throughout the miners strike large numbers of people in police authorities condemned their own men; large numbers of people in important trade unions alleged that the police service is a brutal, national, political force imposing trade union law. Even in the House we have had bitter exchanges. Against that background, when the House comes to consider the new arrangements for complaints against the police it should recognise that the Government are demonstrating by these orders and by section 9 of the Police and Criminal Evidence Act that, far from our having a police service that is non-accountable, we have a police service that is being made to account more than than any other police service in the world. It should be recognised that what Government are doing here on behalf of civil liberties of the police themselves gives the lie to all of the allegations and objurgations that have been made against the police service over the past year.

I cannot say that I welcome all these orders. I accept them as part of the package that was concomitant with the Police and Criminal Evidence Act.

10.30 pm

Mr. Simon Hughes (Southwark and Bermondsey): The hon. Member for Bury St. Edmunds (Mr. Griffiths) is known as the spokesman for the police interest. I do not pretend to that position. There is a duty on hon. Members to uphold both law and order — as the Commissioner of Police of the Metropolis says in the new Metropolitan police handbook—and the rights of the citizens. What I have to say on these regulations comes within that context.

I share the scepticism expressed by the spokesman for the other main Opposition party, the hon. Member for Hammersmith (Mr. Soley). Although the new authority will be better than the present one, it will not be good enough. A system which appears to be the Establishment at work will not succeed in gaining public confidence. We do not want on it members who represent their vested interest and vote accordingly, we want people who will examine appropriately the many different complaints that are made through the channels set up under the authority, and who can increasingly gain the confidence of the communities, which they are meant to look after.

I welcome the appointment of the new chairman, who has a good track record. I welcome also the appointment of the other main members, but I have a specific suggestion. It comes from the practical experience over a relatively short time — the two and a bit years that I have been an hon. Member—of complaints against the police recorded and brought to me. It is vital that, of all the groups in the community, our young people have confidence that the police act properly. It is vital that they can be confident that the way that the police are examined produces an impartial, publicised, efficient, quick and effective adjudication.

We all know that the court system produces some correct and some incorrect results at the end of trials. If the solicitor and counsel do a good job—they do not always — people are well represented, and juries fulfil their duty and convict where they should and acquit where they should. However, we all know of occasions where the system has failed because it has not even begun to address the real latent complaint behind the complaint brought against the police.

I can give an example to illustrate that general complaint. Two weeks ago, I was sitting in my office in the Norman Shaw building on Friday afternoon. The House had just risen. My constituency is near by, and so my constituents, like those of other London Members, feel that they can get to their Member of Parliament to get him to act quickly in an emergency. I had four phone calls within the space of half an hour from adult constituents complaining of police behaviour in Surrey docks during the arrest of one teenager. The complaints did not come from his family, who were away from home at work. They came from people coming home, meeting their children from school and so on—the neighbourhood. One after the other, and independently —I checked this—they attested to the fact that the police had over-reacted.

At the moment, that case is being considered. It has not gone through the procedure yet, because I advised that it should not. I advised that it was better that I should, as I did that afternoon, phone my chief superintendent, to raise with him the concern, then ask the constituents involved to write to me, go and see them myself and seek to establish what had gone on. I asked why there had apparently been an unnecessary over-reaction to someone who may or may not have been misbehaving—that is an issue to be resolved—but who was clearly dealt with in a way that the community found unacceptable.

The criticism is specific. It does not reflect my view of the general behaviour of the police in Southwark. In general, they do a very good job and I intend no reflection on the generality of police work. However, the Minister knows that there are occasions when that sort of incident needs careful investigation. It is vital that we have available people who are experienced and impartial enough to ensure that those who are most vulnerable and most aggrieved if the system does not work — the categories who will persuade us that we need to revise the system again if it does not work—will be looked after properly.

The largest such group is the young—the adults, legislators and parents of the future. I do not say that there must be an 18-year-old or a 21-year-old on the authority, but the PCA must make it its business to ensure that young people feel that they are being understood. The list of the great and good do not always understand the need for that.

Although I welcome only parts of the proposed procedure, I particularly welcome the informal resolution procedure. I disagree with the hon. Member for Bury St. Edmunds because I believe that it is vital that there should be a category of complaints that can be dealt with in a way that avoids the long bureaucratic delays that occur in the present system.

I hope that the new procedure will not get bogged down in bureaucracy, but, above all, I hope that when people go to a local police station to make a complaint they will be made clearly aware of the procedures and rights open to them, as they are in other areas, such as civil rights and welfare rights. I hope that it will be made clear to people that once they decide to invoke the law to help them, certain things flow from that. For example, a case becomes sub judice.

There is a failing in the system. I did not serve on the Committee on the Police and Criminal Evidence Bill—my hon. and learned Friend the Member for Montgomery (Mr. Carlile) represented my party — so I did not participate in the debates on the system, but I find that people either do not use the procedures and feel aggrieved because they do not know their rights or their chances of being upheld, or they launch into the system and find that it takes over the complaint and their chance to do anything about it is suppressed. That happens especially if there is a long delay. Even if there are no criminal charges and no trial, a long delay means that the effective remedy is not achieved. The Minister will know the phrase, "Justice delayed is justice denied."

It is important that the PCA has the staff and experience to allow efficient redress, particularly under the informal resolution procedure, where the police and the citizen agree the solution. That is the better method.

The second set of regulations relate to the mandatory referral upwards of matters of importance. The most important are obviously allegations of assaults—actual bodily harm and so on. The authority must deal with those cases.

I hope that, as in other areas of Ombudsman-type adjudications, we shall have a periodic presentation of facts to the public, through reports and other channels. We should have a proper assessment of how the law deals with matters such as self-defence. A complaint of assault by a police officer often arises out of an arrest and the self-defence that a citizen feels he is entitled to use. That is a difficult matter for the courts.

When there are referrals upwards, I ask that there is soon established a clear set of guidelines which make the practice of the authority compatible with criminal law and the criminality of those forms of assault, and where people know that if they are arrested in circumstances in which they believe that the police have overstepped the limit, they can properly present their case, with any appropriate evidence.

The example that I cited earlier was a case in point. People may witness what they believe to be an instance of the police overstepping the mark. That must be looked at by the authority. Perhaps matters of assault could be dealt with separately from other matters so that there is a quickly established procedure and people know that they can go to an experienced person in the authority who deals with these matters. It is a specialist area of importance, to which the House has decided the authority should have particular regard. I ask that the authority arranges its affairs so that people know exactly how it will deal with complaints, that they will be properly dealt with and that all the evidence will be considered and adjudicated upon.

The Minister will remember that during our debates in Committee on the Local Government Bill only a month ago we discussed how it was appropriate, and the methods that could be employed, to ensure that during inquests the families and others involved had the opportunity to present their case properly. The Minister accepted that there was great dissatisfaction with adjudication in inquests on both matters of fact and allegations. I ask that the authority immediately takes on a special responsibility, when dealing with mandatory referrals of assaults against persons, to establish a clear code of practice and a clear method of dealing with them which encompasses all the evidence and reports back to the aggrieved and other interested parties.

On the third set of regulations, the Minister quoted the guidelines set down in the schedule. I am aware that we are signatories to the European convention, which is right and proper. I do not hold the Nationalist sovereign view that we always get it right. Is it clear that these regulations have the same criteria as are applied when one takes a complaint to the European Commission? Certain categories of complaint are dismissed because they are repetitious, anomalous and so on. It is important that we are consistent, otherwise similar definitions, which in practice mean different things at different levels of what is a heirachy of appeal, give rise to problems. It is a practical question. It is not terribly important, but there are people who make complaints but do not wish to pursue them because they are anomolous. However, they raise important issues. I hope that we can be consistent at the lowest level of complaint under the regulations with what we do on the highest level of sovereign decision which is often taken for us by the European Court of Human Rights.

The scepticism which I voiced at the beginning of my speech does not mean that I and my colleagues do not wish the new authority every success. We have confidence that the regulations will give the new authority the confidence that it needs to be able to do its job. Whatever the details of the practice, I hope that these regulations and others will make it clear to the public what their rights are, that their complaints will be comprehensively investigated, that everybody who wishes to have a say may do so and be listened to sympathetically, however difficult that may be, and that there will be a speedy, comprehensive and—within the parameters of the Act—publicised report back to the aggrieved so that justice may be seen to be done as well as, I hope, being done.

10.45 pm

Mr. Giles Shaw: With the leave of the House, I will respond to the points that hon. Members have made.

I am grateful for the appreciation of hon. Members in all parts of the House for the work that the present police complaints board has done under its current chairman, Sir Cyril Philips, and for the broad welcome that has been given to the appointment—by Her Majesty, I remind hon. Members—of Sir Cecil Clothier to his new post as chairman of the new police authority. It is important that the House should give its general support at the outset of his task.

The hon. Member for Hammersmith (Mr. Soley) drew attention to what he felt were cumbersome and complex regulations, but he did so in the context of suggesting that an ombudsman system should be applied to the police service in general. He will know that that was discussed during the passage of the Police and Criminal Evidence Bill, when it was agreed that the idea of a complaints ombudsman, as it were, should not be proceeded with.

[Mr. Giles Shaw]

We took the view, to which we still firmly hold, that the solution that we propose will provide a direct and efficient system that meets the needs. The House should recall that we are dealing here not just with the investigation of complaints from members of the public who have been aggrieved by police actions or activities, but also with the discipline side within the force. For example, it is inevitable that records will be kept and that there will be a degree of complexity, so reflecting the disciplined way in which police forces are run. My hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths), as so often, was right to remind the House that there is a strict and extremely formidable code of discipline to which all police officers subscribe.

That aspect is also within the purview of the new police complaints authority on the disciplinary side of its work. Thus, there must be a structure, and inevitably it will be formal in print, though I assure hon. Members that, on informal procedures, every attempt is made to simplify matters to the point of great simplicity indeed.

I assure my hon. Friend the Member for Bury St. Edmunds that there is no intention of involving a third party. It will be between a complainant and an officer, and it is hoped that such issues can have a very quick resolution indeed. I accept the point made by the hon. Member for Southwark and Bermondsey (Mr. Hughes) that one problem concerning the public's perhaps lack of confidence in the existing procedures is due to their time-consuming nature. It is inevitable, for example, that should civil proceedings intervene those proceedings must take place before there can be an adequate handling of a police complaint. We judge that the informal resolution procedure will be kept to the absolute minimum, in time and content and in the number of persons involved.

It is crucial that the House recognises that a great many complaints are capable of being resolved in such a person-to-person way. As my hon. Friend the Member for Bury St. Edmunds pointed out, that is the way in which many complaints are dealt with now. There is nothing new in that in principle. What is new is to set out clearly where the rights are and where the citizen can go to get the quickest possible resolution of a grievance. Of the 16,000 complaints currently handled, well over 2,000 come within a category known as "incivility." It is likely that many of those complaints could be resolved rapidly by a generous use of the informal resolution procedure.

My hon. Friend the Member for Bury St. Edmunds was concerned about the costs of legal representation, particularly in cases where the Police Federation case was upheld and where, therefore, the chief officer's case was lost. I am aware of my hon. Friend's tenacity in this matter. He will be aware that the question of the payment of costs for the representation of officers acquitted was fully discussed during the passage of the Bill and that the Government took the view at that time that such a provision should not be included in the measure. I know that my hon. Friend thinks that there should be such a provision. The matter was considered, and it was agreed not to include the provision in the Bill.

Mr. Eldon Griffiths: My hon. Friend is not putting the matter exactly correctly. The matter was not discussed because we did not contemplate the case where, because of the lawyer's intervention, the federation won its case and the chief officer lost his.

Will my hon. Friend answer this case? The chief officer is provided with a lawyer at public expense. The accused police officer is provided with a lawyer only voluntarily at the expense of the Police Federation. If the chief officer loses his case, his costs will be paid from the public purse. If the Police Federation wins its case, apparently it will not have the benefit of public funds. How can it be right to place a chief officer in a position where he receives money from the taxpayer—whether he wins or loses, whether he is right or wrong, whether he is just or unjust, whether he is venal or not — whereas when the officer using funds provided voluntarily by the Police Federation is acquitted and is seen to be innocent in every respect he is not given the same benefit that the chief officer gets, even when he is mistaken and is shown to be wrong?

Mr. Shaw: I take my hon. Friend's point. There is no question but that there is a disparity in the present arrangements. This issue was debated thoroughly in another place during the passage of the Bill. It was considered that there should not be special provision. My hon. Friend the Member for Bury St. Edmunds says that that is an unfair arrangement. I put it to him that there has been a fairly steady evolution of the extent to which the members of the Police Federation can obtain legal representation and the use of facilities for the reimbursement of those costs. At the moment that is based on the federation's funds. The federation is a large and significant organisation which is able to do that. The same cannot be said of the chief constables. There are fewer chief constables. I shall take the matter on board for future discussion, but I am afraid that, within the context of these regulations and the Bill, that must remain the position.

The hon. Member for Southwark and Bermondsey referred to the specialist role of the authority dealing with serious complaints. That authority has a special role, and there is nothing to prevent it from, for example, reporting to the Home Secretary about certain incidents or the characteristics of certain incidents that draw themselves to the authority's attention as requiring special treatment. It is not wise to assume that the authority will field specialists in certain categories of complaint. The authority will be composed of a chairman, two deputy chairmen and 10 members. About half that membership will deal with the discipline side and about half will deal with the investigative side. It would be difficult, because of those small numbers on the authority, to say that there would always be one person who would specialise in one type of complaint.

I assure the House that the authority will comprise people who have been appointed for their professional and relevant skills in handling these issues. It will not be composed of token representatives from either ethnic groups or geographical areas; it will be primarily composed of those who can discharge these duties on a professional level. The duties are considerable.

The hon. Member for Hammersmith asked about the representation of women on the authority. At the moment, three of its members are women. At least one authority member is from an ethnic minority group. But those people are not on the authority simply because they are members of specified groups. They are there because they bring relevant, professional expertise to the job.

The biggest distinction between the authority and the police complaints board is its professional full-time nature. That allows the chairman's role to become significant in maintaining and determining a standard by which the complaints and discipline procedures are dealt with.

Mr. Soley: I am grateful to the Minister for clarifying that matter. No one was arguing that those people should be there merely because they were female, black, Asian or whatever. The argument that I used strongly — the Minister seems to have conceded this—is that there are plenty of people from those groups who have the professional ability to do the job. It is important that they are on the board. If that is what the Minister is saying, and I understand that it is, I welcome it.

Mr. Shaw: Yes, I can give the hon. Gentleman that assurance.

In recommending the regulations to the House, I return to the point made by my hon. Friend the Member for Bury St. Edmunds. We already have a highly professional police force and significant restraints laid upon the behaviour of members of that force by virtue of the discipline procedures. Chief officers already have a high degree of independence in the control and discipline of their forces. It is because of that that the police complaints authority and the regulations which analyse and set out some of its powers have to take in hand the reputation and high standards already established.

It is no part of the work of the police complaints authority to seek to undermine or, as it were, pull down the edifice of police discipline which has been established over so many years and which results in the United Kingdom force receiving a great degree of world-wide respect. We believe that the police complaints authority will take forward by a large measure the degree of public confidence to be attached to the police complaints procedure, to provide it in a way which is more accessible, ore understandable, and I hope speedier than that which presently obtains, but, above all, make it one which satisfies all parties—those who complain and those who observe the discipline code in the police.

I ask the House to accept the regulations.

Question put and agreed to.

Resolved,

That the draft Police (Anonymous, Repetitious Etc. Complaints) Regulations 1985, which were laid before this House on 4th April, be approved.

That the draft Police (Complaints) (Mandatory Referrals Etc.) Regulations 1985, which were laid before this House on 26th March, be approved.—*[Mr. Giles Shaw.]*

That the draft Police (Complaints) (Informal Resolution) Regulations 1985, which were laid before this House on 26th March, be approved.—*[Mr. Giles Shaw.]*

INDUSTRIAL DEVELOPMENT BILL *[Lords]*

Order for Second Reading read.

Motion made, and Question put forthwith, pursuant to Standing Order No. 69 (Second Reading Committees), That the Bill be now read a Second time.

Question agreed to.

Bill accordingly read a Second time and committed to a Standing Committee pursuant to Standing Order No. 42 (Committal of Bills).

INDUSTRIAL DEVELOPMENT BILL *[Lords]* [MONEY]

Queen's Recommendation having been signified—

Resolved,

That, for the purposes of any Act resulting from the Industrial Development Bill *[Lords]*, it is expedient to authorise the payment out of money provided by Parliament of any increase attributable to that Act in the sums required by the Secretary of State for defraying out of such money the expenses of the English Industrial Estates Corporation.—*[Mr. Boscawen.]*

PETITION

Transport Bill and Rates

10.57 pm

Mr. David Gilroy Bevan (Birmingham, Yardley): I wish to present two humble petitions from the citizens of Birmingham resident within the electoral constituency of Yardley. The first, signed by 635 persons, states

That the proposals contained in the transport Bill 1985 will have a detrimental effect on the residents of the City of Birmingham who use public transport, will put in jeopardy the West Midlands Passenger Transport integrated transport system . . . will threaten the country wide concessionary fares scheme used by Senior Citizens, disabled, unemployed and school children, and will cause further loss of jobs in the transport industry within the Birmingham area, and will also have a damaging effect on those who remain working within the industry and those engaged in the bus building industry.

Wherefore your petitioners pray that your honourable House reject the Transport Bill 1985.

To lie upon the Table.

Secondly, I present a petition signed by 740 of my electors. They humbly petition as citizens of Birmingham and members of the Sheldon Residents Association

That the House recognise the implication and full extent of the drastic and outrageous 43 per cent. Rates increase to be levied by the City of Birmingham District Council.

Wherefore your petitioners pray humbly that your reject the proposal made by the City of Birmingham District Council.

I join them.

To lie upon the Table.

Mr. Ray Honeyford

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Boscawen.]*

10.59 pm

Mr. Marcus Fox (Shipley): This Adjournment debate is concerned with Mr. Ray Honeyford, the headmaster of Drummond Road Middle School, Bradford. Just a few of my constituents send their children there. This matter has become a national issue—not from Mr. Honeyford's choice. Its consequences go beyond the issue of race relations or, indeed, of education. They strike at the very root of our democracy and what we cherish in this House above all—the freedom of speech.

One man writing an article in a small-circulation publication has brought down a holocaust on his head. To my mind, this was a breath of fresh air in the polluted area of race relations. He was not in conflict with the Secretary of State or indeed with his education authority. I quote from the chairman of the council's education committee:

"It is clear that Mr. Honeyford is not and has not acted in any way to be labelled a racist. Council documents show that he has implemented the authority's policy."

Indeed, because the chairman of that committee is a Conservative, to show how unbiased they are, the principal middle school officer, Mr. Donald Thompson —not to be confused with the Whip of that name—said in the *Telegraph and Argus* on 20 March 1984:

"Mr. Honeyford was unquestionably very able. We have had no complaints about him at all. All this controversy has stemmed from the publication of an unfortunate article. He has always done well by all the pupils at the school."

How, then, did all this business start, we may well ask, and I hope to enlighten the House? What did Mr. Honeyford say in his article in the *Salisbury Review?* He dared to suggest that in a classroom dominated by coloured children white children suffer educationally. Mr. Honeyford should know, because in his school 92 per cent. of the children are of Asian origin. If he had commented the other way round, that in a school with 92 per cent. white children the 8 per cent. coloured children were at a disadvantage, he would have been praised by his present detractors, not vilified.

Mr. Michael Meadowcroft (Leeds, West): Not so.

Mr. Fox: It is all right the hon. Gentleman saying "Not so". Let him just listen to what I have to say.

Mr. Meadowcroft: I have listened.

Mr. Fox: The hon. Gentleman has not heard half yet. In practice Mr. Honeyford is trying to rectify the situation in his school by emphasing that all his children are British —I see that the hon. Gentleman agrees; that is hopeful —and that English should be their mother tongue. How on earth will they be integrated in our society if they are not fluent in our language? He is not saying that other cultures or languages should not be respected. He points out that most of the children get these all the time outside school. This is inevitable. Something like only 10 per cent. of their parents speak English and only 1 per cent. or 2 per cent. write it. So it is obvious what language the children get at home.

Mr. Honeyford believes that schools must place British culture and history at the forefront of the curriculum for all pupils, black and white. It is a fact that the parents of the children in question chose to come and live here of their own free will, were given British citizenship and therefore must accept that our British educational system is the best possible for their families.

This is not a new policy. Over the decades other minorities from many countries have accepted this. In my own constituency there are Jews and people from eastern Europe who have accepted this without question. And I believe that the vast majority of the parents of children at Mr. Honeyford's school know this and want their children to do well through the sort of teaching that he has given. One would think that somehow in this day and age it was racist to teach English.

What are Mr. Honeyford's qualifications? He has taught at that school for four years. He has a first-class record. There are 540 children at the school, and it is oversubscribed for the next school year. Obviously, he has the confidence of the majority of the school governors —*[Interruption.]* I hear those rumblings, but only a few days ago in the *Telegraph and Argus* of 7 April, Mr. Ernest Kinder, chairman of the school governers, said:

"I have received many letters of support from parents and, as far as the board is concerned Mr. Honeyford is the right man for the job at Drummond Road. We feel that every individual is entitled to voice his opinions and therefore we do not want to discuss the matter."

I am sure that the majority of parents support Mr. Honeyford. Not one child has been withdrawn from that school in spite of the vicious campaign that has been orchestrated against him over the past 12 months. The vitriolic attacks on him must have had an enormous effect in terms of undermining his authority and teaching. It is to the shame of those people that they have never given any thought to the effect on the children. The staff support him. I defy anyone who has visited the school—perhaps the hon. Member for Bradford, West (Mr. Madden) would like to say something about this, if he has visited the school—to dispute the fact that it is a good school where discipline and authority are maintained, and the children are happy and are being educated in a good environment. No racist could control such a well-run school, with dedicated students learning and speaking English. *[Interruption.]* I hope that people outside the House will be noting the noises made by the only Liberal Member present in the house, the hon. Member for Leeds, West (Mr. Meadowcroft). Mr. Honeyford's enemies have deliberately exaggerated the article that he wrote for their own ends. I remind the House of what the Secretary of State said in a speech to the chamber of commerce in Reading:

"To emphasise racial differences could create untold damage to race relations."

He has also said:

"The Government is committed to the principle that all children of whatever race or colour should have an equal opportunity to benefit from education. At the same time they should also be able to feel that they belong in a true sense to Britain."

It is right to uphold family traditions and values and to have pride in our ancestry, but we are also full members of British society, whatever our origins.

Who are Mr. Honeyford's detractors? Who are the people who have persecuted him? They have one thing in common—they are all on the Left of British politics. The Marxists and the Trots are here in full force. We only have to look at their tactics, and all the signs are there. Without a shred of evidence, Mr. Honeyford has been vilified as a racist. Innuendos and lies have been the order

[Mr. Fox]

of the day. He has been criticised continuously through the media, yet most of the time he has been barred from defending himself and denied the right to answer those allegations by order of the education authority. The mob has taken to the streets to harass him out of his job. Some 150 demonstrators marched from the school to the education offices in Bradford.

After that rent-a-mob besieged his office, the director of education, in a blue funk, announced a major review. Ten educational advisers descended on Mr. Honeyford's school to investigate it. A few paltry recommendations were made, one being that he should improve relations with the parents—[HON. MEMBERS: "Hear, hear."] Hon. Members should listen. As the vast majority of the parents do not speak English and do not come to the school as normal parents would do, he sought to meet them. He wrote to all the parents in Urdu and English explaining his intentions and, along with an experienced education welfare officer, who, by the way, comes from the new Commonwealth and knows all about those problems, he went to their homes. It was a worthwhile task. At every house that he visited he was greeted with respect and pleasure. What happened after Mr. Honeyford visited 40 or 50 families? A leading figure behind the parent action group made objections to the director of education, and the exercise was stopped. That is hardly an exercise in democracy. On the one hand Mr. Honeyford was asked to do just that, and on the other those who saw the success of it stopped him. So much for the council's claim that its race relations policy was based on encouragement, tolerance and concern. The officers showed cowardice. They could have dealt firmly with the Left-wing agitators months ago.

The same people visited the parents and, although the majority of parents cannot speak or write English, 200 similar letters arrived on the desk of the director of education asking for Mr. Honeyford's dismissal—I am justifying the Trots and Marxists being involved. Last October, a governors meeting at city hall — *[Interruption.]*—I hope that the Liberal party would not indulge in this sort of business.

Mr. Meadowcroft: If the hon. Gentleman will let me——

Mr. Fox: I have no intention of doing so.

Mr. Meadowcroft: I know.

Mr. Fox: I give way.

Mr. Meadowcroft: The hon. Gentleman may be doing himself a disservice. Will he accept that I came to listen to him because I may have more sympathy with what he is trying to say than he thinks? For example, I do not believe that the thought police have a place in our democracy. What I read and what I am advised by my Liberal colleagues is basically that whatever the writing on the paper, there is a feeling that Mr. Honeyford has not conformed with the spirit of multi-cultural education. What does the hon. Gentleman suggest should be done to resolve the problem, rather than to exacerbate it, as he is doing tonight?

Mr. Fox: From the minute when the hon. Gentleman came into the Chamber he has disguised from me the fact that he is in sympathy with my remarks. I shall come to his point shortly.

Last October a governors meeting at city hall was interrupted by the most incredible scenes which sought to influence them. It was well reported in the various newspapers. Those people are out to destroy the career of a person who has spent a lifetime in teaching. Recently, they formed an alternative school. I remind the House that some people in the area wanted a separate Moslim school in the first place. Therefore, it was not difficult to get the bandwagon rolling. The children were picked up off the streets in minibuses which took them to the illegal school. Environmental health officers were not permitted to monitor the food being transported from local cafes to the school. Even the chief executive of the council was refused admission. So much for anxiety for the children. They were obviously being used.

The matter culminated in a six hour meeting, at which the vote was eight to seven. I now understand why the hon. Member for Leeds, West is present. It was the vote of the Liberal leader of Bradford city council that resulted in the suspension of Mr. Honeyford. She has since virtually retracted her comments. It all boils down to the fact that there is deep public anxiety at this injustice. The council and its officers have lost public support over the issue. I have a petition which a constituent collected in 20 hours, on which there are 6,000 signatures. I shall give it to the Minister before I leave.

The race relations bullies may have got their way so far, but the silent majority of decent people have had enough. The classic intolerance was when some employees of the council stopped Mr. Honeyford from attending a race relations course, where he would supposedly learn the error of his ways, which was the council's policy. They said that he could not attend because he was a racist. The employees, not Mr. Honeyford, were opposing the council's policy. That confirmed my worst fear about those courses. I knew exactly the sort of people who would be running them, and the racist policies that they would adopt.

The matter has reached the point where the morale of headteachers in our area has never been so low. One headteacher claims that 40 have taken early retirement. Although the council may make a generous offer, that seems to be a coincidence.

"I think Bradford is a very sick authority because it is ruled by those political zealots who are on the race lobby bandwagon."

She touches a chord there. The authority of head teachers has been undermined. If Mr. Honeyford is ultimately dismissed, where will it all stop? The withdrawal of the right to free speech from this one man could have enormous consequences and the totalitarian forces ranged against him will have succeeded. This is not the only attempt that has been made in Bradford to stop the conduct of public affairs by other than normal means. It cannot and must not be allowed to succeed.

There is no doubt that the parents are distressed, but the school could soon return to normal under Mr. Honeyford. There is enormous public support for him. I hope that the lord mayor elect of Bradford will reconsider his own position. If he wishes to improve race relations in the city during his year of office he should not forget that he needs the good will of the majority. A little magnanimity from him would be most welcome. A previous Labour lord

mayor, Councillor Norman Free, who opposed me and lost in two general elections, is now a friend of mine. He is as appalled as I am at the treatment that Mr. Honeyford is receiving. There is grave public disquiet at the behaviour of local education chiefs and the involvement of political extremists and at the fact that a matter of such great public concern was decided by a subcommittee and not by a full meeting of the council. It is feared that even if the school governors support reinstatement at their next meeting they may be overruled.

The staff are behind Mr. Honeyford, as are the majority of the governors, and thousands of people have signed petitions. His union, the National Association of Head Teachers, supports him and both local newspapers—the *Yorkshire and North Humberside Times* and the *Telegraph and Argus*—have published editorials saying how wrong the suspension is. Even a leading article in *The Times* has stated that Mr. Honeyford deserves to keep his job. It concludes:

"Mr. Honeyford is a heretic and his fate deserves the widest possible attention."

It is not too late to take action. I hope that my hon. Friend the Minister will monitor the situation extremely carefully.

A number of my hon. Friends have asked to express their support in the remining few minutes. Obviously, I must give way first to my hon. Friend the Member for Bury, South (Mr. Sumberg), as Mr. Honeyford is his constituent.

Mr. Max Madden (Bradford, West): On a point of order, Mr. Deputy Speaker. Mr. Honeyford may be a constituent of the hon. Member for Bury, South (Mr. Sumberg), but the vast majority of the parents are my constituents. The hon. Member for Shipley (Mr. Fox) has referred to me in the debate and when I had an Adjournment debate some months ago I readily gave way to him. I appeal to you, Mr. Deputy Speaker, to ensure that there is a fair balance of views in this short debate and to allow me to intervene in it.

Mr. Deputy Speaker (Mr. Ernest Armstrong): I have listened carefully to the point of order and I must put the record straight. An Adjournment debate is personal to the Member who is successful in the ballot, but it is not for that Member to decide who shall be called next. The hon. Member for Shipley (Mr. Fox) may give way to an intervention, but he must not try to tell the occupant of the Chair who is to speak next.

Mr. Fox: I gave the hon. Member for Bradford, West the opportunity to intervene earlier in the debate, but he did not seek to do so. He has not written to me asking to take part, as my two colleagues have. I shall therefore give way to my hon. Friends the Members for Bury, South (Mr. Sumberg) and for Keighley (Mr. Waller).

Mr. Madden *rose*——

Mr. Deputy Speaker: Order. I remind the House that more than half the time allocated for the debate has already been taken. I am sure that the House wishes to hear the Minister's response, although that, of course, is for him to decide.

Mr. Madden: Further to my point of order, Mr. Deputy Speaker. I wrote to the hon. Member for Shipley asking to speak in this debate. I also wrote to the Minister asking if I might speak. The supporters of Mr. Honeyford are zealous in claiming the right of free speech to express their point of view. They are equally zealous in trying to stop those who oppose them from expressing their point of veiw. It is clear that they are trying to do that in this debate. The parents who have lost confidence in Mr. Honeyford are overwhelmingly my constituents — the school is in my constituency — and I therefore ask for the right to speak on their behalf in this short debate to express a point of view which is contrary to that of the hon. Member for Shipley—

Mr. Deputy Speaker: Order. I must follow the procedures of the House, which provide that the Adjournment debate is personal to the hon. Member who has been successful in the ballot. It is also the practice to hear the Minister's reply, and we have already taken more than half of the time allocated to the debate.

11.21 pm

Mr. David Sumberg (Bury, South): I am grateful to——

Mr. Andrew F. Bennett (Denton and Reddish): On a point of order, Mr. Deputy Speaker. Is it not unfair to the House that an hon. Member should raise a matter that concerns another's constituency, refer to that hon. Member, implying that he will be able to put the record straight and answer all of the abuse, and for that hon. Member then not to be given an opportunity to speak?

Mr. Deputy Speaker: It is for the occupant of the Chair to follow the procedures. It is for the Minister to decide whether time should be taken out of the last 10 minutes available by another hon. Member. An Adjournment debate is a personal matter for the hon. Member successful in the ballot. It is for the Minister to decide.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Bob Dunn): My hon. Friend the Member for Shipley (Mr. Fox) informed me that he had been approached by my hon. Friends the Members for Bury, South (Mr. Sumberg) and for Keighley (Mr. Waller), and I accepted that. The hon. Member for Bradford, West (Mr. Madden) presented me with a note about half an hour before the debate started. I accept your ruling, Mr. Deputy Speaker, that the debate is entirely the prerogative of my hon. Friend the Member for Shipley.

Mr. Sumberg: I am grateful to my hon. Friend——

Mr. Madden: On a point of order, Mr. Deputy Speaker. I must protest again that this is most curious. I have not been aware, during my eight years in the House, that an Adjournment debate is the personal property of an hon. Member, especially when the debate is about a school in another hon. Member's constituency, the person named in the motion is not a constituent of the hon. Member who has been granted the debate and when that hon. Member refuses to give another hon. Member, who is mentioned during the debate, an opportunity to reply to grossly misleading information.

Mr. Deputy Speaker: I must inform the House that the Adjournment debate is a personal matter for the hon. Member successful in the ballot. That has long precedent. An hon. Member, whatever his interest in the debate, must reach an agreement with the hon. Member successful in the ballot and the Minister. I am honour bound to accept the procedures.

Mr. Andrew F. Bennett: On a point of order, Mr. Deputy Speaker. Is it not clear that there is a convention in the House that if an hon. Member discusses matters in another's constituency, especially when he makes allegations such as have been made today, he gives that hon. Member an opportunity to at least express a point of view? Just as our procedures allow an hon. Member to have control over an Adjournment debate, so he should have regard to the conventions which allow fair speech. On an issue such as this, it is a grave abuse for an hon. Member to make allegations about a school in another's constituency and not allow that hon. Member to make at least a brief speech.

Mr. Deputy Speaker: Those may well be the merits of the case, but I am bound by the procedures. The Adjournment debate is personal to the hon. Member who has been successful in the ballot. Any other hon. Member must seek the agreement of the Minister and the hon. Member concerned.

Mr. Madden: Further to my previous point of order, Mr. Deputy Speaker. You may recall that when I raised my initial point of order I referred to the fact that I had an Adjournment debate some months ago concerning the closure of a hospital in my constituency. In the course of my remarks I referred to a hospital in the constituency of the hon. Member for Shipley. He did not at any time seek my agreement, but he spoke immediately after I did in that debate, and I readily allowed him to speak. He tonight is denying me the opportunity to speak that I gave him some months ago. This is an abuse of the House——

Mr. Deputy Speaker: Order. I remind hon. Gentlemen that there is no injury time. Points of order are part of the Adjournment debate. All I say is that it is for the hon. Member concerned to decide, and I am trying to follow that procedure.

Mr. Sumberg: I want to make one single point. I am speaking in the House on behalf of my constituent. By the conduct of the hon. Member for Bradford, West (Mr. Madden) I have been prevented from doing so. I am here to defend my constituent's interest. I am grateful to my hon. Friend the Member for Shipley (Mr. Fox) for allowing me to do so. My constituent has not had the sort of freedom of speech that the hon. Member for Bradford, West has tried to deny to me. I shall sit down in the hope that the Minister may have five minutes to reply to the debate.

11.26 pm

The Parliamentary Under-Secretary of State for Education and Science (Mr. Bob Dunn): Mr. Deputy Speaker——

Mr. Madden *rose*——

Mr. Deputy Speaker: The hon. Member for Bradford, West (Mr. Madden) must resume his seat.

Mr. Dunn: Mr. Deputy Speaker, I should like to thank——

Mr. Madden: On a point of order, Mr. Deputy Speaker.

In June of last year I was in extensive correspondence with the Secretary of State for Education and Science about the school which is the subject of this debate——

Mr. Deputy Speaker: Order. This is an Adjournment debate. There are certain rules that apply to Adjournment debates. Unless the hon. Gentleman is contradicting what I am saying about the procedures, he must not delay the debate. We are almost at the end of the Adjournment anyway. I am sure that the House wants to hear the Minister's reply.

Mr. Andrew F. Bennett: Further to that point of order, Mr. Deputy Speaker. The convention of the House is that there is an opportunity for Members to express their point of view. The hon. Member for Shipley (Mr. Fox) who introduced the Adjournment debate, has broken the convention of the House by denying——

Mr. Deputy Speaker: Order. The hon. Gentleman knows that the convention is for each hon. Member to be responsible for his own conduct and his own speech.

Mr. Bennett: Further to that point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: It cannot be further to a point of order which I decided was not a point of order.

Mr. Bennett: On a point of order, Mr. Deputy Speaker. The convention of the House is that an hon. Member should have an opportunity to express a constituency point of view. If an hon. Member denies that, it is not surprising that hon. Members on this side feel aggrieved about the matter. He has not had the opportunity——

Mr. Deputy Speaker: Order. One may feel aggrieved on many occasions. My job is to protect the proceedings of the House.

Mr. Dunn: For the third time, I should like to thank my hon. Friend the Member for Shipley (Mr. Fox) for obtaining this Adjournment debate——

Mr. Madden: He misled the House on every conceivable aspect.

Mr. Dunn: I wish to reply to the Adjournment debate in the minute or two that remains.

Mr. Andrew F. Bennett: The Minister should blame his hon. Friend. It is his fault.

Mr. Dunn: We have come here tonight to listen to the point of view placed on the record by my hon. Friend the Member for Shipley.

Mr. Madden: It is a huge pack of lies.

Mr. Dunn: I wish to observe the convention of the House and respond——

Mr. Gary Waller (Keighley): On a point of order, Mr. Deputy Speaker. The hon. Member for Bradford, West (Mr. Madden) has described the words used by my hon. Friend the Member for Shipley (Mr. Fox) as a pack of lies. Is that in conformity with the traditions of the House?

Mr. Deputy Speaker: I did not hear the hon. Member making a personal allegation. It was a general comment. I think that we had better hear what the Minister has to say in reply.

Mr. Dunn: The Minister, too, would like to make some points to place on the record. Let me say at the outset that I do not see it as my task to interpret events in Bradford, nor to respond to the calls that I have heard to

intervene in the matter. I do not believe that I have available to me information on which that could be based. I must, therefore, restrict my comments to some of the general principles that have been raised——

The Question having been proposed after Ten o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-nine minutes past Eleven o'clock.

House of Commons

Wednesday 17 April 1985

The House met at half-past Two o'clock

The Clerk at the Table informed the House of the unavoidable absence, through illness, of MR. SPEAKER *from this day's sitting.*

Whereupon MR. HAROLD WALKER, THE CHAIRMAN OF WAYS AND MEANS, *proceeded to the Table and, after Prayers, took the Chair, as* DEPUTY SPEAKER, *pursuant to the Standing Order.*

Oral Answers to Questions

SCOTLAND

Redundancies

1. **Mr. James Hamilton** asked the Secretary of State for Scotland what was the average number of redundancies in Scotland between 1977 and 1979 and between 1980 and 1984, respectively.

The Parliamentary Under-Secretary of State for Scotland (Mr. Allan Stewart): The number of redundancies in Scotland involving 10 or more workers, notified to the Manpower Services Commission as due to occur, averaged 29,186 per annum for the period 1977 to 1979 and 47,207 per annum for the period 1980 to 1984. There are no statistics available where the number of redundancies is below 10.

Mr. Hamilton: Does the Minister accept that the Opposition believe that these figures are totally unacceptable and that they will not be acceptable during the lifetime of this Parliament? Does he recognise that the result of the revaluation will be a tremendous increase in rates which will lead to further redundancies because many companies will go to the wall? When will the Government and the Minister do something about it, in particular his right hon. Friend the Secretary of State for Scotland, who is our mouthpiece at Cabinet level?

Mr. Stewart: The hon. Gentleman seems to have forgotten that unemployment doubled during the lifetime of the last Labour Government. The Government's policies are designed to create a competitive economy. Output and employment rose last year. Business surveys are encouraging about the prospects for Scottish industry in 1985. As for rates affecting industry, the hon. Gentleman has misunderstood the position. Manufacturing industry will benefit from the revaluation.

Mr. Hirst: Does my hon. Friend agree that it is the height of hypocrisy for Opposition Members to try to make political capital out of the increase in the number of redundancies during the lifetime of this Government, as many of them are the logical consequence of high inflation, low investment and uncompetitive work practices of the previous Labour Government? Does my hon. Friend also agree that we should be talking not about redundancies but about Scotland's share of the 350,000 new jobs which have been created during the last year?

Mr. Stewart: My hon. Friend is absolutely right. Employment has been rising and the prospects shown by the business surveys are good. I was very surprised that the hon. Member for Motherwell, North (Mr. Hamilton) did not mention the increase in the work force at Terex or the fact that Honeywell has received contracts worth £35·2 million since January 1985. It does nobody any good to talk Scotland down.

Mr. Maclennan: Does the Minister recognise the importance to Scottish employment of the 80,000 jobs in the financial sector? If so, will he welcome the amendment to the Trustee Savings Bank Bill and ensure that the Government do not seek to reverse it at a later stage?

Mr. Stewart: Of course, the financial sector is very important to the Scottish economy, as is the service sector as a whole. Two out of three Scots are now employed in the service industries. As for the amendment made last night in another place to the Trustee Savings Bank Bill, no doubt my right hon. Friend the Chancellor of the Exchequer will note the position.

Agricultural Colleges

2. **Mr. Kirkwood** asked the Secretary of State for Scotland what recent representations he has received regarding the proposed reduction in funding for the agricultural colleges in Scotland set out in the receent White Paper on public expenditure.

The Parliamentary Under-Secretary of State for Scotland (Mr. John MacKay): Representations have been received from a number of organisations and individuals expressing concern about the proposed reduction in funding.

Mr. Kirkwood: Is this not arguably the Government's most short-sighted public expenditure cut so far? Is the Minister aware that more, not less, advice and research are needed in the present agricultural situation in Scotland? If the industry, and especially small farmers, can satisfy the Government that they cannot raise the £3·4 million cut by 1987, as proposed in the White Paper, will he reconsider the proposal so as to preserve this invaluable service?

Mr. MacKay: I accept that the service is invaluable to the industry, but it is worth pointing out that in 1987-88, when the reductions in public funding are fully effective, about £34 million of public money will still be going to research and development and advisory services in Scotland. That is a very considerable sum.

Mr. Bill Walker: Is my hon. Friend aware that in times of difficulty, when expenditure everywhere is under strain, farmers appreciate that every aspect of agricultural support must be examined, but that they expect continued support for upland and less favoured areas, where it is difficult to provide jobs, rather than for colleges?

Mr. MacKay: My hon. Friend is right about the importance of keeping control of public spending, because farmers are among the groups most directly affected by higher interest rates which may result directly from Governments allowing public expenditure to get out of control. My right hon. and noble Friend the Minister of State is having talks with the Scottish National Farmers Union and the chairman of the Council of Scottish Agricultural Colleges and with college principals to ensure that the service provided is kept in as good a state as possible.

Mr. Donald Stewart: As the EEC has designated Scotland as having 87 per cent. less favoured areas for agricultural purposes, is not the Government's proposal totally backward and reactionary? Will the Minister explain why for 1987-88 the cuts in Scotland will be 41 per cent. compared with only 20 per cent. in England?

Mr. MacKay: The right hon. Gentleman will have to get himself a better calculator. The percentage reduction for Scotland is 41·5 per cent. and the MAFF reduction for England is also 41·5 per cent., so he will have to take the chip off his shoulder about this matter.

Mr. Foulkes: Will the Under-Secretary of State confirm what the Minister of State said in a letter to me — that the grant for Auchincruive college in my constituency is to be reduced by £110,000 in the current year? How does he think that that can be achieved without redundancies? Will he also confirm that the Department has approved the setting up of an organisation, known as the Friends of Auchincruive, to try to raise money for the college through raffles and jumble sales? Is that how education is to be funded under the Tories?

Mr. MacKay: As I recall, the figures given in the letter to which the hon. Gentleman refers showed that spending this year would be greater than in the last year of the Labour Government, so perhaps we are doing better than his right hon. and hon. Friends were doing in 1978-79. We believe that the industry should make some contribution to the services, and we look forward to seeing the extent of that contribution before the colleges work out what savings will have to be made.

Mr. Ewing: Is the Minister aware that it is no surprise to the Opposition that he agreed with his hon. Friend the Member for Tayside, North (Mr. Walker) that education was not important? Is he further aware that his answer to the right hon. Member for Western Isles (Mr. Stewart) showed the same abysmal ignorance as the Minister of State has shown about the difference between the position in Scotland and that in England? Has he still not realised that the advisory services in Scotland are closely linked with the educational function, which is not the case in England, and that a 41 per cent. cut in advisory services will thus have a direct impact on education? Is he proud of that?

Mr. MacKay: If the hon. Gentleman reads the record of the exchanges in the past few minutes, he will realise that some of his remarks are quite wide of the truth. There is no reduction in the funding of the colleges' education function, although I concede that, due to the way in which their activities are integrated, there may be a marginal effect on the education facilities, but my right hon. and noble Friend the Minister of State will be considering that aspect with the principals of the colleges and others involved.

Agricultural Capital Grants

3. **Mr. Wallace** asked the Secretary of State for Scotland when he last met representatives of the Scottish National Farmers Union to discuss the impact of the reduction of agricultural capital grants.

The Secretary of State for Scotland (Mr. George Younger): My right hon. and noble Friend the Minister of State discussed this subject with representatives of the National Farmers Union of Scotland both on 10 January and at the union's annual general meeting on 8 March.

Mr. Wallace: Does the Secretary of State accept that a cut in capital cuts for agriculture will have a worrying effect not only on farmers but on small contractors in many rural areas who do the fencing and drainage work? There will be an effect on the whole rural economy. If, because of a reduction in the number of applications for grant, the saving in the present financial year is more than was originally budgeted for, will the right hon. Gentleman review grant rates later in the financial year?

Mr. Younger: We review the matter frequently anyway. Agriculture receives a massive amount of Exchequer support. The hon. Gentleman mentioned the capital grants figures. Last year, help to agriculture in Scotland was augmented by the doubling of the suckler cow premium, the enhancement of hill livestock compensatory allowances in the Highland Board area and the extension of the less favoured areas. I appreciate the hon. Gentleman's point about contractors being affected by changes in rates of grant, but the matter must be put in perspective. The amounts of grant are still very high in comparison with any other industry. For instance, there is a grant of 70 per cent. for field drainage in less favoured areas. That is a most generous rate of grant.

Mr. Corrie: If my right hon. Friend meets the NFU in the near future, will he discuss the ridiculous suggestion that milk quotas should be transferred from Scotland to any other country within Great Britain? It is vital that every litre of milk quota allocated to Scotland should stay in Scotland. I hope that my right hon. Friend will be able to assure us that that will be so.

Mr. Younger: That matter is under consideration, and I shall of course discuss it with my colleagues.

I should like to correct a figure that I gave a few moments ago. The figure for field drainage grant is 50 per cent., not 70 per cent.

Ambulance Service

4. **Mr. Willie W. Hamilton** asked the Secretary of State for Scotland if he will make a statement on the future of the Scottish ambulance service.

Mr. John MacKay: Last year my Department issued a document inviting views on the present organisation and management structure of the Scottish ambulance service. The comments received are being considered, and the outcome will be announced later.

Mr. Hamilton: Is the hon. Gentleman aware that there are great suspicions that the purpose of the consultative document is eventually to hand the service over to private cowboy profiteers, and that considerable pressure is being put on Conservative Back Benchers so that that aim can be achieved? Will he give a categorical assurance that that is not the Government's purpose and that the service will not be handed over to private commercial enterprises, as there is abundant evidence that it is an efficient public enterprise?

Mr. MacKay: The document issued last August discussed whether alterations in the service might improve the service for patients and lead to a more economic and efficient use of resources, especially in the light of the

growth of the use of day hospitals and the increasing demands on the ambulance service in running patients to and from day hospitals. Private contractors are already used to a limited extent in some areas for non-emergency routine transport,and there may be scope to extend their use. However, there is no intention at the back of my mind to privatise the whole ambulance service in Scotland, as the hon. Gentleman's fertile imagination suggests.

Mr. Bruce: Will the hon. Gentleman acknowledge that in present circumstances the Scottish ambulace service is chronically under-funded? In my constituency, which has the fastest rate of growth of any part of Britain, new communities which have been asking for ambulance services for years have still not been allocated any. When a road accident occurs, there is sometimes a delay of over an hour before an ambulance arrives. Proposals to close rural maternity hospitals will further increase the strain on the ambulance service, as has the expansion of Aberdeen airport over the past few years. The extra strains have not been adequately supported or funded and there has been no adequate response to representations made.

Mr. MacKay: The hon. Gentleman should check the facts. Current expenditure allocated for this financial year for the Scottish ambulance service is £24·8 million, compared with £11·3 million in 1978-79, when the Liberal party was keeping the Labour Government in power. We have expanded the ambulance service, which now employes more than 2,000 men and has over 800 vehicles. I accept that there is still some way to go in some aspects of the service, but a particular problem is the increasing number of patients who wish to be transported to day hospitals.

If there is a special problem in the hon. Gentleman's constituency, I should be delighted if he would write to me or speak to the chairman of the Common Service Agency, Sir Simpson Stevenson.

Unemployment

5. **Mr. Millan** asked the Secretary of State for Scotland if he will make a statement on the most recent unemployment figures.

Mr. Younger: Although the total numbers unemployed in Scotland fell in March, the seasonally adjusted trend was less favourable. Scotland is expected to share in the 3·5 per cent. growth forecast for the United Kingdom economy this year, and it is our success in producing and selling which will result in more employment opportunities.

Mr. Millan: Is the Secretary of State aware that the latest figures from Strathclyde show that male unemployment in the Govan and Kinning Park area is now no less than 35 per cent.? Is he further aware that similar figures can be quoted for many other parts of Scotland? In those circumstances, it is quite offensive for the Secretary of State to describe a Budget which will do nothing for Scottish employment as tailor-made for Scotland. If he cannot promise us the major changes in economic policy that are required, can he at least tell us what he is doing about particular threats to jobs in Scotland, such as the 1,000 and more at the British Rail workshops in the constituency of my hon. Friend the Member for Glasgow, Springburn (Mr. Martin) and the jobs at the Rowntree Mackintosh factory at Edinburgh, which are to be transferred to England? What is he doing to save those jobs?

Mr. Younger: I share the right hon. Gentleman's great anxiety about local levels of unemployment in his constituency. That is why his area, which is in the centre of Glasgow, still has the highest priority in Scotland and the highest rates of regional assistance. The right hon. Gentleman will have been as delighted as I was at the Govan shipyard winning a £40 million order for a North sea passenger freight ferry, which will be the biggest passenger ship built on the Clyde for 12 years. The right hon. Gentleman has more reason than most to know how difficult it is to keep businesses competitive when the Government keep putting more impositions on it, such as the Labour Government's decision to impose the national insurance surcharge. Industry in Scotland benefits from the rate revaluation, and I hope that the right hon. Gentleman will remember it.

Mr. Malone: Does my right hon. Friend agree that the best hope for the unemployed in Scotland is for the climate for industry to become ever more competitive? Has that not been so under the present Government, and does my right hon. Friend agree that that is why there has been so much inward investment in Scotland in the past 12 months?

Mr. Younger: My hon. Friend is right. The flood of inward investment—"flood" is the word—in the past 18 months or two years shows clearly that the Government's easing of the burdens on industry is producing results. It is worth remembering how Scottish industry would be faring today if it had still to pay the national insurance surcharge — the tax on jobs — which the right hon. Member for Glasgow, Govan (Mr. Millan) and his party imposed when in office.

Mr. Ron Brown: Is it not a disgrace that many miners have been dismissed, not because they are SS officers or friends of the royals, but because they wanted to defend jobs and living standards? Does the right hon. Gentleman agree that it is important that Jack Kane, the former Lord Provost of Edinburgh, be given a further mandate so that the conciliation service in the industry can take effect? Will the right hon. Gentleman support that as a democratic right?

Mr. Younger: I appreciate the hon. Gentleman's anxiety. Some of his constituents are probably worried. Employment with the National Coal Board is a matter for the NCB and its employees, according to the normal procedures. If someone feels that he has been treated unfairly, he should apply for an industrial tribunal to hear his case in the normal way.

Mr. Bill Walker: Has my right hon. Friend noticed that the level of unemployment in Blairgowrie is now just below that of Dundee, and that whereas Dundee enjoys special status, Blairgowrie does not? We find that, with the recent revaluation, Perthshire and Angus are again required to sustain Dundee. We are looking for some sanity and fairness. Will my right hon. Friend speak to his colleagues about travel-to-work areas, as Pitlochry and Blairgowrie can never be described as travel-to-work areas?

Mr. Younger: I appreciate my hon. Friend's views. There are many places in the country where people would

wish to see revisions of the travel-to-work areas. This is always looked at very sympathetically when new evidence is produced.

Mr. Wilson: If the Secretary of State believes in the value of indigenous as well as inward investment, will he be more forthright than his hon. Friends in relation to the Trustee Savings Bank in Scotland, which possesses something like £2·5 billion of assets which, if properly deployed, would be advantageous to the Scottish economy? Will he support the view that the TSB should remain a Scottish institution, in the same way as the Scottish Office gave its support to the Royal Bank of Scotland?

Mr. Younger: As to the events which took place in another place yesterday, the hon. Gentleman cannot expect me to go further, except to say that the Government will consider the results of that decision. As to the TSB Bill, there has been close consultation with everyone concerned for at least two years, and at all points TSB Scotland has made it clear that it favours the arrangements at present in the Bill.

Mr. Canavan: How much more Scottish unemployment will be caused by today's Government statement on privatising the naval dockyards? Is there no limit to this Government's doctrinaire privatisation programme? Can we eventually expect to see the British armed forces sold to Securicor?

Mr. Younger: The hon. Gentleman may think that is humourous, but he must have forgotten that the policy of the Labour party is to close down the Trident and Polaris programmes, which means that if there were again to be a Labour Government, which is extremely unlikely, there would be a jobs disaster at both Rosyth and Faslane. The Opposition must face that fact.

Mr. Maclean: For the benefit of those who do not wish to hear, will my right hon. Friend again confirm that the best way to keep down unemployment in Scotland is to ensure the right climate in which industry can compete, by reducing the burdens of national insurance and taxation? Was not the recent Budget one of the best ways of helping to reduce unemployment in Scotland for a long time?

Mr. Younger: I quite agree with my hon. Friend. There is no doubt that the Budget measures were specifically designed to encourage employers to take on new employees, particularly young ones. The extension of youth employment schemes will also be of great benefit to the unemployed. My hon. Friend is also right to point out that the measures that the Government have been taking over a considerable number of years have led to a great increase in confidence. As the latest CBI survey shows, it is expected that 370,000 new jobs will be created in the United Kingdom in 1985. There is no doubt that investment intentions and confidence throughout Scottish industry are now better than in the past.

Mr. Campbell-Savours: Is the right hon. Gentleman aware that, with a view to securing employment in the Scottish brewing industry, Scottish and Newcastle Breweries has launched a bid for Matthew Brown pubs and breweries in the north-west of England? Is he aware that Scottish and Newcastle has refused point blank to give any undertakings on both the future of the rural pubs in Cumbria, where 100 are at risk, and on the jobs of those involved in the two breweries in Cumbria? In the light of my protest, will the right hon. Gentleman now go to the Secretary of State for Trade and Industry and ask that this matter be referred to the Monopolies and Mergers Commission? We do not want the bid to go through.

Mr. Younger: I note what the hon. Gentleman says, but, as he said, this is very much a matter for my right hon. Friend.

Teachers (Pay)

6. **Sir Hector Monro** asked the Secretary of State for Scotland what recent discussions he has had with the Educational Institute for Scotland about salaries.

Mr. Younger: As I indicated in my reply to the hon. Member for Livingston (Mr. Cook) on 13 March, the general secretary of the Educational Institute for Scotland was present when I met representatives of the Scottish Joint Negotiating Committee for Teaching Staff in School Education on 28 January and 15 February 1985. I have had no subsequent approach for a separate meeting, although I stand prepared at any time to discuss matters of mutual concern with the EIS.

Sir Hector Monro: Does my right hon. Friend agree that, by holding out for an independent inquiry, the teachers have provoked and prolonged this strike? Will he make one more effort to bring them together around the table under the proper negotiating procedures to conclude this issue in order to prevent further hindrance to education for our children and difficulty over examinations?

Mr. Younger: I entirely agree with my hon. Friend that the EIS is now the only teaching union that is holding out against my suggestion that its real and deeply felt grievances should be considered properly by the joint negotiating committee. I also share my hon. Friend's hope that somehow the EIS may be persuaded to attend discussions to air those grievances. I have made it clear that I am only too willing to help.

Mr. Strang: Does the Secretary of State accept that in our view teachers have an overwhelming case for an independent review? Does he recognise that all the evidence of the last few weeks shows that the teachers are hardening in their determination to advance their just case? Does the Secretary of State further accept that we cannot continue in this way, as it is doing immense damage to our children's education? There is a responsibility on him to come forward with a major new initiative.

Mr. Younger: I appreciate the hon. Gentleman's anxiety, which we all share, but he, as a reasonable person, must agree that during this protracted and unnecessary dispute I have continually made it clear that I do not deny the fact that teachers have grievances; nor do I refuse to discuss those grievances with them. One of their unions refuses to discuss the matter through the normal negotiating procedures. That is deplorable, especially as children's education is suffering.

Lord James Douglas-Hamilton: Will my right hon. Friend confirm that the wide-ranging review within the framework of the SJNC remains on offer to the teachers, and that they have nothing to lose and probably a considerable amount to gain by accepting that offer?

Mr. Younger: I can confirm what my hon. Friend says. I have often made that offer, and I am reluctantly

forced to the view that the EIS has rejected it. It is getting more difficult every day to find funds to put the matter right. I am still willing to do my best to help.

Mr. Eadie: Is not the Secretary of State guilty of double standards? He chastises the teachers for not using what he describes as the normal conciliation machinery, yet his Government have refused to allow victimised miners to take advantage of the conciliation machinery which has been established in the mining industry since 1946. If the right hon. Gentleman is so vociferous in supporting normal conciliation machinery, why does he not come to the Dispatch Box and defend the victimised miners' right to practice conciliation and use their consultative machinery?

Mr. Younger: The miners' strike is a completely different subject, and the Government have not done what the hon. Gentleman suggests they did. The matter of dismissed miners is entirely between the Coal Board and its employees. To draw a parallel between the teachers' dispute and the miners' strike is not a happy approach to the problem.

Mrs. McCurley: Does my right hon. Friend agree that although we have often been asked during the dispute to consider the pay standards awarded by Clegg or Houghton, we should consider what the Conservative Government have given to teachers and the increase in teachers' salaries since we came to power in 1979?

Mr. Younger: My hon. Friend is right. As I have stressed in many letters to teachers, it is a myth that teachers' pay has fallen behind the cost of living since 1979—indeed, they have done rather better. It is worth drawing that to their attention, while still agreeing that they may feel that they are overworked. I am only too ready to discuss and to help to solve their problems.

Mr. Ewing: May I make a suggestion to the Secretary of State, which may help him out of the difficulties which he has created for teachers, parents and pupils in Scotland? Does he support the Tory-controlled Lothian regional council in setting up its emergency teaching centres and paying teachers £50 a day to work there? If so, why does he not make the same offer as a basis on which to begin negotiations with the EIS?

Mr. Younger: I have not made such a specific offer as that. I have offered—this cannot be stressed too much—that if the teachers produce within their negotiating committee a package covering pay and conditions of service, I shall consider such a package sympathetically and try to find a way of helping to implement it. As for Lothian education committee, it is responsible for dealing with the education of children in its area, and if it has taken sensible measures to provide some education for children who are deprived of it because of the teachers' strike action, it has the right to do so.

Drugs Control

7. **Mr. Wilson** asked the Secretary of State for Scotland if he is satisfied with the level of action being taken to curb the trade in hard drugs in Scotland.

The Parliamentary Under-Secretary of State for Scotland (Mr. Michael Ancram): Strenuous efforts are being made with considerable success by the police and other agencies to curb traffic in illegal drugs. My right hon. Friend is continuing to give high priority to a range of measures to deal with the serious consequences of drug trafficking.

Mr. Wilson: Although I appreciate the stance that the Government are taking on this matter, I must ask whether they fully realise the nature of the raging epidemic in the use of hard drugs. Is the Minister aware that prevention is the best part of cure, and that only two months ago a Bangladeshi jute liner came into Dundee and was left unattended by the customs service for 24 hours, because, as a result of Government cuts, no customs officers were available in Dundee to deal with it? Does he further realise that two loads of drugs were subsequently found aboard that jute liner? In those circumstances, will he increase the money available to enhance the customs services and the police so that we manage to stop the drugs coming into the country before they do the harm that they can do?

Mr. Ancram: I assure the hon. Gentleman that the Government are in no way complacent about the drugs problem in Scotland. As he will know, the number of customs officers is a matter for my right hon. Friend the Chancellor of the Exchequer, who announced last year that manpower in Her Majesty's Customs and Excise would be increased by 185 posts above the previous planning level. That includes 60 temporary posts, made permanent in 1984, to enhance general preventive controls, and 100 new posts specifically to combat drug smuggling in 1985-86. I understand that the Scottish position will be considered when the deployment of those extra 100 officers is decided.

Mr. Fairbairn: In addition to all attempts to prevent the trade in hard drugs, will my hon. Friend give the widest publicity to the harm caused by soft drugs, which are not only extremely harmful in themselves but which usually lead to an escalation of abuse into the devastating area of hard drugs?

Mr. Ancram: The Government believe that so-called soft drugs are harmful in themselves and often lead to the use of hard drugs. The Government will be taking the appropriate action to prevent those drugs, as well has hard drugs, from being used.

Mr. Craigen: As prevention is better than cure in this area, is the Minister satisfied that there are adequate links among all police authorities in Scotland and Her Majesty's Customs and Excise? Will he ensure that the Secretary of State for Scotland has a word with the Prime Minister about giving the tackling of the drug problem a higher political priority than it has now, especially as the Prime Minister's social and economic policies tend to encourage this misuse?

Mr. Ancram: To deal with the hon. Gentleman's last question first, I do not know on what basis he makes that assertion. He will remember that in the late 1960s and early 1970s, when employment was high, there was an increase in drug misuse. In countries such as Holland and Switzerland, which have high employment, drug abuse is a serious problem. I accept that intelligence and co-ordination are important, and we work constantly to improve them. Indeed, six of the eight police forces in Scotland have specialist drug squads, and my right hon. Friend the Secretary of State will consider sympathetically requests from police authorities for increased complements to deal with drug abuse.

Regional Policy

8. **Mr. Malone** asked the Secretary of State for Scotland what recent representations he has received from Grampian regional council concerning the effects of regional policy on employment in the Grampian region.

Mr. Allan Stewart: None directly, although I am aware of representations that the council has made to the Department of Trade and Industry on this subject.

Mr. Malone: My hon. Friend will be aware that there is some concern that jobs are being poached from Grampian region by other areas in Scotland which receive assistance. Can he confirm that the Scottish Development Agency office in Aberdeen, which has been accused of poaching these jobs, has done no such thing? Secondly, can he confirm that that office has been instrumental in attracting substantial amounts of investment and industry into the north-east of Scotland?

Mr. Stewart: I can confirm that the SDA has denied allegations of poaching, and I pay tribute to its success in the north-east since opening the Aberdeen office. The agency has committed assistance to a variety of projects in the north-east, to the value of almost £8 million.

Teachers (Dispute)

9. **Mr. Canavan** asked the Secretary of State for Scotland how many representations he has received about the Scottish teachers' dispute; and if he will make a statement.

Mr. Allan Stewart: Since October 1984 to 12 April some 4,000. As my right hon. Friend told the House earlier, a very reasonable way forward is through discussion within the Scottish Joint Negotiating Committee for Teaching Staff in School Education. The teachers' employers, the Scottish Secondary Teachers' Association and the Professional Association of Teachers would all be prepared to begin discussions on that basis, but the Educational Institute of Scotland is proving a stumbling block.

Mr. Canavan: Will the Minister withdraw his ill-informed, outrageous and downright provacative circular calling for striking teachers to be sacked? Instead of looking around for scapegoats, is it not high time that the Government accepted full responsibility for the crisis in Scottish education and agreed to the setting up of an independent review of teachers' salaries, which is a reasonable and legitimate demand supported by a majority of Scottish teachers, parents and Members of Parliament? There are a few notable exceptions, such as the Tory Member for Eastwood (Mr. Stewart), and his boss, the governor-general there, who is still sufferyng from the effects of educational deprivation at Winchester.

Mr. Stewart: The hon. Member is a former member of the EIS——

Mr. Canavan: I am still a fully paid up member.

Mr. Stewart: Whether the hon. Gentleman is an advertisement for the Scottish teaching profession is for others to judge. I am not surprised that he is giving full support to the trade union which has taken the unprecedented action of the targeting of schools in the constituencies of Scottish Conservative Members, an action which no other trade union has yet taken. I should have thought that Labour Members should pay more attention to the position taken by other trade unions. Everybody involved in this dispute is prepared to negotiate, except the EIS.

Mr. Forth: Does my hon. Friend share the widespread disappointment that the teaching unions are not prepared to participate in discussions about performance-related pay, as this would provide a possible way forward and could be helpful in negotiations? Is he suggesting that the unions look at this as a possible way out of the problem?

Mr. Stewart: My hon. Friend is referring to the issues that have been raised in England. In Scotland, my right hon. Friend the Secretary of State has suggested a review of pay and conditions of service through the existing negotiating machinery. He has said that if an attractive package results he would be prepared to re-order his public expenditure priorities within the Scottish block. That offer has not been made to any other group of public sector employees.

Mr. Maxton: Why does the Minister not recognise that the teachers, and the EIS in particular, might be prepared to consider the offer if the Secretary of State were to make it clear that he would guarantee any increase agreed by the negotiating machinery? Secondly, is he aware that the teachers do not trust the management side because they know that it consists of the Secretary of State and no one else, and therefore is not independent?

Mr. Stewart: The hon. Gentleman is wrong. The management side of the SJNC consists in the main of representatives of the education authorities, with only a small minority of representatives of the Secretary of State. I believe that the offer made by my right hon. Friend is entirely fair and reasonable. It is regarded by the management as acceptable, as it has been for some time, and by two of the other unions. By continuing its action the EIS is doing harm to pupils and doing the teachers' case and prospects no good.

Rating System

10. **Mr. Hugh Brown** asked the Secretary of State for Scotland what consideration is being given to the reform of the rating system; and if he will make a statement.

13. **Mr. Hirst** asked the Secretary of State for Scotland what representations he has had urging reform of the domestic rating system.

Mr. Ancram: I refer the hon. Gentleman to my reply of 14 March last about reform of the rating system. But I would add in response to my hon. Friend that the great majority of some 9,000 representations of various kinds which my right hon. Friend the Secretary of State and I have received about rates and revaluation have also urged reform of the domestic rating system.

Mr. Brown: As I do not carry in my head the hon. Gentleman's reply in March, perhaps he will confirm that the Government have not ruled out further assistance in the short term to domestic ratepayers and the consideration even of selective assistance to commercial ratepayers. If they have not ruled out those possibilities, when will they make a statement about them, and will they make sure that the bill is picked up by the Government?

Mr. Ancram: The hon. Gentleman knows that domestic rate relief has been increased from £14 million

to £102 million and that £88 million more was put into domestic relief last year. He also knows that the adverse effect of revaluation on domestic ratepayers was some £90 million. Although, obviously, there are variations within any sector of revaluation, the effects of revaluation in the domestic sector have been largely met by the increase that has been made in domestic rate relief. I am concerned about the serious effects on some commercial enterprises. Again, there are others that have gained from the revaluation. There is at present no statutory machinery for helping those who have been affected adversely.

Mr. Hirst: Does my hon. Friend agree that there is a widespread desire in Scotland for a change in the rating system, which all reasonable people accept is an unfair system of raising local government revenue? Will he confirm that it is only the Conservative party that has the political will to change the rating system?

Mr. Ancram: I am grateful to my hon. Friend for making that point. As he knows, the Conservative party has never been happy with the domestic rating system. Last October a review was set up at ministerial level to look at the system of financing local government. The purpose of the review is to see whether a fairer, simpler and more stable system of local government financing can be found which will strengthen the accountability of local authorities while maintaining a reasonable balance between the interests of central and local government. The review is covering alternatives to domestic rating. It is also concerned with businesses which at present pay rates but do not have a corresponding voice in local government elections. It is too early to predict the outcome of these considerations.

Mr. Dewar: In respect of the commercial ratepayer, the Minister has managed to give the impression that the only factor stopping help for at least those hardest hit is the lack of any statutory machinery for doing so. May I assure him that, if he wishes to create that statutory machinery, the Opposition will give it every facility and will speed it through the House? Therefore, will he say whether he intends to move in that direction?

As for domestic rating relief, I expect that the hon. Gentleman is aware that, in correspondence with me, his right hon. Friend has said that he cannot give an assurance that the present level of domestic rating relief will be held at the current level through the rest of the quinquennium. Will he reconsider that and assure us that, while there may be negotiations about the level, it will not fall below the present 8p during the remainder of the five-year period for which the present revaluation runs? If he cannot, the domestic ratepayer will have to bear a greater and greater burden.

Mr. Ancram: The hon. Gentleman is asking for confirmation of decisions which are not taken at this time of the year. As he knows, those decisions are taken at the appropriate time of the year. Obviously, we shall consider the position that the hon. Gentleman outlined in his question. We appreciate the fact that there are commercial enterprises which have been very hard hit by the revaluation. The House should not forget, however, that a large number of commercial enterprises have gained substantially as a result of the revaluation.

Mr. Roy Jenkins: Can the Parliamentary Under-Secretary of State give us his explanation of this paradox? According to Scottish Office figures, the average rates per household are somewhat lower in Scotland than in England. None the less, it is a perceived fact that rates in Scotland, property for property, and specifically in the west end of Glasgow, are much higher than comparable rates in England.

Mr. Ancram: I think that the right hon. Gentleman is aware that ratepayers are not confined to the west end of Glasgow or, indeed, to constituencies such as mine. Council house tenants are ratepayers as well. Obviously, the preponderance of council houses in Scotland affects the figures. It would be surprising if the right hon. Gentleman were to say that we should not take council housing into account in compiling these figures.

SOLICITOR-GENERAL FOR SCOTLAND

Crime Statistics

34. **Mr. Hirst** asked the Solicitor-General for Scotland how many people in the Strathclyde region were charged with serious offences in 1984; and how this figure compares with those of the previous five years.

The Solicitor-General for Scotland (Mr. Peter Fraser): Taking serious offences as those prosecuted under solemn procedure, 2,287 persons were prosecuted in this way in Strathclyde region in 1984. This compares with figures of 2,297 in 1983, 2,531 in 1982, 1,774 in 1981, 2,369 in 1980 and 1,711 in 1979. Industrial action by sheriff clerks' staff in 1979 and 1981 is likely to have affected the figures for those years and for 1980 and 1982.

Mr. Hirst: Does my hon. and learned Friend agree that the disquieting extent of serious crime in Strathclyde is such that it is highly irresponsible for Strathclyde regional council to refuse to bring up police numbers to establishment strength? Will my hon. and learned Friend and his ministerial colleagues use all their influence to persuade Strathclyde regional council to employ more policemen and get them back on the beat?

The Solicitor-General for Scotland: Nothing in the crime figures for Strathclyde that I have given would justify any decision to withhold officers from the police force in Strathclyde. Last year the chief constable of Strathclyde took a number of important initiatives in crime prevention, especially in the areas of worst deprivation. I should have thought that the regional authority would want to give every possible encouragement to those initiatives.

Procurators Fiscal

35. **Mr. Bill Walker** asked the Solicitor-General for Scotland how many times during the last 10 years his Department has requested or instructed a procurator fiscal to move to a new post.

The Solicitor-General for Scotland: During the past 10 years, four procurators fiscal, after discussion, were requested to relinquish their commissions granted under the provisions of the Sheriff Courts and Legal Officers (Scotland) Act 1927 and moved to other legal posts in the procurator fiscal service.

Mr. Walker: My hon. and learned Friend will be aware that the procurators fiscal are concerned about the pending legislation, which they see as something that will

substantially erode their independence. Can he assure the House that when the legislation reaches the statute book it will not achieve that purpose?

The Solicitor-General for Scotland: It is intended by the proposal in the Bill to provide greater efficiency in the administration within the procurator fiscal service. Neither the Lord Advocate nor I have any oblique or sinister motive in introducing this change. We very much prize the independence that is enjoyed by procurators fiscal in Scotland. The last thing that we would want to do is to impinge in any way upon the integrity for which procurators fiscal are rightly renowned.

Mr. Donald Stewart: The hon. and learned Gentleman said that neither he nor the Lord Advocate had any oblique or sinister intention with regard to the legislation before the House. As the hon. and learned Gentleman is satisfied that the position of the procurators fiscal should be maintained, why is it necessary to make any change in the law? Is it not better to quieten all the doubts of the procurators fiscal by leaving matters as they stand?

The Solicitor-General For Scotland: The right hon. Gentleman will appreciate that in Scotland the procurator fiscal enjoys a position of considerable independence, in particular with regard to the police forces and the general public. However, for many years he has been answerable for his actions to the Lord Advocate. All that is sought to be achieved by the change is to make an improvement in the administration and organisation. As the right hon. Gentleman will appreciate, for example, someone who is a fiscal in Stornaway will have far fewer responsibilities than a fiscal in Glasgow. We are seeking this additional power to enable there to be smooth administration.

Heavy Lorries (Traffic Offences)

36. **Mr. Foulkes** asked the Solicitor-General for Scotland how many prosecutions there have been in the last 12 months in relation to traffic offences by heavy lorries; and what are the comparative figures for the previous 12 months.

38. **Mr. Maxton** asked the Solicitor-General for Scotland how many prosecutions there have been in the past 12 months for speeding offences by heavy lorries; and what are the comparative figures for the previous 12 months.

The Solicitor-General for Scotland: Statistics giving the number of prosecutions for traffic offences committed in respect of heavy lorries only are not kept.

Mr. Foulkes: Will the Solicitor-General explain why there was selective administration of law and order during the miners' strike? According to the information that he gave me, none of the cowboy coal convoys were convicted of speeding or dangerous driving, despite evidence submitted that those offences were taking place. Will he give an assurance that that will not happen in the future, in particular in relation to the Yuill and Dodds lorries, which got the South of Scotland Electricity Board contract by a dubious procedure, and which are careering——

Mr. Hirst: Say that outside.

Mr. Foulkes: I will. They are careering across the roads of Strathclyde, breaking them up and breaking the law. What action will the Solicitor-General take about those cowboys?

The Solicitor-General for Scotland: The hon. Gentleman reveals what I have always suspected. He believes that the prosecution system should be used for political purposes. That is a principle which I completely reject. There are proceedings pending with regard to one of the lorries of the firm to which he referred. For the usual and obvious reasons, I make no further comment on that case.

Mr. Maxton: How can the Solicitor-General claim that he represents the party of law and order when it is clear that during the whole of the miners' strike the lorry drivers of those companies operating in and out of Ravenscraig, on the roads in Lanarkshire—I witnessed this on several occasions—were clearly acting in the belief that they could do so outside the traffic law without expectation of prosecution? The Solicitor-General should come to the House and give us those figures. They should be available. It should not be impossible to obtain them. They would show that few of those drivers were prosecuted.

The Solicitor-General for Scotland: Once again, the hon. Gentleman shows that he wants to introduce a political element into prosecutions. He expects me to be able to identify those cases in which there is a political element. I cannot do that, and I would never seek to do that. I have made inquiries, as I said to his hon. Friend the Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), and a number of prosecutions are pending. In those circumstances, it is best for me to leave the matter until they have been heard before the court. If he says, as he has in the Chamber, that he has witnessed something, I wish that he would go and see the procurator fiscal and provide his evidence of those incidents.

Mr. Maxton: I could not see the number plates. They were covered in mud.

Mr. Buchan: The Solicitor-General is prevaricating dangerously for someone—*[Interruption.]* We are not asking for political prosecutions. We are——

Mr. Deputy Speaker: Order. The hon. Member must ask a question.

Mr. Buchan: Is the Solicitor-General aware that we are not asking for political prosecutions? On the contrary, he says that he cannot identify lorries which have been stopped, sometimes charged, but not prosecuted. It is there that the political non-prosecution is taking place. We have already had promises that those deliveries will stop. We are now told that they will continue. Yuill and Dodds will deliver 8,000 tonnes a week, despite the way in which the contract was made. Will he tell his right hon. Friend that the chairman of British Steel told me that no such contract would be made, and yet it has been made? The Government are guilty of political involvement—*[Interruption.]*—in relation to their legal behaviour and their industrial behaviour during the strike.

The Solicitor-General for Scotland: I have already answered a question about the independence of the procurators fiscal in Scotland. In essence, the hon. Gentleman is suggesting that one or more of the procurators fiscal in Scotland have exercised a political judgment rather than a judgment of integrity in taking prosecution decisions. That is simply not the case.

There is at present a civil case, involving Kilmarnock and Loudoun district council, before the sheriff court in Kilmarnock. If there are any suggestions of political

involvement, they will be revealed by the outcome of that case rather than by any decisions taken by procurators fiscal anywhere in Scotland.

Mr. Madden: On a point of order, Mr. Deputy Speaker——

Mr. Deputy Speaker: Does it arise from the events of yesterday? If so, I am prepared to take it after the statement.

Mr. Madden: I am most grateful.

Royal Dockyards

3.31 pm

The Secretary of State for Defence (Mr. Michael Heseltine): With permission, Mr. Deputy Speaker, I should like to make a statement on the future arrangements for the royal dockyards at Devonport and Rosyth.

The royal dockyards employ some 20,000 people. Their turnover is £400 million a year. They repair all of our nuclear-powered submarines, including the Polaris force, and nearly 80 per cent. of our conventional warship fleet.

As the House is aware, there has over the years been a succession of studies and reports on the future of the dockyards. Those reports generally agreed that change was essential, but all previous attempts to introduce a changed structure have come to nothing.

The Government believe that it is essential to get full value for money from the defence budget. If we are to achieve that in the dockyards, three main conditions need to be met. First, local managers must have the freedom and authority to manage in a more competitive environment. Second, the dockyards, as suppliers of services to the fleet, must be separated clearly from their customer. Third, their financial and accounting arrangements must reflect normal commercial practice, so that the true price of the work can be properly judged.

I am today issuing an open government document, copies of which I have placed in the Library, and a consultative document to explain to those who work in the dockyards the likely consequences of change. I am not today announcing a decision on the way forward, but I am opening a period of consultation. I hope that there will be a wide, constructive and fruitful discussion over the next two or three months. My intention is to announce to the House a clear way forward before the summer recess.

The main options for change range from the creation of a trading fund to full-scale privatisation. Although it would be possible to achieve some improvements within the strategy of a trading fund within the public sector, that would not give the enterprise sufficient freedom from Civil Service constraints for it to operate efficiently in a competitive environment. The options which would provide that freedom are full privatisation or a system of commercial management under which each dockyard, while remaining in Government ownership, would be operated for a period of years by a company chosen by the Government following an open competitive process. Under either of those options the Government would insist that control remained in British hands.

It is the option of commercial management that seems to the Government to be the best way forward, since it secures continuing competition while maintaining control over the national strategic assets involved. It would require legislation. That option, like full privatisation, also offers the prospect of outside work for the dockyards from customers other than the Ministry of Defence. If implemented, we could therefore look forward to a tauter, more flourishing enterprise.

The House will recall the many successful transfers to the private sector from the public sector achieved by the Government. In all those cases the rights of employees have been protected. Similar protection would form part of a move to the private sector should the Government choose that option.

Whatever the new framework for the longer term, there is an inescapable need for adjustments to the work force in the short term in order to improve dockyard efficiency. Management will be discussing the way forward with the unions involved, starting today. The package of efficiency measures it will be looking for may involve job reductions at Devonport of about 15 per cent. and at Rosyth of about 5 per cent. Natural wastage and voluntary retirement can be expected to achieve most of the reductions sought by management, particularly at Rosyth. Compulsory redundancy will be used only in the last resort.

My Department, as would any good employer, will do all that it can to alleviate the effects of the new efficiency measures; particularly it will consider how new business and employment opportunities in these areas might be fostered, including work in support of the new dockyard organisation. I intend to ask my hon. Friend, the Under-Secretary of State for Defence Procurement, to take a particular interest in co-ordinating the efforts required in this positive approach.

These two dockyards have served the Royal Navy and the nation loyally for many generations. I wish to stress that under this Government their long-term future is assured. But in giving this assurance, and recognising the significance of the yards to their local economies, I must also expect them to be run to proper levels of efficiency. I believe that the House will accept that there is a broad agreement that change in the management of the dockyards is needed now.

I hope that all concerned will join constructively in the consultation process to assist the Government in the decisions that need to be taken. Once the difficult but short-period of adjustment has been completed there will be considerable opportunities for expansion and enterprise.

I will do all I can to bring about these new opportunities.

Mr. Denzil Davies (Llanelli): In effect, the Secretary of State's proposal will privatise the work of the royal dockyards, because the consultation exercise is completely cosmetic and a farce. This is another piece of the ideological nonsense that we get from a Government who are more concerned with their own prejudices and dogmas than with objective analyses and rational judgment. We believe that the privatisation proposal, for that is what it is, will be bad for the Royal Navy, for its ships and for those who sail in them. The proposal will be bad for those loyal workers who have worked in the dockyards; 2,000 or more will lose their jobs from today onwards, even before privatisation. At the end of the day the proposal will also be bad for the taxpayer, who will pay more for running the dockyards.

Is the Secretary of State aware that the most hairbrained proposal of all is that contained in the report by Mr. Peter Levene? That is the proposal that the Secretary of State favours and that will be carried out—consultation or otherwise. Under that scheme the dockyards will be franchised for a period of four, five, six or seven years. The system of franchising may be suitable for a fast food burger bar, but it is totally unsuitable for the refitting and repair of the frigates and submarines of the Royal Navy.

The Secretary of State has mentioned the number of reports that have been published in the past on the dockyards. Is he aware that Sir John Mallabar's report, which contrasts sharply in expertise and substance with the

flimsy six-page, amateurish report that he got from Mr. Peter Levene, came to the conclusion that the franchise option is

"the way to get the worst of all worlds"?

Has the Secretary of State not taken any notice of the Mallabar report, the Speed report and other reports that have condemned the system he wants to operate?

Can the Secretary of State confirm that under the franchise arrangement there will have to be a cost-plus contract so that, because of the extra money that will have to be paid to private contractors for doing work which was not programmed and for doing operational repairs, it will cost more at the end of the day to operate the royal dockyards than it is costing at the moment?

These privatisation proposals will make things worse rather than better. They are not worth the upheaval that will be involved. That is why we shall oppose them by all legitimate means both inside and outside the House.

Mr. Deputy Speaker (Mr. Harold Walker): Miss Janet Fookes. Sorry, Mr. Heseltine.

Mr. Heseltine: I share your view, Mr. Deputy Speaker, that a reply is hardly needed, but perhaps I may trespass on the time of the House for a moment.

The response of the right hon. Gentleman is understandable, particularly because he patently has not understood the nature of the proposals that I am putting forward. If I answer his third question first, the difficulty he is in will be clear to all because the answer is, no, the contract will not be a cost-plus contract. It will be as a result of competitive tendering for the bulk of the work that will be carried out by whoever manages the operation. The fact is that there are international precedents for large organisations involved in defence being managed under this system—[HON. MEMBERS: "Where?"] In the United States of America. [HON. MEMBERS: "Tell us the details."] Oh, certainly. Let me give the House some details if it would help. In the United States of America, the naval industrial reserve ordnance plant in California is operated for the United States navy by General Dynamics, and about 8,000 people are employed. The Louisa army tank centre at Louisa, Ohio is operated for the United States army by General Dynamics, and about 3,000 people are involved. Therefore, I give the House just two examples. The proposal is based upon American experience. I see no reason why we should not gain from it here. I think that the House will realise that the right hon. Gentleman does not have the first idea of how this scheme works out. We are in the process of consulting to see which is the preferred solution. That is the purpose of today's initiative.

I come back to the right hon. Gentleman's first charge, that we were motivated by prejudice and dogma. I think that the House will want to judge the validity of such an assumption when it is the policy of the right hon. Gentleman, upon being elected to this job, if ever he got it, to remove some 2,000 to 3,000 jobs in Rosyth as part of the process of getting rid of Britain's independent nuclear deterrent. If that is not an example of prejudice and bigotry, I do not know what is.

Miss Janet Fookes (Plymouth, Drake): While I warmly welcome my right hon. Friend's confirmation that there is a long-term future for the dockyard I can only view with dismay the short-term decision, which will involve the shedding of jobs. Will my right hon. Friend spell out clearly, and not with general Government waffle, precisely what is involved and what steps will be taken to alleviate the situation for those who find their job prospects reduced?

Mr. Heseltine: I am grateful to my hon. Friend who, I know, will take a considerable interest in the position of her constituents and ensure that the Government do all that they properly can to help with the short-term problems that we shall have to face in that area. Today the unions are having their first meeting with the local management, because it is absolutely critical that the negotiations should proceed at local level between unions and management. The broad outline of the efficiency gains that the management believes to be possible will be put to the unions, and a consultative process will take place. Over the course of perhaps two years we see the opportunities for efficiency gains, which could reduce the present job levels in the Devonport dockyard by some 15 per cent., but one's experience of such a process — [HON. MEMBERS: "How many?"] That would be something in the order of about 2,000. From experience of the momentum that has to be achieved in gaining that efficiency, I hope that a relatively small proportion of that number will be brought about as a result of compulsory redundancy. Our own experience would tell us that natural wastage and voluntary retirement will probably account for a significant majority of the efficiency gains that we have to achieve.

Dr. David Owen (Plymouth, Devonport): Is the Secretary of State aware that after all the fine tributes to the dockyards during the Falklands campaign, the sense of betrayal as a result of the proposals will be very deep indeed? Will the right hon. Gentleman show to the House that he will take the consultative procedure seriously by at least agreeing to extend it to six months? Two to three months to give a city such as Plymouth the opportunity to put forward alternative proposals is totally inadequate, particularly because the agency proposal and the franchising, which seems to be the Government's most favoured option, is one that many people believe to be complete nonsense, and will not give job security. With regard to the 2,000 people in Devonport who will lose their jobs in the short term, what does the right hon. Gentleman mean by the short term? Is it 12 or 18 months? They must be told exactly what the period is. How are the losses to be spread over the two years? How is the redundancy to be spread over this two-year period? Will it happen immediately or steadily? Can the Secretary of State assure us that the consultation procedure will be lengthened?

Mr. Heseltine: I am sorry that the right hon. Gentleman did not hear what I said. I made it quite clear that we are talking about a two-year period. That is naturally the case if one is referring to natural wastage playing a significant part in the adjustments that have to be made. I cannot give the right hon. Gentleman the assurance that he wants about lengthening the consultation period. He knows that I have had lengthy discussions with the unions in both Devonport and Rosyth. The original idea was leaked out of my Department about a year ago and has been the subject of widespread discussions ever since. As the right hon. Member for Llanelli (Mr. Davies) said, so was the Levene report. Therefore, the idea that I am saying something today that has not been considered already is carrying language to an extremity. People's

[Mr. Heseltine]

attitudes have been very clearly prepared for my announcement. Of course the consultation period will be taken seriously. We have already begun the discussions, which I believe to be important, but there is no point in spinning it out and avoiding difficult decisions in the way that, in the context of the dockyards, we have done for far too long. We have genuinely paid a great tribute to the dockyards for the way in which they respond classically whenever a crisis faces this country, but in paying that tribute we did not mean to single them out from the very large numbers of people in the private sector who respond in exactly the same way. While one admires and places great reliance upon the dockyards, one cannot escape the harsh reality that absenteeism in the dockyards accounts, on average, for every person employed there, for four working weeks a year. That is about 40 per cent. above the national average.

Mr. Dennis Skinner (Bolsover): We get 16 weeks here.

Mr. Keith Speed (Ashford): Would my right hon. Friend agree that the first priority must be the standard of service to the Royal Navy, as Operation Corporate proved? Secondly, will my right hon. Friend agree that, as applied to a large industrial organisation, the Civil Service rules are the real enemy and that there are other ways of overcoming this problem, apart from franchising, as I believe my report showed? May I say, in parenthesis, that I am not sure that the present relationship between the Pentagon and General Dynamics is the most happy one.

Mr. Heseltine: My hon. Friend knows a great deal about this matter and has considered it very carefully. I have looked at my hon. Friend's report and have considered the matter again. We are considering the options on a wider basis. My hon. Friend has put his finger right on the heart of the matter. Within the constraints of the public sector great inhibitions are placed upon the individual and free management that we believe a proper enterprise demands. The trading fund goes only half-way towards the much more open and free environment of a proper commercial operation. We accept that a trading fund could result in certain benefits but it would achieve nothing like all the benefits that we should like to consider as options.

Mr. Dick Douglas (Dunfermline): Does not the right hon. Gentleman concede that he has today announced over 3,000 redundancies? Having given the numbers employed in the yards, and their turnover, will he say what value the Government place on these vital public assets? The Secretary of State referred to the experience in the United States, but does he not concede that Secretary of the Navy Lehman is presiding over a 700 ship fleet, whereas the Secretary of State and his other Ministers are presiding over the demise of the British surface fleet? Because of Trident he is concentrating on a programme that completely undermines our defence budget and defence potential. Will not the Secretary of State concede that this is the result of the misguided, stupid defence posture of Her Majesty's Government?

Mr. Heseltine: I am sure that the hon. Member will want to go and tell them that in Scotland to justify the threat of the loss of 2,000 to 3,000 jobs in Rosyth if the Labour party ever come to power again in this country.

Mr. Douglas: We will go to Rosyth together, then.

Mr. Heseltine: The hon. Member will make his case and I shall make mine. The decision will have to be made with full consultation. I have been to Rosyth to discuss these matters. My right hon. Friend the Minister of State for Defence Procurement is in Rosyth today and my hon. Friend the Parliamentary Under-Secretary of State for Defence Procurement is in Plymouth today to try to deal with the initial questions, which rightly concern those areas. We shall keep very closely in touch, but the people of Rosyth must clearly understand that I am offering to them a long-term, secure future. The Opposition are offering a devastating blow by the destruction of the major job opportunities in the area.

Sir Antony Buck (Colchester, North): Will my right hon. Friend confirm that probably the most important issue is to ensure that the Royal Navy remains the best-equipped in the world for its size? Is he satisfied that his proposals will achieve that? Does he agree that fairness to the taxpayer is also appropriate and that many of us are not convinced that the organisation of the dockyards in the past has provided that?

Mr. Heseltine: I am grateful to my hon. and learned Friend. The document is supported by the Admiralty Board, which is as concerned as we are to achieve change because it realises that the defence budget ultimately bears the excess cost of managing the dockyards under the present regime and it wishes to achieve the best possible value for money. I believe that I can therefore give an assurance that the Royal Navy will be supportive, and has been supportive so far, of the Government's preferred solution in the open government document.

Mr. Gordon Brown (Dunfermline, East): Can 8,000 loyal and dedicated workers at Rosyth be expected to entrust their future, the future of their dockyard and responsibility for the nation's defences, including our independent deterrent, to privatisation proposals which are dogmatic, unworkable and seek to subordinate the interests of national security to those of commercial gain? Are not these the disreputable plans of a discredited adviser who spent much of the year before this announcement hawking the royal dockyards around his friends in the private sector? Will the Secretary of State confirm that the United States dockyards are in the public sector and tell us how many jobs in the public service will be lost at Rosyth while he is providing for his private friends in the City?

Mr. Heseltine: I deeply deplore the scurrilous language used about Peter Levene, who has joined the Department as Chief of Defence Procurement. An extraordinary thing about this country is that although everyone knows that there is an urgent need to bring more industrial expertise into the management of public affairs the moment we do so the entire Labour party tries to diminish the endeavour. It is my responsibility to achieve value for money from the defence budget and I believe that Mr. Levene will play a major role in ensuring that. It is nothing short of hypocrisy for Labour Members to talk about job losses when they intend to cancel between 2,000 and 3,000 jobs at Rosyth if they ever return to Government.

Mr. Robert Hicks (Cornwall, South-East): Is my right hon. Friend aware that the loss of 2,000 real jobs in the

Plymouth and East Cornwall area is extremely distressing? Will he confirm that under any arrangements to introduce private management the existing work force will retain the present conditions of service? Secondly, will my right hon. Friend elaborate on the procedures that will apply to allow local firms to acquire increased dockyard procurement in the future?

Mr. Heseltine: I am most grateful to my hon. Friend. I know that he will wish to take a deep and continuing interest in our efforts in that area. I think that I can help him on both questions. First, there is now wide experience of the successful transfer of employees from the public to the private sector. Where this has occurred, the Government have broadly ensured that the conditions of service have been maintained. It is our intention to ensure that that is the case if we proceed in the way that the preferred solution suggests. As for our interest in creating opportunities for further employment, I have already been in touch with the leaders of the two largest authorities in the area—Devon and Cornwall county councils—and asked them to join my hon. Friend the Parliamentary Under-Secretary of State in a concerted effort to use whatever powers we have at the Ministry of Defence to counter the initial job reductions that the efficiency gains demand.

Mr. Ron Brown (Edinburgh, Leith): There is a smell of horse dung about this statement. The Secretary of State is the greatest supporter of cowboys and similar forms of enterprise and he wants to apply the idea to the dockyards. The Secretary of State is also a great supporter of the ballot idea. Would it not be better and more democratic to put the matter to the vote and ask those involved in the dockyards to register their view of the Secretary of State's proposals? That is the democratic process for which the Government argued during the miners' strike. Why not put it to the test and see what the result is?

Mr. Heseltine: The whole House will be fascinated to see a sudden conversion to genuine democracy in the ranks of the unions. I assure the hon. Gentleman that any Government proposals will certainly be put to the vote. They will be put to the vote in this House, where democracy is of central importance.

Mr. Peter Griffiths (Portsmouth, North): Will my right hon. Friend assure me that he has no proposals to extend his suggestions beyond the royal dockyards to include the fleet maintenance base at Portsmouth, which has already made quite sufficient sacrifices in the cause of further economies?

Mr. Heseltine: I fully understand my hon. Friend's concern. I realise the importance of the fleet maintenance bases. They are not included in my proposals.

Mr. Ken Eastham (Manchester, Blackley): Are not the 20,000 workers to whom the Secretary of State referred loyal workers, many of whom have dedicated their whole working lives to these industries? The right hon. Gentleman spoke of two or three months for consultations. Is not that too short a time? Several trade unions are involved and people's livelihoods are at stake. Can the right hon. Gentleman assure us that, under the new regime, after privatisation, the protection rights and working conditions of the workers will be as good as those that they expect to enjoy today?

Mr. Heseltine: As I have said, whenever we have transferred employees from the public to the private sector we have done so on broadly comparable terms of employment. We would adopt the same approach in the context of any change in the royal dockyards. As I told the right hon. Member for Plymouth, Devonport (Dr. Owen), I do not accept that there is a need to lengthen the consultation period. The matter has been the subject of intense debate in the dockyards for many months.

Mr. Nicholas Fairbairn (Perth and Kinross): May I congratulate my right hon. Friend on his courage in tackling a problem of inefficiency and outrage that has been connived at by Governments of all parties for many years, whereby a skilled work force has been held under by Civil Service constraints and union stubbornness? The work force at Rosyth will now have a great opportunity to exercise its skill and efficiency and to obtain other work which, unhappily, is at present going abroad?

Mr. Heseltine: I am the first to agree that large numbers of people in the dockyards have shown great loyalty and devotion in the defence endeavour, but the same spirit has been shown by equivalent people in the private sector. I cannot ignore the fact that there are significant inefficiencies and overmanning in the dockyards, and I cannot accept that that should be a permanent charge to the defence budget. I believe that if the dockyards can adopt a commercial approach there are job opportunities there that will be of significant benefit to the local economies. I and my ministerial colleagues are determined to make every effort to adopt a positive attitude, as a good employer should, to the benefit of the local communities.

Mr. Skinner: Does not the Secretary of State have a downright cheek when he talks to my right hon. Friend the Member for Llanelli (Mr. Davies) about lack of patriotism? When the right hon. Gentleman was in the Army, he could not get his Army jacket off fast enough. He bought himself out.

Mr. Deputy Speaker: Dockyards.

Mr. Skinner: Yes, Mr. Deputy Speaker, I am coming to that. Will the right hon. Gentleman give a guarantee to the millions of people who will want to hear an unequivocal statement from him today that when the proposals are implemented and the selling off takes place, no foreign influence or money will be involved in it? Many people would like to know the answer to that.

Mr. Heseltine: But the hon. Member will realise that anyone who listened to what I said heard me make it clear that it will remain in British control.

Mr. Skinner: Ah, but that is not the same.

Mr. Bill Walker (Tayside, North): My right hon. Friend will be aware that there are many people in the Rosyth dockyard who have been deeply anxious for a long time about the risk to their jobs of policies that envisage the dismantling of our independent nuclear force. The welcome that has been given to my right hon. Friend's proposals will be qualified because they are worried about change, but people are always worried about change. Will my right hon. Friend assure those workers that the Ministry of Defence has experience of purchasing services from the private sector on a vast scale? That is true of aircraft, on which the Ministry spends huge sums of

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money on sophisticated and secret equipment. The private sector does research on and tends to such equipment, so there is no risk to security and the service is of a high standard.

Mr. Heseltine: My hon. Friend is at the centre of the matter. The defence budget draws great support from the public and the private sector. The loyalty, dedication and skills in both are of the highest. As my hon. Friend rightly said, the central issue is not whether the dockyards have a future, because I have assured them that they have one under this Government. Rosyth cannot say the same under a Labour Government because a significant part of its capability would then be cancelled and destroyed.

Mr. Robert Maclennan (Caithness and Sutherland): Does the Secretary of State agree that it is pure humbug for the Labour party to claim to be concerned about the future of Rosyth when its policies would virtually wipe out Rosyth's activities? Does he further agree that to dismiss the proposal of my right hon. Friend the Member for Plymouth, Devonport (Dr. Owen) that consultations be extended to six months because there have been many unofficial unauthenticated leaks from his Ministry is not good enough and makes his proposal for a two-month consultation period a mere sham?

Mr. Heseltine: The hon. Gentleman is repeating a question that I have already answered. I do not believe that it is a sham. The issues are well understood throughout all of the dockyard areas. The Rosyth dockyard people produced their alternative report before my proposals were published. Of course it does not agree with my proposals, but the idea that they need more time to think about the matter when they have already produced a report including their preferred solution is not realistic. The essence of the proposal that I have made today is that we should make up our minds and address something that has been neglected for far too long.

Mr. D. N. Campbell-Savours (Workington): Does "remain in British control" mean that as much as 49 per cent. of the equity could be owned by overseas interests?

Mr. Heseltine: The hon. Gentleman knows that there are many ways in which to secure control of a company. I would not tell the House that I have worked out the precise mechanism. I can only say that there is a quite clear commitment that the control of the company will remain firmly in British hands.

Mr. Martin J. O'Neill (Clackmannan): The Secretary of State has told us that there is still a considerable amount of work to be done—his last answer shows that. If the dockyard unions at Rosyth raise problems because of the deep studies that they have already made, will he be prepared, if necessary, to extend the consultation time beyond three months? How many jobs will be lost at Rosyth in addition to the 2,000 which will be lost at Plymouth? He has not yet made that clear today. Will he bear in mind that the American naval dockyard system operates under a trading account and that Secretary of State Weinberger has ceased any business with the General Dynamics Corporation because of excessive profiteering by that firm in other areas of defence procurement? We shall need to discuss this matter at greater length soon. Will he take the issue up with the Leader of the House to ensure an early and long debate?

Mr. Heseltine: The Opposition parties are never short of opportunities to raise matters in the House if they want to. My right hon. Friend the leader of the House has heard what the hon. Gentleman said and if, through the usual channels, the Opposition want to pursue this matter, I am sure that they will do so, as is usual. I can add nothing to the clear view that the consultation period should end before the House rises for the summer recess. The issues are understood clearly, especially in the dockyards. They have faced us for a long time. We have now entered a period of formal consultation, but the dialogue has been going on for many months. As for the number of job losses at Rosyth, I mentioned 5 per cent. in my statement. That probably represents about 500. I would not expect there to be any compulsory redundancies, as we should be able to achieve that figure through natural wastage and voluntary retirement, and that is before any additional opportunities materialise.

Adjournment Debates (Speeches)

4.6 pm

Mr. David Sumberg (Bury, South): On a point of order, Mr. Deputy Speaker. My point of order concerns last night's Adjournment debate, which was initiated by my hon. Friend the Member for Shipley (Mr. Fox) and the rules relating to that precious half hour of Adjournment time at the end of our proceedings.

It is ironic that the debate was about the denial of freedom of speech to Raymond Honeyford, who is a Bradford teacher. Because he is my constituent, my hon. Friend the Member for Shipley was kind enough to say that he would allow me to speak briefly. I wrote to him before the debate. Because our proceedings were constantly interrupted with spurious points of order from the hon. Member for Bradford, West (Mr. Madden), aided and abetted by the hon. Member for Denton and Reddish (Mr. Bennett), I was denied an opportunity to speak on behalf of my constituent and, more importantly, the House and my constituent were denied the opportunity of a ministerial reply to what my hon. Friend had said.

This is a most dangerous precedent. As the protector of Back Bench rights, Mr. Deputy Speaker, I ask you to confirm two things: first, that the Adjournment is personal to the hon. Member who raises it and that other hon. Members speak at his discretion; secondly, that the behaviour of the hon. Member for Bradford, West denied my constituent a ministerial response and was a flagrant and disgraceful abuse of the procedures of the House.

Mr. Max Madden (Bradford, West) *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): On the same point?

Mr. Madden: Yes, Sir. I regret having to burden you with this point of order, Mr. Deputy Speaker, especially as you were not in the Chair when these unfortunate proceedings took place. The hon. Member for Shipley (Mr. Fox) initiated an Adjournment debate last night about a head teacher who is not his constituent but, as you have heard, a constituent of the hon. Member for Bury, South (Mr. Sumberg). The hon. Member for Shipley made an extremely provocative and partisan speech concerning parents, who are my constituents, whose children go to a school which is in my constituency.

I wrote to the hon. Member for Shipley and the Under-Secretary of State for Education and Science who was to reply asking that I might speak to explain why a majority of parents with children at the school have lost confidence in the headmaster as a result of a string of insults and abuse that he has levelled at them in a series of newspaper articles. The hon. Member for Shipley claims the right of freedom of speech for those who agree with him but is most anxious to deny that right to those of us who disagree with him.

I feel especially resentful as, last year, when I initiated an Adjournment debate about the closure of a hospital in my constituency, which closure had consequences for the Shipley constituency, I readily allowed the hon. Member for Shipley to speak at some length although he never wrote to me or contacted me to seek my permission. I am afraid that, mistakenly, I expected him to extend the same courtesy to me last night.

You will agree, Mr. Deputy Speaker, that this place relies heavily on good will. I am sure that many colleagues on both sides of the House agree that that good will will evaporate very quickly if many hon. Members follow the disgraceful example set last night by the hon. Member for Shipley and initiate debates on controversial issues which concern institutions not in their constituency and people who are not their constituents, and then deny the hon. Member directly concerned an opportunity to reply to the disgraceful allegations which are made.

I very much regret raising this matter, and I also regret that last night I felt compelled to protest. However, this matter is important for the House of Commons. It is important that advice is given so that the unfortunate incidents which occurred last night are not seen again. The responsibility for what took place lies squarely and firmly with the hon. Member for Shipley.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I am prepared to call hon. Members on points of order, but we cannot have a debate on this matter.

Mr. Gary Waller (Keighley): Further to that point of order, Mr. Deputy Speaker. You will know how much Adjournment debates are valued by hon. Members who wish to draw attention to matters of concern, and also how difficult it often is to secure such a debate. The events which took place last night were very much as my hon. Friend the Member for Bury, South (Mr. Sumberg) described so well. Essentially, it was a debate about——

Mr. Deputy Speaker: Order. It might help the hon. Gentleman and the House if I explained that not only have I read the transcript, but I was present in the Chamber for the latter part of the proceedings. Therefore, there is no need for hon. Members to tell me what happened last night. They can take it for granted that I know something about it.

Mr. Waller: In response to what the hon. Member for Bradford, West (Mr. Madden) has just said, I should point out that my hon. Friend the Member for Shipley (Mr. Fox) received no intimation from the hon. Gentleman that he intended to intervene, even had such an intervention been relevant, as this is surely a matter for my hon. Friend. I also knew only 10 minutes before the debate began that he wished to intervene. Although these points are not directly relevant, the point is surely that an Adjournment debate is personal to the hon. Member who initiates it, and, save for the Minister who is to reply, no other hon. Member has the right to intervene without that hon. Member's permission. That right should be maintained on behalf of the House.

Mr. Marcus Fox (Shipley): Further to the point of order raised by the hon. Member for Bradford, West (Mr. Madden). May I make it clear that I received no letter from him? The children of some of my constituents attend that school, but the debate was not concerned with the school but with Mr. Honeyford and education in Bradford generally.

Mr. Andrew F. Bennett (Denton and Reddish): Further to that point of order, Mr. Deputy Speaker. Will you confirm that in your experience an hon. Member never raises a matter on the Adjournment about a school or any other institution in the constituency of another hon. Member and then deliberately tries to organise the debate so as to deny the constituency Member even the opportunity of saying two or three words? In those

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circumstances, it was not surprising that last night Opposition Members were totally appalled by such behaviour. If hon. Members wish to ensure the co-operation which is necessary if this House is to function, any hon. Member applying for an Adjournment debate on an institution in the constituency of another hon. Member should at least do that hon. Member the courtesy of allowing him a minute or two out of the short time available.

Mr. Peter Bruinvels (Leicester, East): Further to that point of order, Mr. Deputy Speaker——

Mr. Deputy Speaker: Order. We have had a good run on this matter, and a lot of work still lies ahead of us. At this stage, it might be sensible if I said something. I have already told the House that as well as being present for the latter part of the proceedings before the House adjourned last night, I have carefully read the transcript. All the matters that have been raised today were dealt with by the Deputy Speaker who was in the Chair yesterday evening. I see no reason whatever to dissent from any of his rulings. In the circumstances, he acted very properly, and it would be wrong if the House adopted the practice of appealing against matters which have already been dealt with and decisions which have already been made. [HON. MEMBERS: "Hear, hear."] All hon. Members who have raised this matter today have recognised that essentially we are discussing the courtesies and conventions of the House. I hope that all hon. Members will recognise and observe those long-standing courtesies and conventions, which in this case appear not to have been fully observed. These are not matters for the Chair. It is for hon. Members to recognise the courtesies and conventions of the House, and I hope that will be done in future. Bearing in mind the lessons that we have learned from these discussions, we should now proceed to the next business.

Domestic Content of Motor Vehicles

4.14 pm

Mr. Doug Hoyle (Warrington, North): I beg to move,

That leave be given to bring in a Bill to establish domestic content requirements for motor vehicles sold or distributed in Great Britain and Northern Ireland.

The objective behind the Bill is to strengthen employment in the motor and component industries. A strong motor industry is absolutely necessary for any industrial nation. The motor industry is about not just the basic industries, important though they are, or about the steel, glass and rubber industries, but the high technology industries such as the electronics industry. It is about the fitting of mini-computers into motor vehicles, new materials, ceramics which can be used in motor engines and plastics which can be used in bodywork. Without a strong motor industry, we cannot enter the realms of high technology, and that is vital.

In the early 1970s, the motor industry, either directly or indirectly, employed 1·2 million people. That figure has now declined to 450,000—a shocking condemnation. In the 1970s, the motor industry accounted for 11 per cent. of industrial output and 17 per cent. of the export trade. Today it accounts for only 4 per cent. of industrial output and 7 per cent. of exports. Under this Government, we now import 1 million vehicles and export only 220,000. Nationally, the balance of payments for the sale of motor vehicles went into deficit in 1982, and it now stands at £2·3 billion. We ought to be trying to retrieve the situation.

Motor imports now total 57 per cent. The multinational manufacturers—Ford, General Motors and Vauxhall—are now responsible for 42 per cent. of all motor imports. Many people now driving cars believe that they have bought a British vehicle, but in reality 50 per cent. have been imported and contain hardly any British components. Indeed, 25 per cent. of such imports come from Spain. To get a British vehicle into Spain, one must jump a 37 per cent. tariff barrier; yet, when Spain exports to the Common Market, the tariff barrier is only 4 per cent.

We cannot continue in that fashion. Harold Musgrave, the chairman of Austin Rover, has said that anything less than 80 per cent. British content means that we shall not be supplying high technology components. He said that was the minimum required if we were to preserve the British motor industry. This industry is in decline. While that decline has not yet become terminal, it will do so unless something is done.

We should find out how we can overcome that problem. We could do what we did for Nissan. We appear to allow Nissan to come to this country not to benefit us, but to jump over the barriers that have been erected in Europe. I hope that the Secretary of State for Trade and Industry is taking a tough line in Japan, but I doubt it. Many people, including Ministers, said that there would be between 60 and 80 per cent. of local content in Nissan vehicles. That includes everything—the on-costs, the sales costs and cleaners' costs. However, when they talk about local content, they mean European, not British, content. That has not been sufficiently spelt out. We should not accept such deals.

My Bill seeks not to interfere with choice or imports, but to ensure British content and employment in the United Kingdom for our people. The measure is modest. If the imported vehicles sold total not more than 20,000 there

should be a minimum of 50 per cent. British content; between 20,000 and 50,000, there should be 65 per cent. minimum content; between 50,000 and 100,000, there should be 75 per cent. British content; between 100,000 and 250,000, there should be 90 per cent. British content; and for more than 250,000, as it is for major manufacturers, there should be 95 per cent. British content.

If people argue that even 90 per cent. British content does not include high technology, the Bill provides for the inclusion of one or more of six high technology components, and, in some cases, of all six. They are engine fully dressed, body panels, wiring harness, braking system, drive shaft and steering suspension. A minimum British content of 50 per cent. should include at least two of those six components; of 65 per cent., three; of 75 per cent., four; of 90 per cent., five; and of 95 per cent., all six. In that way we can ensure that we stay in high technology and bring employment back to the United Kingdom. I hope that the Government are prepared to accept this modest measure.

Mr. Bryan Gould (Dagenham): Does my hon. Friend share my surprise that not one of the eight Ministers——

Mr. Deputy Speaker (Mr. Harold Walker): Order. The hon. Gentleman cannot intervene when we discuss a motion under the ten-minute Bill.

Mr. Kevin McNamara (Kingston upon Hull, North): On a point of order, Mr. Deputy Speaker. I introduced a ten-minute Bill on the question of the conduct of grasping Landlords when Viscount Tonypandy was Speaker, and he allowed an interjection and a speech to be made by the hon. Member for Beverley (Sir P. Wall).

Mr. Deputy Speaker: Order. I have neither recollection of nor responsibility for that. I am ruling now. Mr. Hoyle.

Mr. Hoyle: In the early 1970s I would have been able to say that I expected support from all quarters of the House.

Mr. Gould: No Ministers are present.

Mr. Hoyle: No Ministers are present. That shows the amount of notice that they take.

Mr. Gould: Although there are eight of them.

Mr. Hoyle: Not one of the eight Ministers is present. That shows what they think about the motor and components industry.

In the 1970s there would hardly have been a constituency without a motor plant or companies that manufactured components for the motor industry. Today components are still manufactured in many constituencies. I hope that Conservative Members who represent such constituencies and want to retain their seats will therefore support my Bill. Despite the Ministers' absence, I hope that the Government will adopt my Bill so that we can preserve the British motor industry, bring back employment, and continue in the realms of high technology.

Question put and agreed to.

Bill ordered to be brought in by Mr. Doug Hoyle, Mr. George Park, Mr. Kevin McNamara, Mr. Ian Mikardo, Mr. David Winnick, Ms. Jo Richardson, Mr. Bryan Gould, Mr. Terry Davis, Mr. Robert Parry, Mr. John Maxton, Mr. Ernie Ross, Mr. Robin Corbett and Mr. Derek Fatchett.

Domestic Content of Motor Vehicles

Mr. Doug Hoyle accordingly presented a Bill to establish domestic content requirements for motor vehicles sold or distributed in Great Britain and Northern Ireland: And the same was read the First time; and ordered to be read a Second time upon Friday 26 April and to be printed. [Bill 128.]

Orders of the Day

Interception of Communications Bill

As amended for the Committee considered

New Clause 1

APPOINTMENT OF SELECT COMMITTEE

A Select Committee of the House of Commons shall be established to oversee the work of any person responsible for, or making use of, the interception of communications.—*[Mr. Clive Soley.]*

Brought up, and read the First time.

4.25 pm

Mr. Clive Soley (Hammersmith): I beg to move, That the clause be read a Second time.

This is a particularly important new clause. We have touched on this issue in previous debates on the Bill but have received far from adequate answers about why the Government will not move in this direction. We want to know why hon. Members who vote against the new clause and especially why the Government do not have sufficient confidence in the House and the parliamentary system to allow the House to oversee the work of the security services.

The way in which the Bill has been introduced and justified by the Government suggests that they neither give sufficient importance to the views of the elected representatives of the people nor trust them sufficiently to allow them to oversee the work of the security forces. We have heard many arguments why the Government do not want to follow that road.

There are two primary reasons why the Labour party wants a Select Committee to oversee the work of the security forces. The first is the self-evident reason that the House represents the will of the people. Hon. Members are elected to protect the democratic rights of those people, and that is what the electorate expect of us. Parliament must give a high priority to protecting the democratic and civil rights of the people. One way of doing that is for a Select Committee to oversee the work of the security forces. That is an infinitely better approach than that which the Government have designed in the Bill.

Secondly, we have always believed that some interception of communications is necessary and that the security services are necessary. If those services are to be effective, how do we define their guidelines and draw up the law in such a way as to enable them to operate effectively and at the same time to ensure that their operations do not undermine the basic democratic and civil rights of our people? That is the crucial question.

We are faced with the dilemma under the Bill and the Government's past policy of trying to tie the law up either too tightly or loosely. If it is tied up too tightly, the security forces must operate outside the law.

When I first spoke on this subject in the House, I gave the example of the West German police capturing the Baader-Meinhof group by, on their admission, going outside the law. They were forced to do so because German law was drawn so tightly that it did not allow them to bug a table in a cafe that would have enabled them to know where the bombing was to take place. They chose to break the law and, in doing so, they captured the group. It was an especially important event. However, the Labour party believes that it is completely wrong and extremely dangerous to put the security services in that position.

The other side of the argument is that if we tie the law too loosely, which is what the House has tended to do, we have the worst of all worlds, because we say to the security services, "You can do what you like." That is a great danger. Although the Prime Minister and the Home Secretary will say, "We have oversight of such operations," the evidence of the recent past, including the gross embarrassment caused to the Prime Minister by security leaks in recent years is that there has been insufficient parliamentary supervision of the security services. That is not surprising, because the area is far too complex for extremely busy people to keep an eye on everything that is happening in the way they should.

Therefore, for the effective oversight of the work of the security forces, we need a Committee of the House, and I suggest a Select Committee. When appropriate, it can work in public, and when inappropriate, it can sit in private, in deciding whether the law must be changed in any way and in making recommendations to the House. That would get round the problems faced by the West Germans.

The creation of such a Select Committee would also help to ensure that the democratic and civil rights of the British people are fully protected. The public rightly look to Parliament to do that.

Mr. William Cash (Stafford): Can the hon. Gentleman explain how the amendment would be included in the Bill? He will know that all other Select Committees have been set up under Standing Orders. Why has he chosen this route? Some of the other amendments have some unpleasant characteristics which I shall address in a moment.

Mr. Soley: I look forward to the hon. Gentleman's description of those unpleasant characteristics. All that I can say is that this is not an amendment, but a new clause. It will require the Government to act, and they would then go through the normal process of setting up a Committee. We have chosen to do it in this way because no other way would be in order. It is a perfectly reasonable method. Alternatively, we could amend the procedures relating to Select Committees, but that would be inappropriate in the context of the Bill

Mr. Cash *rose*——

Mr. Soley: Before the hon. Gentleman intervenes again, I suggest that he thinks carefully about the order of events. If the House passed a new clause calling for the creation of a Select Committee, the implications for the Government would be clear. They would be expected to act in accordance with the new clause.

Mr. Cash: Of course I realise that this is a new clause, not an amendment, and I apologise for the error. However, it would be helpful if the hon. Gentleman could name any other Act that has included such a provision.

Mr. Soley: It is incredible to suggest that we must always have a precedent to justify introducing a measure that we believe is eminently sensible and appropriate. The new clause is not out of order. If it were, it would have been ruled out of order by Mr. Speaker and would not have been chosen for debate. It has been chosen, and I suspect

that the hon. Gentleman is trying to dress up a minor nitpicking point when dealing with an extremely important new clause.

Mr. John McWilliam (Blaydon): Will my hon. Friend reflect that if the House were to adopt the attitude to Standing Orders which the hon. Member for Stafford (Mr. Cash) suggests, it would always have to go on precedent, and we would be without the Bill of Rights, universal suffrage and a great deal of other important legislation that is now on the statute book?

Mr. Soley: My hon. Friend is right. At the end of the day, I have complete trust in you, Mr. Deputy Speaker, and in Mr. Speaker—I understand that he is unwell today—in deciding whether such a new clause should be called. Since it has been called, that is the end of the matter, unless one wishes to indulge in nitpicking, as the hon. Member for Stafford (Mr. Cash) has. I would much rather he addressed his thoughts to the central arguments that I have put, and I shall certainly expect the Minister to do the same. These matters are far too important to everyone in the country to be treated with the disdain, if not contempt, displayed by the hon. Member for Stafford.

In previous debates, when the idea of a Select Committee was mooted, Conservative Members fell back on the argument that there would be a danger of leaks. I said then that that was the weakest of all arguments. The present system leaks like a sieve. There is no evidence that it is leakproof; indeed, all the evidence, if we consider those who have betrayed the country, is that leaks do not come from within the House but from outside. In some circumstances, the leaks could come from the very people who were appointed. As we know, a great problem for the British security services has been leaks from within. The argument about leaks is a non-starter.

That argument is also a non-starter because it is another criticism of the House. Many other countries, including those whose system is based closely on Britain's—I cite Canada as a classic example—use the sort of system that I am describing. Are we really saying that the House of Commons — the originator of parliamentary democracy—is incapable of exercising such responsibility and judgment, but that the parliaments of western Europe and those of the English-speaking world are? We should be devaluing the House if we said that. Indeed, several Government actions suggest to me that, sometimes intentionally and sometimes unintentionally, the Government are devaluing and understating the role of the House.

When I previously mentioned the possibility of a Select Committee, the Home Secretary said that we had not yet given sufficient thought to the role of commissioner or the tribunal. The reason why we have not done so is that we believe that their role would be far too weak compared with what it should be. We have tried to decide whether we want a judicial system or a system based on the parliamentary model, and the Government have come up with a quasi-judicial system. If they had chosen a judicial system—the Bill calls for the appointment of people with suitable legal qualifications—they would be saying that the interception of communications should be decided by the courts. Therefore, the logic is that warrants should be issued only by the courts, which is precisely what happens in many other countries.

I should make it clear that I have reservations about that, but there is much logic in going for a fully judicial system in which a judge grants a warrant. There is also logic in the sort of parliamentary system for which I am calling. There is no logic in a half-baked, in-between scheme that uses neither Parliament nor the courts properly. We shall have the worst of all worlds with this neither-fish-nor-fowl approach from the Government.

That approach tends to make the House irrelevant. The trend in recent years, not only under this Government, has been to undermine the role of the House, and the House certainly does not have the power and authority that it used to have. We have to ask ourselves why that is so.

Frequently, we are seen outside the House as irrelevant. In politics one can be right or wrong, good or bad, Left or Right, but one cannot afford to be irrelevant, because irrelevant institutions fade away. The more we disperse power, whether it is to the European Commission or to committees such as the the one set up by the Bill, the more we reduce the power available to this place. It is all very well to do that knowingly, understanding the consequences, but when we do it in this way we have not even begun to think about the consequences.

One of the most important sectors of government—the sector where the Government allow themselves to intercept communications and interfere with the privacy of citizens of a democracy—is to be a sector on which Parliament will have very little say. The Government may say that the tribunal is required to make a report, that that report will be given annually to the Prime Minister, and that the Prime Minister is required to lay it before the House.

Clause 8 says:

"(7) The Prime Minister shall lay before each House of Parliament a copy of every annual report made by the Commissioner under subsection (6) above together with a statement as to whether any matter has been excluded from that copy in pursuance of subsection (8) below.

(8) If it appears to the Prime Minister, after consultation with the Commissioner, that the publication of any matter in an annual report would be prejudicial to national security, to the prevention or detection of serious crime or to the economic well-being of the United Kingdom, the Prime Minister may exclude that matter from the copy of the report as laid before each House of Parliament."

As we have said before, and as we shall say again today, that goes far too wide. It means that the annual report that will be laid before the House could be—not necessarily would be—extremely thin and could give little opportunity for informed debate.

However, let us assume that a full report, with virtually nothing excluded, is laid before the House. It is then available for us to read, and we may be able to arrange a debate. Let us assume that we persuade the Government of the day to allow one day of prime Government time for that debate. That is one day's debate on an extremely serious matter, compared to what could be done by a Select Committee over many weeks of sitting, bringing evidence before it, questioning people involved, looking at the matter in depth. Which system protects the democratic rights best? The answer is clear. It is the Select Committee system, which can report to the House, after which a full debate can take place. In other words, we would have the best rather than the worst of both worlds.

The quasi-judicial system has all the disadvantages of being complex, confusing and ultimately answering to people who are infinitely too busy to give to it the attention that they would want. Having seen the Prime Minister waltzing around the world recently, I was tempted to get Tim Rice and Andrew Lloyd Webber to write music for

[Mr. Soley]

the trip along the lines of "Evita". There is a song called "Rainbow High" in that play that is appropriate to the Prime Minister's recent jaunt.

The point is that a Prime Minister is infinitely too busy, whether or not he or she is trying to pack in a journey such as the one the Prime Minister undertook, to give this matter the detailed attention it deserves. In particular, a Prime Minister would be too busy to give detailed attention to the protection of the democratic rights of the people ensuring that when we pass legislation that allows the interception of communications, it is done effectively enough to prevent some of the more horrendous crimes such as terrorist bombings, killings and some drug abuses.

Mr. Steve Norris (Oxford, East): The hon. Gentleman will know that I am not unsympathetic to his line of reasoning. Does he agree that the important sector to which the new clause is addressed is national security and precisely those parts of the security service that would be excluded from the report required under clause 8? How does he propose that the Select Committee on this matter would be in any better position to get round what I see as the insuperable self-imposing and self-limiting barrier—another Chinese wall—whereby the sectors excluded from the report are the ones about which the House would wish to know?

4.45 pm

Mr. Soley: The answer to the hon. Gentleman lies in the example of the Defence Committee. It has to deal with extremely sensitive information at times, and does so very well. It calls before it evidence from the experts with detailed knowledge of highly secret information. It cross-examines those experts and goes into details. It pays visits to some of the establishments and sees some of the equipment. It does not run into any problems. The security services present more difficulties because of the closed nature of their operations, but it does not necessarily follow that we could not have a Select Committee on them. It may be more difficult but it would not be fundamentally different.

We have the problem of being excessively secret in this country. The other nations, particularly the democracies, are more open. At an official level we still pretend that we do not have MI5, MI6 and so on. However, we have these operations, and it is time that we said so openly and publicly. Everybody knows about them and thinks that they are official and public, but there is still this nonsensical pretence. Unless we set up some structure for controlling them, we shall leave the powers solely with two members of the Executive who, even with the best will in the world, cannot exercise that control effectively. That is the key argument, and that is why the new clause is so important. It is of central importance to the Bill, and I commend it to the House.

Mr. Eldon Griffiths (Bury St. Edmunds): The subject of a Select Committee has been discussed before. There is one central point to be made. The new clause says:

"A Select Committee. . . shall be established to oversee the work of any person responsible for, or making use of, the interception of communications."

That takes a Select Committee smack into the centre of the operations of the police, security and intelligence services.

While I believe that matters of general policing policy should be matters not only for the House but for the police authorities, I am opposed to any political interference in the operation of the police service. I think that I shall carry at least one Front Bench Labour Member with me on that.

Mr. Soley: The hon. Gentleman is making the mistake that has been made by a number of hon. Members. To my mind, democracy is about setting policies and holding people accountable for how those policies are carried out. Those are the two key things, that is how we have practised democracy, and that is the normal process. We do that in all other sectors, and what we are suggesting here is no different.

Mr. Griffiths: The House will have to take account not of what the hon. Gentleman says is in his mind but of what is on the amendment paper. The new clause says:

"A Select Committee . . . shall oversee the work"—

not the policy or the accountability—

"of any person responsible for, or making use of, the interception of communications."

I can think of no clearer use of the English language. That means that a Select Committee will get involved in the work, the operations, the day-to-day conduct of the police, the security and, as I understand it, the intelligence-gathering services. I object to that, and I am sure that the House as a whole, on reflection, will object to it on the highest grounds of principle.

It is right that the House should set policies and have an oversight of the way in which policies are carried out, and it ought to expect Ministers to be responsible for the policies for which they are accountable to the House. But it is an entirely different matter for a Select Committee of the House to get involved in the work, the operations and the day-to-day performance of the police or security services.

Over the past year, we have seen the attempts of political elements in police authorities to intrude into police operations. I should probably cause unnecessary contention in the House if I went into any of the details where this problem arose during the miners' strike. However, there have unquestionably been attempts by political people in police authorities to tell the police that they should perform their duties in a certain way and that they should give immunity to some people and not to others, because they have taken a political view of police work and operations. That cannot be right.

If a Left-wing police authority intruded into police operations on behalf of that ideology, a Right-wing police authority in some other county could intrude in a different fashion. That is quite wrong. There is no room for party politics in policing, and there is no room for the police in politics. I make that clear. Therefore, I should be opposed to a Select Committee of the House getting involved in operations.

Another illustration could be taken from the recent operations of the GLC, where unquestionably political attempts have been made to interfere with the way in which the metropolitan police carry out their duties. I repeat that it is right that politicians should wish to have a general oversight of policing policies and that the views of politicians should be taken into account by the police at all times. But once we allow politics to intrude in the operation of the law, we start to compromise justice itself and to go down the road towards the east European state.

What distinguishes our police service and administration of justice from those in many other countries, notably in eastern Europe, is that in those countries the concept of

justice and of policing arises from the notion of political control. They have political police and political justice. They take the view that all crimes are political or state crimes. The great distinction in our country is that the police are non-political and non-partisan and are removed from any suggestion that there shall be interference by politicians, of whatever complexion, in their day-to-day operations.

The hon. Member for Hammersmith (Mr. Soley) advanced some persuasive arguments, but I think that he is wrong in principle. The language of his new clause is such that it would insert politics into policing and into the security services. He said very fairly—and it is to the honour of the Labour Front Bench—that, although a number of his colleagues in the country have suggested that this Bill for the first time introduces telephone tapping, that it is an obnoxious practice and that it should never be allowed, he and his right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) have never disguised the fact that from time to time it is necessary in the interests of the security of the state. But the Opposition are properly concerned about accountability. That is the issue here, and I understand that.

However, the new clause would mean that a Select Committee of the House would get involved in the actual work of telephone tapping, and that is an extraordinary proposition.

Mr. Norris: I wonder whether my hon. Friend would say why any oversight of interception by a Select Committee is political, but oversight by a Prime Minister or Home Secretary somehow is not?

Mr. Griffiths: I can give my hon. Friend a precise answer. It is a constitutional point. The Prime Minister and the Home Secretary are responsible to the House, but they are Ministers of the Crown and they carry out that duty in that sense. The Prime Minister owes his or her position to the process of election and to the confidence of the House, and, of course, that is a political matter. But in exercising the duties of a Prime Minister under the law and the constitution, the Prime Minister is the Queen's first Minister. That is his or her constitutional responsibility. The reality is that there can never be a non-political Prime Minister or Home Secretary.

The answer to my hon. Friend is that a Select Committee of the House is not appointed by the monarch; it is a product of the House. Her Majesty's Ministers operate as the servants of the monarch, though responsible to the House, rather than, as a Select Committee operates, as part of the procedures of Parliament. That is an important distinction.

Mr. Eric. S. Heffer (Liverpool, Walton): Now answer the question.

Mr. Griffiths: I have answered it. The hon. Member for Liverpool, Walton (Mr. Heffer) may not think it a satisfactory answer, and it may be that my hon. Friend the Member for Oxford, East (Mr. Norris) does not think that it is satisfactory, but I see a real distinction here. It is the ministerial conduct of the executive function of government that we are discussing, not the parliamentary oversight, which is a different matter.

I cannot believe it to be right that a Select Committee of the House should be in a position to demand, as the clause implies, that a police officer or member of the security service should be answerable in detail to a Select Committee for his work. Does it mean that the Select Committee would send for him?

Mr. Soley: Yes.

Mr. Griffiths: That is very interesting. The Select Committee would be able to determine within the rank structure of the security services—whether MI5, MI6 or the special branch—that a superintendent, an inspector or a sergeant should be brought before it and cross-examined. Is that what the hon. Member for Hammersmith proposes?

Mr. Soley: The hon. Gentleman is getting himself into an incredible mess. The Select Committees do that already. They ask people to appear before them to give evidence. Not to attend is a very serious matter.

Mr. Griffiths: I have no doubt that the hon. Gentleman has served on a Select Committee, as I have. It has been the misfortune of many of us to do so. I have served on one for about 18 months, and it has been my frequent experience, occasionally to my intense exasperation, that when a Committee has sought to subpoena or to demand the presence of a civil servant, the Minister in question has refused. Quite often the Minister has been right to refuse. We in the House operate on the basis that Ministers are accountable to the House but that civil servants are accountable to Ministers. The hon. Member for Hammersmith is not correct when he says that at present Select Committees subpoena or command the presence of civil servants. They may do that only if the Minister in question is agreeable to it.

Mr. Soley *indicated dissent.*

Mr. Griffiths: The House will have to make up its own mind about it.

I am glad to have elicited from the hon. Member for Hammersmith exactly what the Opposition's policy is. He regards it as entirely proper that a Select Committee should be able to reach right into the special branch, the police, the security services, intelligence gathering and anti-terrorist organisations in Northern Ireland, for example, demand their presence, and cross-examine them here with all the terrifying risks that that involves and all the great risks to individual practitioners — operational police officers and security officers — being exposed to questions which I do not believe they can possibly answer, in the public interest. It is extraordinary that the hon. Gentleman should have gone so far in stating his intentions.

5 pm

This measure would result in an improper intrusion of the legislative function of the House into the Government's executive responsibilities. Worse, it would cause political matters to intrude into the operations of the police and the security services. If the hon. Member for Hammersmith had put on the amendment paper what he meant but did not say—that a Select Committee should have a general duty to oversee policies and Ministers should be required to report to it—hon. Members would have had more sympathy with his ideas. I would not have supported him even in that statement, but Conservative Members would have shown more sympathy. I know that my hon. Friend the Member for Oxford, East takes that view. I should be interested to hear whether my hon. Friend goes as far as the Opposition have gone in

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demanding that a Select Committee should have the ability to cross-examine the police and members of the security services about their operations.

Mr. Norris: I am grateful to my hon. Friend for giving me the opportunity to explain my feelings precisely. Presumably any Select Committee is required to take account of policy, to compare policy with practice, and, when elucidating the difference between policy and practice, to cross-examine any witness that it chooses. Does not that principle apply straightforwardly?

Mr. Griffiths: I am afraid that it does not. I should be surprised if my hon. Friend can cite chapter and verse of occasions when Select Committees have been able to call before them civil servants, police officers, or anyone else, against the wishes of the Minister. I do not think that they have been able to do so. What matters is the issue of ministerial accountability, not the ability of Ministers to bullyrag, for political reasons, those who have difficult operational tasks.

I can see that I have hardly carried the whole of the Opposition with me, but I believe that this new clause is misconceived. It would be contrary to the proper practices of the House. This measure would nibble away at the proper constitutional relationship between the Executive and the legislature. Above all, the new clause would inject politics into the police and security services, and politics should not be there.

Mr. Heffer: I am speaking from this position because I understand that because a new microphone has been installed it will be easier for the House and the country to hear me. The fact that the leader of the Liberal party is not in his place allows me to speak from here.

I support new clause 1. It is right that we should ask for a Select Committee

"to oversee the work of any person responsible for, of making use of, the interception of communications."

Unlike the hon. Member for Bury St. Edmunds (Mr. Griffiths), who did not declare his interest — he is spokesman for the Police Federation——

Mr. Eldon Griffiths: I should make it clear that the Police Federation has formed no view on the Bill. I have had no communication with the federation. I speak for myself alone.

Mr. Heffer: Fair enough. I want to declare an interest. I believe that, as a Left-wing Socialist, my telephone has probably been bugged for the past 14 years. I do not know what good that has done those who have listened to my telephone conversations. They must have listened to some interesting conversations between my wife and her mother-in-law, her brother and many other people. As I have never said anything privately that I would not say publicly, there is nothing for me to be terribly worried about. I know that this bugging occurs, because many years ago when I was a shop steward in the shipyards in Liverpool, I discovered that the local police had a dossier on me. Good luck to them.

We need a Select Committee to oversee the work of these people. What else is it but work? These people are intervening in the conversations of ordinary citizens. If the hon. Member for Bury St. Edmunds believes that the law is above society, he does not live in the real world. Law is determined by the House of Commons and the House of Lords collectively at a given moment. If the given moment means that we have a Conservative, Right-wing, reactionary Government of the type that we have now, laws of that kind will be determined by that Government. If we have a Labour Government, I hope that they will repeal some of those laws. It is ridiculous to suggest that the law is above society.

The other day I delivered a lecture in Trowbridge, entitled the Thomas Helliker Lecture. It was about a 19-year-old man who was hanged in 1803 because he dared to be a member of a trade union. He was accused of burning down a woollen mill which was owned by a certain gentleman. He was not involved, but he knew who had burnt the mill. He refused to give the names of those people, and consequently was hanged. Anyone who tells me that the law is above society, that the law does not reflect the ideas of the people who run society and control the Government and the system is not living in the world in which I live. Those of us in the Labour movement who know about these matters understand that the law is used constantly against those who oppose the existing system of society and want to change it by normal democratic means.

I have been sent a copy of the *Leveller Supplement*—it is a magazine of the Left — headed "MI5 funded, Monochrome". It is a monthly newspaper, and I received issue No. 4 for 1 April 1985. I had never received that paper before. I do not know who runs it or anything about it, but it contains much interesting information that should be examined.

One article states:

"a senior Intelligence Officer talks to our Man from Monochrome, Paul Demetrion."

The article continues:

"*John Wilson* (not his real name) is a Senior Intelligence Officer at F Branch. F Branch specialises in 'counter subversion'. Its various sections deal with the Communist Party, Trades Unions, Irish Terrorism, etc. . . . Wilson has worked for MI5 for 20 years and for F Branch for the past ten. In an exclusive interview for *Monochrome*, he discusses his work for the first time."

This is what convinces me that my telephone has been bugged for some years. Speaking of Left-wing targets, Wilson stated:

"Most individuals from the leadership of Far Left organisations are considered to be a threat to the State. Some people have files on them dating back over thirty years."

The article states:

"Like whom? 'Ted Grant . . . partly because of his activities in the Labour Party *(Ted Grant sits on the Editorial Board of Militant)*'".

It goes on to say:

"During the early 1980s, prominent Labour left-wingers had their home phones tapped. Once this had bizarre results. 'A broken transcript of a conversation between Chris Mullin *(a member of Tony Benn's 'kitchen cabinet' and Tribune journalist)* and a friend was passed to the office. There had been faults on the telephone, so the playback was interrupted, but Mullin had clearly been discussing defence policy options. We all imagined that it was part of a new Bennite defence initiative. It was hurriedly analysed by colleagues working on the peace movement. It was only later discovered that Mullin had been talking about various scenarios for his novel *(A Very British Coup)*.'"

That is all in the document. I do not know whether it is true, but someone must answer. It was issued on 1 April. Has any action been taken against that paper since 1 April?

Have the Government said that it is all lies? Who is this man John Wilson? What is the material? There is a great deal of other material. Wilson says:

"F Branch sometimes finds it necessary to infiltrate an organisation using spies and paid informers. A sub-branch FX, is the specialist Branch. Wilson estimates there are 'hundreds' of these, co-ordinated by various MI5 desk officers. Sometimes they are planted, but usually they are recruited from within. He claims MI5 has infiltrated all the major trade unions; the Labour Party; the Communist Party; the NCCL; Greenpeace; groups on the revolutionary left and right. CND again is a major target."

Do we not need a Select Committee to oversee the work of those individuals? Perhaps the hon. Member for Bury St. Edmunds does not understand that we did not always have a House of Commons with genuine rights. We had a House of Commons which was allowed by the whim or agreement of the monarchy. It had to state that it had its own rights, which it would use in its own way, and the monarch was put in his place.

In passing, I want to make this clear. During the past few days some of the papers have been acting disgracefully with regard to Princess Michael. I do not know her. I shall never meet her. I do not want to meet her. I do not know what her politics are. I am sure that they are not mine. I am sure that they are completely opposed to everything in which I believe, but no one can be responsible for his or her parents. I make that clear. My father, luckily, was not a murderer. He happened to be a regimental sergeant major.

Mr. John Golding (Newcastle-under-Lyme): That is worse.

Mr. Heffer: It may be worse in the eyes of some people. I did not become a regimental sergeant major. I had no intention of doing so. Some of the papers, including that so-called Labour paper, the *Daily Mirror*, have been acting disgracefully. If there has been a cover up, concentrate on the cover up, not on the princess, because she is of no importance. That does not advance our political arguments one iota. What is far more important——

Mr. Deputy Speaker (Sir Paul Dean): Order. I hope that the hon. Member will return to the new clause.

Mr. Heffer: I wanted to say that, because I believe that it is important that someone on the Left of the Labour party should make it clear that we are not against people because their parents might have been Nazis or, in this country, Mosleyites or anything else. We are opposed to what those people stood for, not where their children stand. We must make that clear. I am sorry for anyone who joins the Tory party, but I cannot help it. The children of some Labour people have joined the Tory party, and that is regrettable. We cannot blame people, even if their parents were in the SS.

The future of our country is far more important. We have democracy because the people decided that we should have a democratic Parliament, elected by the people. It took a long time. From the 1642 revolution we had a genuine democratic Parliament in which every man had the vote. It was not until after 1918 that women had the vote. It took a long time to fight for those democratic rights.

As my hon. Friend the Member for Hammersmith (Mr. Soley) made clear, the House represents the will of the country. If it is the will of the country, we should have a Select Committee to oversee what is done in the name of the Government, elected by the people, in relation to the citizens of this country, irrespective of their political views. I do not mind whether people are on the Right or the Left. It is vital that a Select Committee should oversee any interceptions by people acting for the security forces.

We all know that the security forces have a job to do. They must investigate people who want to carry out terrorist activities. No one denies that. They must investigate drug pushers. No one denies that. I welcome every effort that is made towards stopping that filthy business. No one denies that all that is important, but, for God's sake, I heard the Prime Minister talking about the enemy within. Was she talking about trade unionists? Are we the enemy within because we have a different point of view? No one should have his words intercepted because he might have a political point of view different from that of the Administration.

5.15 pm

I have said clearly in the House and elsewhere that I do not agree with what happens in eastern European countries. I do not agree with the police system that operates in those countries. One of the reasons why we must have a Select Committee overseeing our security forces is that I do not want to see us move into the type of society where we have a security body separate from the Administration — that can happen — and, in the end, running the Administration. That is why we must have genuine control of interceptions. I accept the arguments put forward by my hon. Friend the Member for Hammersmith, and I give my unqualified support to the new clause.

Mr. Norris: The discussions on the Bill take place against the background of public disquiet. The extent to which that public disquiet is informed should be a matter for debate. One cannot argue but that such disquiet exists. The focus of that disquiet is in no small measure the growing assumption—the dawning of the realisation—that if the country has a choice of whether the security services operate within or without the ambit of Parliament, we have for too long allowed the principle to develop, possibly by default, that the security services largely operate outside parliamentary accountability. That accountability is vested formally in members of the Government — the Secretary of State and the Prime Minister.

The new clause seeks to alter that relationship and accountability in two ways. First, it seeks straightforwardly and unequivocally to bring all the security services' operations inside the ambit of Parliament. Secondly, it predicates the view that a Select Committee is more appropriate, ultimately, than a Minister to be accountable for the affairs of the security services.

On that latter point, my hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths) has suggested that a Minister of the Crown is somehow apolitical, while a Select Committee is by definition political because it is selected by this House. I hope that I do not misrepresent my hon. Friend's observations. My experience as a member of a Select Committee, which believes that it is trying to do an important job, is that we work best when we work on a completely apolitical or non-political basis. Indeed, the majority of our deliberations are carried out entirely in that vein.

Mr. Eldon Griffiths: For the avoidance of any doubt between my hon. Friend and myself, let me say that what

[Mr. Eldon Griffiths]

I argued was that when a Minister of the Crown is acting in his Executive function as a Minister of the Crown he is not, or ought not to be, acting as a party politician. He is carrying out the Queen's government. Of course, he is at the same time a politician. Many Ministers have to act in an appellate fashion. Every Secretary of State determines matters in an appellate capacity. In that sense, he has no politics.

Mr. Norris: I am grateful to my hon. Friend, and I take his observations seriously. I refer him to a point made by the hon. Member for Hammersmith (Mr. Soley) in moving the motion. He said that there were options available to us to control the operation of the security services. One of these is the Executive overview option, which is the one that we currently have. The other is some sort of quasi-judicial option, into which we are being led. I shall argue later and on Third Reading that that is better than nothing, but there is also the judicial option. My view—my hon. Friend may not share it—is that the forum of the Select Committee and the way in which it works is a more appropriate way of monitoring the operations of the security services than the system of Executive accountability.

I have always accepted it as the prerequisite of any Select Committee that it works on the basis, as I said earlier, of looking at Government policy and not only making recommedations as to how that policy should be changed, but, more importantly, comparing the policy theory with the practice—the actuality.

The hon. Member for Liverpool, Walton, (Mr. Heffer) quoted a number of observations. He will forgive me for saying that there are other literary organs from which similar observations have emanated in the past few months. In considering them we have to bear in mind the assurances, given to the House by my right hon. and learned Friend the Home Secretary, that all interceptions have been carried out in accordance with very closely defined criteria which he has spelt out. Surely the essence of the hon. Gentleman's concern, which I share, is that there is a considerable gulf between the very precise circumstances in which interception is to be authorised, and spelt out by the Home Secretary in his assurances—the House would naturally accept that he gave them in good faith—and the stories which constantly arise and which have on occasion a disquieting degree of accuracy about them.

In order to allay public disquiet, there would be considerable merit in having some much more publicly accountable forum in which the activities of the security services generally could be scrutinised. The hon. Member for Hammersmith will recall that I pursued a similar line of argument in Committee. I hope that I am not offending against the conventions of the House by raising a matter which has already been discussed. On that occasion I said that there were qualifications which of necessity would have to be made to the structure of the Select Committee before it would be a suitable body to handle security matters.

One of the most important principles in intelligence operations—anyone who has observed the operations of the security services in the second world war will know it—is the "need to know" principle. That should not be lightly discarded. It follows from that that there is a great danger in allowing information to be disseminated to large numbers of people who do not have a direct interest in or responsibility for that information. The inadvertent disclosure of it could be potentially embarrassing to the security services, and no one on either side of the House would want that to happen.

Therefore, it follows that the Select Committee should be composed of a smaller number of right hon. Members—I use that term advisedly—than is usually the case. Select Committees usually vary in size between nine and 13 members. I suggest that in this instance there should be not more than five right hon. Members. On the "need to know" principle, the smaller the number of right hon. Members involved in the Select Committee, the better.

The members of the Select Committee would need to be people of considerable experience of this House and of government generally. The issues with which they would be dealing would not only be important in themselves and need to be interpreted responsibly and in a proper fashion, but would need to be interpreted by right hon. Members of this House with the necessary experience to know what to look for, who had been through the mill of a Department of State, and had perhaps held the highest offices in the land. They should be people who understand from the inside how the system works.

Mr. David Winnick (Walsall, North): I appreciate the hon. Gentleman's points. Even the sort of Select Committee for which he is arguing would be an improvement on the present position, in which there is no parliamentary scrutiny whatever, but I wonder whether the hon. Gentleman realises sufficiently that Select Committees are always reluctant, even if they are composed of supporters of the Government of the day, to be regarded as a mouthpiece of the Administration.

The hon. Gentleman has made a number of arguments, some valid, and others not. Is there not a danger that such a small Select Committee, composed of people with a long experience, all of them Privy Councillors, and perhaps some of them ex-Ministers, would in time come to be regarded as a body likely to give approval to the Government or the Establishment of the day? Therefore, to some extent it would defeat the very purpose of having the kind of parliamentary scrutiny which the hon. Gentleman clearly recognises as important.

Mr. Norris: I accept that the possibility suggested by the hon. Gentleman might arise, but in reality I do not think that it would be likely. Right hon. Members on each side of the House eventually retire from day-to-day activity in this House, but that does not mean that their fundamental allegiances are likely to change. Having said that, I can immediately think of examples on each side of the House which run counter to my argument. The important principle is that such a Select Committee should not be composed only of Government supporters. It should be just as much an all-party Select Committee as any other Select Committee. I hope the hon. Gentleman will accept my argument that it should be a smaller body than is usual, for the operationally sensible and straightforward reasons that I have outlined. Secondly, it should be composed of Privy Councillors, because it is an essential prerequisite of such a Committee, not only that it should hear evidence, but that it should know what to look for and how to interpret what is sees. It is not simply a matter of hard work and application, such as is involved in producing a report

of the Social Services Committee or the European Legislation Committee. The members of the Committee will need to have been on the course before, so to speak, so as to be able to look properly at the reports which will be presented to them and be able to make something of them. With those qualifications, I think that the option in the new clause, although it falls short in some respects of the option that I proposed in Committee, should commend itself to the House.

5.30 pm

In conclusion, I ask myself one fundamental question: would the country be better off, and would public disquiet be more or less allayed, by the existence of some form of parliamantary overview of the security services? Although I accept that there are potentially a great many difficulties in the way of the establishment of such a Select Committee, and although I admit that its functions would be less than total and less than perfect, none the less I believe that, on balance, the answer to my question is that the more parliamentary overview there is of the security services, the better off the country will be.

Mr. McWilliam: I declare my interest as a Member sponsored by the union which represents the workers in telecommunications.

It has been an interesting debate. I would rather that the proposal before the House was to set up a Select Committee to oversee the security services, but that is not the case. We are dealing with a very limited proposal in new clause 1, which relates only to the interception of communications. I hope that when they are deciding how to vote my hon. Friends and hon. Members on the Government Benches will bear in mind the limitations of the proposed new clause.

I accept fully that there are differences of opinion within the House on whether the security services should come under parliamentary scrutiny. What I do not accept is that there is any difference within the House on the need for the House to safeguard the rights of the individual. That is what we are here for. That is why we have our privileges and why we guard them jealously. That is the reason behind the new clause.

It goes without saying that to intercept someone's communications is to interfere with his fundamental liberties and with his rights as a citizen. That will not be done under the Bill unless there are strong grounds for supposing that a person is engaging in serious crime, espionage or some other heinous act against the state. The definition of serious crime is a crime for which on conviction a person could reasonably expect to be sentenced to three years imprisonment on first conviction. The Bill is to cover serious offences.

The snag is that within the country there is a great belief that even the safeguards contained in the Bill will not stop unofficial tapping by the security services, the police special branch, Customs and Excise and other organisations. The Bill is fundamentally flawed in that respect.

I do not doubt Ministers when they say that it is their intention that the Bill will stop unofficial tapping. The Bill of itself will not prevent abuse. Until aggrieved individuals can be sure that their communications will not be intercepted without a warrant, they will not be satisfied. That cannot be established under the Bill, because the Bill deals only with whether a warrant has been properly issued. It does not at any stage deal with whether interception has taken place.

Such a provision is absent from the Bill. I tried to amend it in that way in Committee, but failed. Conservative Members probably voted as they did because they did not understand the position. Perhaps I did not make it sufficiently clear, but it will not be within the terms of reference of the tribunal or the commissioner to establish whether an interception has been made.

If we are to interfere with the fundamental rights and liberties of citizens, the House itself would be a far greater safeguard of those rights and liberties than the Executive, whatever their political complexion, have proved to be over the years. One has only to look through history books to find out how Executives have used their power. The temptations must be enormous.

People engaged in lawful activities in their daily lives, whether at work or anywhere else, should not have their communications intercepted. The House will no doubt pass this measure, which will interfere with fundamental rights and liberties, but it must retain within itself the oversight of the way in which the restriction of rights and liberties is exercised.

As the hon. Member for Bury St. Edmunds (Mr. Griffiths) said, the Bill will not interfere with the day-to-day operations of the police. As a former deputy chairman of Edinburgh city police commission, I have enough experience to know about police operational requirements and capabilities. The Bill will not interfere either with the day-to-day running of MI5, MI6, F branch, Customs and Excise or anyone else who happens to fancy earwigging on someone. It is to ensure that if an interception is made, it is made for sound reasons, that the reasons are clearly stated, that the warrant is given under the hand of the appropriate Secretary of State within the restrictions contained in the Bill and that the interception is in place only for the period of time authorised by the warrant. That is what the job of the Select Committee would entail, and nothing more. Therefore, I commend the new clause to hon. Members on all sides of the House.

Mr. Kevin Barron (Rother Valley): If the Select Committee proposed by the new clause took evidence from people who might themselves be susceptible to acts of terrorism, surely it could meet in private, as many Select Committees do.

Mr. McWilliam: Of course it could. The Select Committee on Defence does it all the time and sidelines many reports.

My hon. Friend has reminded me of another point—that the House has control over the members of a Select Committee in a way that the House and other legal bodies would not have control over the tribunal, the commissioner or anyone else. If any member of the Select Committee leaked information, it would be a breach of the privileges of the House and that Member could be brought to the Bar of the House, as has happened, and justice could be meted out immediately by the House. *[Interruption.]* The hon. Member for Grantham (Mr. Hogg) may scoff. If he finds that the Government are so lax about the privileges of the House as to allow breaches to take place——

Mr. Douglas Hogg (Grantham): With respect to the hon. Member, it is not a question of the Government being lax. It is about the House being lax. I can tell the hon. Member now that there is no prospect of the House punishing such a person in the way that he suggests.

Mr. McWilliam: I suspect that there would be such a prospect if what was leaked was against the interests of national security. On the other hand, if what was leaked was merely embarrassing to the Government, it would mean that the Executive had done wrong, and that would be all the more reason for having a Select Committee.

Mr. Robert Maclennan (Caithness and Sutherland): The trouble with the hon. Member for Grantham (Mr. Hogg) is that he has not been in the House long enough to remember that the hon. Member for West Lothian was treated in just the way that the hon. Member for Blaydon (Mr. McWilliam) suggested.

Mr. McWilliam: It was the hon. Member for the constituency that was then called West Lothian that I had in mind when I said that.

I remind the House that it is our duty to defend the rights and liberties of the citizens of this country. If we merely leave the Bill as it is, we are being negligent in that duty. However, if we introduce the Select Committee, it means that the House is saying unequivocally, "We accept that we are depriving people of liberties and privileges, and we take responsibility for that, but we expect that the people who do it will be answerable to us."

The Minister of State, Home Office (Mr. David Waddington): This has been an interesting debate. It is obviously right that the House should have had the opportunity to consider whether a Select Committee might have a role in these matters. However, I have a sneaking sympathy for my hon. Friend the Member for Stafford (Mr. Cash). I am not sure whether one could find an Act of Parliament in which there was a reference to a Select Committee which would play a specific role. I have just had a look at the Parliamentary Commissioner Act 1967, and I did not find a reference to one. However, that is by the way. The point is that it is obviously right that we should consider whether there is a role for a Select Committee in these matters.

I am not sure what is meant by "oversee" in the new clause. Is it simply reviewing work, or is it calling a person to account? Is it calling a person to account before or after he acts? I do not know. What is meant by "any person responsible for"? There is little doubt that it covers the Secretary of State, but does it cover the telephone engineer? If is does, have we not been considering for quite a while what protection we should put in the Bill for those who intercept because they have been told to do so as a result of a warrant issued by the Secretary of State? Will the telephone engineer be called to account by a Select Committee for what he properly did in response to a warrant? I should have thought that he could be, according to the wording of the new clause.

Those are not drafting points. A Select Committee sounds very fine. On the face of it, parliamentary accountability is an easy cause always to espouse, but something more precise than that is required. When one tries to be more precise, one sees the difficulties, some of which were identified by my hon. Friend the Member for Bury St. Edmunds (Mr. Griffiths). I shall refer to them in a moment. However, I should first say a quick word about how the security service — much of the debate has focused on it—is controlled now.

The starting point with the security service is the directive first issued in 1952, and endorsed by all subsequent Governments. The principle underpinning the directive is quite clear. The Director General is responsible personally and directly to the Home Secretary for the proper implementation of all the objectives in the directive. He is appointed by the Government and has to retain the confidence of the Government. He seeks direction and guidance from the Home Secretary on the way in which the security service sets about things, but — this is all-important — Ministers do not involve themselves in detailed information obtained by the security service in individual cases, save, of course, where an application is made for an interception warrant.

Ministers do not involve themselves politically. They do not make political decisions, any more than does the Director General, who is enjoined by the directive itself to see that the security service is kept absolutely free from any political bias or influence. Nothing is done that might lend colour to any suggestion that it is concerned with the interests of any particular section of the community or any other matter than the defence of the realm as a whole.

5.45 pm

Mr. Harry Cohen (Leyton): The Minister has just made the amazing statement that neither the Director General nor the Home Secretary is acting in a political way when he signs a warrant. It is pretty well acknowledged that Mr. Cox of the Campaign for Nuclear Disarmament had a warrant signed for his phone to be tapped. Was that, or was that not, a political decision?

Mr. Waddington: I do not think that the hon. Gentleman can have been listening carefully to what I said. I know that I was going rather quickly. I must tell him that he must not expect, as a result of such a question, to find that any Minister is drawn into giving a reply that might be taken either as a denial of an allegation of interception or an admission. If he has listened to our debates, he will know that time and again hon. Members have referred to how wise has been the tradition of Ministers never to be drawn into either admissions or denials, so I shall not be drawn now.

All I was saying was that there is a clear directive, laid down in 1952, which enjoins the Director General to see that the security service is kept absolutely free from any political bias or influence. If the Director General is carrying out his duties properly, that is precisely what he does. The Director General is accountable to the Home Secretary. The Home Secretary, of course, does not involve himself in detailed information obtained by the security service in individual cases, save, of course, where an application is made for an interception warrant. Ministers do not therefore involve themselves politically. They do not make political decisions, any more than the Director General himself does so. I cannot be clearer than that.

Mr. Cohen: If the Minister is saying that the Director General makes his decisions on a non-political basis, and that the Secretary of State signs warrants on a non-political basis, what is the role of the Secretary of State? Why is he needed?

Mr. Waddington: It depends on what the hon. Gentleman means by "political". We are making a political decision when we write into an Act of Parliament what should be the powers of the Secretary of State. However, if the hon. Gentleman is suggesting that the Secretary of State makes some party political judgment as

to whether there should be interception, all I can say is that he is entirely wrong. The Secretary of State exercises powers which have been approved by Parliament. He sticks to those powers. He does not go outside those powers. What we are now doing in this exercise is to spell out absolutely clearly in an Act of Parliament what those powers are.

What I said about the difficulties of the new clause was touched upon by my hon. Friend the Member for Bury St. Edmunds. The Select Committee is required to oversee the work of those who receive the product of interception. That is one of the things that the new clause is saying. That includes the police and Customs and Excise. For the first time a Select Committee — my hon. Friend was obviously right about this—would have oversight of the work of the police, but, quite illogically, only when their work involved in part a product of interception. That would be ridiculous. It would be the first time that a Select Committee would be able to call before it a member of the police force and cross-examine that police officer about the way in which he had carried out his investigations into a particular case. That would be a departure——

Mr. Golding: Is the Minister aware that the Select Committee on Employment called the Commissioner of Police of the Metropolis and three police constables to account for their policing of industrial disputes and to give their opinions of the legislation? Far from the matter being about general policy, there was a detailed examination of policing of the steel and coal disputes.

Mr. Waddington: The clearest distinction has always been drawn between matters of policy and detailed examinations of the way in which detailed operations have been carried out. If hon. Members will look at the new clause, they will see that it says that a Select Committee would be able to

"oversee the work of any person"

using the product of interception. That means that the Select Committee would be able, for instance, to have before it a police officer who had carried out a detailed inquiry. Just because part of that inquiry had involved interception in that particular case, a detailed inquiry would be made by the Select Committee into that particular police operation.

As I said earlier, that may be right or it may be wrong. I think that it is wrong. It would certainly be novel. It would examine the judgment of those who were directing inquiries. How could it be the job of a Select Committee to interfere in police operational matters, and how could it oversee the product of interception without looking into the consequences of the inquiry in which interception had played one small part? As for the security services, how could it be right for a Select Committee to have oversight of operational matters? It would undermine ministerial responsibility. It would also undermine the proper responsibilities of senior management and the Director General. I emphasise that the Government do not challenge the need for independent scrutiny of authorised interception. That is provided for in the Bill. However, it would be a different matter if a Select Committee were to carry out inquiries into operational matters at perhaps the same time as the Director General was quite rightly carrying out such an examination.

Mr. MacLennan: At an earlier stage of the proceedings on the Bill the Minister attached weight to the importance of parliamentary accountability and drew attention to the provisions of clause 8, under which the Commissioner is to place an annual report before Parliament. Despite the drafting defects of the new clause, does the Minister not believe that there would be some merit in a Select Committee considering the Commissioner's report so that in turn it would report and give some reality to parliamentary accountability?

Mr. Waddington: I do not think that I should be drawn on that point. The hon. Gentleman is asking for my opinion about a new clause which would be entirely different from this new clause and which would be directed towards an entirely different purpose. Therefore, I believe that the House will appreciate it if I stick to this new clause. The Government are opposed to it on a number of grounds. In terms of security, there is no need to add yet another parliamentary dimension to the existing arrangements for control and accountability. The idea of a Select Committee overseeing operational and day-to-day matters is fundamentally objectionable. Oversight could not mean anything else. This kind of oversight is not the task of a Select Committee. Such an arrangement would run counter to the provisions contained in the Bill for independent oversight and scrutiny and would weaken, not enhance, the proper responsibilities of those concerned. Therefore, I ask the House to reject the new clause.

Question put, That the clause be read a Second time:—
The House divided: Ayes 143, Noes 212.

Division No. 183] **[5.55 pm**

AYES

Alton, David	Dubs, Alfred
Anderson, Donald	Duffy, A. E. P.
Archer, Rt Hon Peter	Dunwoody, Hon Mrs G.
Ashdown, Paddy	Eastham, Ken
Ashton, Joe	Edwards, Bob *(W'h'mpt'n SE)*
Atkinson, N. *(Tottenham)*	Evans, John *(St. Helens N)*
Bagier, Gordon A. T.	Fatchett, Derek
Barron, Kevin	Faulds, Andrew
Beckett, Mrs Margaret	Fields, T. *(L'pool Broad Gn)*
Beith, A. J.	Flannery, Martin
Bennett, A. *(Dent'n & Red'sh)*	Foot, Rt Hon Michael
Bidwell, Sydney	Foster, Derek
Blair, Anthony	Foulkes, George
Boyes, Roland	Freeson, Rt Hon Reginald
Brown, N. *(N'c'tle-u-Tyne E)*	Freud, Clement
Brown, Ron *(E'burgh, Leith)*	Garrett, W. E.
Buchan, Norman	Golding, John
Caborn, Richard	Gould, Bryan
Callaghan, Jim *(Heyw'd & M)*	Hamilton, James *(M'well N)*
Campbell, Ian	Hamilton, W. W. *(Central Fife)*
Campbell-Savours, Dale	Hardy, Peter
Canavan, Dennis	Harman, Ms Harriet
Carter-Jones, Lewis	Harrison, Rt Hon Walter
Cartwright, John	Hattersley, Rt Hon Roy
Clay, Robert	Heffer, Eric S.
Clwyd, Mrs Ann	Hogg, N. *(C'nauld & Kilsyth)*
Cocks, Rt Hon M. *(Bristol S.)*	Hoyle, Douglas
Cohen, Harry	Hughes, Dr. Mark *(Durham)*
Coleman, Donald	Hughes, Roy *(Newport East)*
Conlan, Bernard	Hughes, Sean *(Knowsley S)*
Cook, Robin F. *(Livingston)*	John, Brynmor
Corbett, Robin	Jones, Barry *(Alyn & Deeside)*
Corbyn, Jeremy	Kaufman, Rt Hon Gerald
Cowans, Harry	Kennedy, Charles
Craigen, J. M.	Kilroy-Silk, Robert
Cunliffe, Lawrence	Kirkwood, Archy
Davis, Terry *(B'ham, H'ge H'l)*	Lamble, David
Deakins, Eric	Lamond, James
Dewar, Donald	Leadbitter, Ted
Dixon, Donald	Leighton, Ronald
Dormand, Jack	Lewis, Ron *(Carlisle)*
Douglas, Dick	Lewis, Terence *(Worsley)*

Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Edward
McCartney, Hugh
McGuire, Michael
McKay, Allen *(Penistone)*
McKelvey, William
Maclennan, Robert
Madden, Max
Marek, Dr John
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
Oakes, Rt Hon Gordon
O'Brien, William
Orme, Rt Hon Stanley
Park, George
Penhaligon, David
Powell, Raymond *(Ogmore)*
Prescott, John
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Ross, Stephen *(Isle of Wight)*
Shore, Rt Hon Peter
Short, Mrs R.*(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C.*(Isl'ton S & F'bury)*
Smith, Rt Hon J. *(M'kl'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Strang, Gavin
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Tinn, James
Torney, Tom
Wainwright, R.
Wallace, James
Wardell, Gareth *(Gower)*
Wareing, Robert
White, James
Wilson, Gordon
Winnick, David
Wrigglesworth, Ian

Tellers for the Ayes:
Mr. John McWilliam and
Mr. Frank Haynes.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Benyon, William
Bevan, David Gilroy
Biggs-Davison, Sir John
Blackburn, John
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Bright, Graham
Brinton, Tim
Bruinvels, Peter
Bryan, Sir Paul
Buck, Sir Antony
Bulmer, Esmond
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Cockeram, Eric
Conway, Derek
Coombs, Simon
Cope, John
Corrie, John
Couchman, James
Cranborne, Viscount
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dunn, Robert
Evennett, David
Eyre, Sir Reginald
Fairbairn, Nicholas
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forth, Eric
Fox, Marcus
Freeman, Roger
Gale, Roger
Galley, Roy
Gardner, Sir Edward *(Fylde)*
Goodhart, Sir Philip
Goodlad, Alastair
Gorst, John
Gow, Ian
Gower, Sir Raymond
Gregory, Conal
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Hawkins, Sir Paul *(SW N'folk)*
Hawksley, Warren
Hayes, J.
Hayward, Robert
Heathcoat-Amory, David
Hicks, Robert
Hirst, Michael
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howarth, Alan *(Stratf'd-on-A)*
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irving, Charles
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Luce, Richard
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, John
MacKay, Andrew *(Berkshire)*
Maclean, David John
McQuarrie, Albert
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marlow, Antony
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Monro, Sir Hector
Montgomery, Sir Fergus
Morris, M. *(N'hampton, S)*
Morrison, Hon C. *(Devizes)*
Murphy, Christopher
Needham, Richard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Onslow, Cranley
Osborn, Sir John
Page, Richard *(Herts SW)*
Patten, J. *(Oxf W & Abdgn)*
Pawsey, James
Peacock, Mrs Elizabeth
Percival, Rt Hon Sir Ian
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powell, William *(Corby)*
Prentice, Rt Hon Reg
Proctor, K. Harvey
Raffan, Keith
Rathbone, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridsdale, Sir Julian
Roe, Mrs Marion
Rost, Peter
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Spence, John
Spencer, Derek
Stanbrook, Ivor
Stern, Michael
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Sumberg, David
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Terlezki, Stefan
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thurnham, Peter
Townend, John *(Bridlington)*
Viggers, Peter
Waddington, David
Walden, George
Walker, Bill *(T'side N)*
Waller, Gary
Walters, Dennis
Warren, Kenneth
Watson, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitfield, John
Wolfson, Mark
Woodcock, Michael

Tellers for the Noes:
Mr. Tristan Garel Jones and
Mr. Tony Durant.

Question accordingly negatived.

Clause 2

WARRANTS FOR INTERCEPTION

Mr. Robin Corbett (Birmingham, Erdington): I beg to move amendment No. 1, in page 2, line 19 leave out paragraph *(a)* and insert—

'*(a)* for the defence of the realm or to prevent subversion, terrorism or espionage;'.

Mr. Deputy Speaker (Mr. Ernest Armstrong): With this it will be convenient to take amendment No. 7, in clause 10, page 9, line 19, at end insert—

'"subversion" means an attempt to overthrow Parliament by unlawful means;'.

Mr. Corbett: The amendments concern more than mere definitions, which they may appear at first sight to be. They concern an area that is vital to every citizen—our freedom within the law, as individuals and collectively, to challenge and try to change Government policy. That is important not just with the present Government, who have shown such scant regard for freedom in relation, for example, to GCHQ at Cheltenham or their attempt to deny the vote to millions of citizens in the metropolitan counties and the greater London area. When the Labour party forms a Government, Conservative Members will no doubt wish to challenge our policies. The road of freedom does not have just a left-hand side or a right-hand side. There are two sides to that important road.

The first criterion on which the Bill allows the Home Secretary to issue a warrant to snoop and spy is

"in the interests of national security".

That must be one of the most overworked and abused phrases in the world, as it can be held to cover anything that anyone wishes it to cover. Who actually defines national security? I would argue that possession of American nuclear weapons by this country is the gravest threat to our national security and that the sale of weapons to the middle east and South America also threatens our national security because it threatens peace and stability in those areas, but I suspect that the Minister and his supporters take a different view.

We believe that the words

"in the interests of national security"

are too wide and too vague. They are wide enough and vague enough to run the risk of misuse in any big brother, or indeed big sister, state. This is not a case in which we all know what we mean but find it difficult to agree an exact form of words. The Opposition believe that the definition in the Bill is drawn deliberately wide to give the Home Secretary maximum discretion. We do not believe that our freedom can or should be left in the hands, and resting on the judgment, of one individual. Our amendment therefore seeks to put more flesh on the concept of national security.

The definition in amendment No. 1 seeks to be more specific. It refers to "subversion, terrorism or espionage", which is what national security is generally assumed to be about—something separate from serious crime, although equally serious, and standing on those three legs. That being so, amendment No. 7 seeks to define what is meant by subversion. In the past few months, the Government have provided a wide variety of choice in terms of what constitutes subversion, but in our view none of those definitions are acceptable.

The recently published terms of reference for the three wise men state simply that a subversive group is subversive because it is

"acknowledged as such by the Minister".

That is menacing in its starkness. It suggests that the Minister can say to an individual or group, "You are subversive because I say so." The opening paragraphs of the document make it clear that a person suspected or accused of being subversive does not even have to be a card-carrying member of an organisation held to be subversive. The document refers simply to suspected sympathies. That is further watered down by the words

"is susceptible to pressure from such organisations or groups"——

that is, those judged to be subversive.

That clearly and frighteningly opens the door to the advent of the thought police.

However, the position is even worse. Under the test of susceptibility to pressure, scarcely a Member of this House is not susceptible to pressure at some time or another. Pressure does not always walk up to hon. Members waving flags and identifying itself. We all at times run the risk of being taken in. That three-part test is rather dangerous.

The Home Office gave us a Christmas present in the form of the guidelines for the special branch. There we find that subversive activities are

"those which threaten the safety or well being of the State, and which are intended to undermine or overthrow Parliamentary democracy by political, industrial or violent means".

That definition is far too wide. It is open to a wide variety of interpretations, not just by the Home Secretary but by any officer serving in the special branch of the 43 police forces. Day by day, such officers are called upon to make judgments against that guideline definition of subversion.

Amendment No. 7 makes it clear that we prefer that there should be in the test a mention of the lawfulness and unlawfulness of the action being taken or proposed to be taken. The Home Office definition uses such phrases as

"safety or well being of the State".

We could probably stay here until Christmas trying to agree among ourselves what that phrase means.

Mr. Waddington: The hon. Gentleman talks about the Home Office definition but he is quoting from the definition propounded by a Labour Minister, Lord Harris of Greenwich, in 1975.

Mr. Corbett: He was a Home Office Minister.

Mr. Waddington: I ask the hon. Gentleman not to talk about the Home Office definition as though we had propounded that definition in the last month or so. It was propounded by a Labour Government.

Mr. Corbett: The present proprietors of the Home Office have accepted that definition. The Opposition do not accept that Lord Harris's definition was meant to be given the solemnity and importance that is now claimed for it. It was given on the back of an answer to a random question in another place. That is why we do not attach to it the weight that the Minister seems to, and seems to think that we should.

Mr. Waddington: I am sure that the hon. Gentleman would not wish to mislead the House. It must be within his knowledge that the Labour Government when in office followed that definition in exercising the powers to intercept.

Mr. Corbett: I accept that absolutely. As the Minister will have divined during the course of these debates, the Labour party sometimes tries to learn from experience when in government and from the mistakes that parties can make when in government. I tell the Minister once again that when we return to government we will change that definition.

Mr. Winnick: The Minister protests too much. When Lord Harris gave that definition, he did so as a Home Office Minister. It was a Home Office definition, albeit under the preceding Government. At no time, to the best of my knowledge, was that definition changed or debated in this House. It was accepted. There has been no

[Mr. Winnick]

parliamentary debate of the question whether there should be a different definition, or of the earlier one given by Lord Denning.

6.15 pm

Mr. Corbett: My hon. Friend is quite right, to the best of my knowledge.

We have said time and time again in the debates on the Bill and elsewhere that we do not like that definition and that we shall change it as soon as we have the chance. The definition is far too wide. It uses blanket phrases such as
"the safety . . . of the State"
and
"intended to undermine or overthrow Parliamentary democracy".
It qualifies that phrase with the words
"by political, industrial or violent means".

As has already been said, many of us became active in Labour party politics precisely in order to use lawful political means in order to try to turn out the present Government by means of the ballot box and replace them. There is nothing wrong in that ambition, which was shared by hon. Members on the Conservative Benches when in opposition.

Mr. Cash: I may have missed it, but I cannot find the word "subversion" in the text of the Bill. It is in the amendment, but is it in the Bill?

Mr. Corbett: One of the purposes of the amendment is to define subversion within the Bill as an alternative to using blanket phrases such as
"the interests of national security".

Mr. Cash: The hon. Gentleman should refrain from attacking the Government for not including a definition that he would like to include in the Bill himself.

Mr. Corbett: I cannot satisfy the hon. Gentleman on that point. One of our complaints about the Bill is that the definitions are inadequate. In our view, there is no proper definition of subversion. I have quoted from documents. I will not weary the House by doing so again.

I have tried to place the amendments in the context of the proper concern of all of us to defend the rights of every individual citizen collectively and lawfully to challenge and try to change the policies of Governments of any colour. We believe that our alternative definition of subversion not only helps to make that clear but also underlines, restates and reaffirms the fact that that freedom is most important.

Mr. Waddington *rose——*

Mr. Deputy Speaker: I call Mr. Waddington.

Mr. Winnick *rose——*

Mr. Waddington: I shall be happy to sit down again.

Mr. Winnick: If the Minister stands up, the debate is closed, I suppose.

Mr. Deputy Speaker: Order. I cannot call an hon. Member who does not stand up.

Mr. Tristan Garel-Jones (Watford): The hon. Gentleman should wake up.

Mr. Winnick: The Government Whip seems to be even more vocal than usual, even though he never makes a speech.

The essence of much of the disquiet which exists about security matters is the question how subversion is interpreted by the security services. As the hon. Member for Oxford, East (Mr. Norris) said an hour or so ago, there is a good deal of disquiet, even if it is more openly expressed on this side of the House than on the Government side. In my view, my hon. Friend the Member for Birmingham, Erdington (Mr. Corbett) was absolutely right to say that the present definition of subversion must give rise to concern. Speaking in another place in February 1975, Lord Harris interpreted subversion as activities
"which threaten the safety or well-being of the State, and which are intended to undermine or overthrow Parliamentary democracy by political, industrial or violent means." — [*Official Report, House of Lords*, 26 February 1975; Vol. 357, c. 947.]

That gives the security service a great deal of discretion, and far more than it should have. That is why, when I raised this matter on the Adjournment on the day that the House went into the Easter recess, I said that the definition of subversion was far too wide. It is all very well for the Minister to say that Lord Harris gave the definition when a Labour Minister, but he is no longer a member of the Labour party. I do not think that there is a great deal of regret about that. Moreover, as far as I am aware, the definition of subversion has never been debated in the House.

Mr. Waddington: The hon. Gentleman missed the significance of what the hon. Member for Birmingham, Erdington (Mr. Corbett) said in reply to my intervention. He confessed that that definition had been expressed by a Labour Minister and that the Labour Government had operated their powers to intercept on the basis of that definition. That is the important thing to bear in mind.

Mr. Winnick: It is remarkable how Ministers pray the Labour Government in aid when they support Labour's activities. It is otherwise denunciation. I do not complain. The Minister is using whatever arguments he can find to advance his argument. Nevertheless, Lord Harris's definition of subversion was never debated, I believe, in the House. The matter affects citizens and civil rights and we should all be anxious about how such rights can be eroded or undermined. It must be right for the House to debate what the definition should be.

Mr. Cash: Perhaps the hon. Gentleman would like a debate on what subversion means, but it is the Opposition amendment which includes that word. It is impossible for us to deal with a debate in which the Opposition are attacking the Government for including in the Bill a word that does not appear in it.

Mr. Winnick: It might not appear in the Bill—I concede that point—but Ministers have stated, and the Home Secretary made it clear when he gave evidence in public session to the Home Affairs Select Committee, that the special branch works on the definition of subversion given by Lord Harris in February 1975. It is therefore reasonable to assume that when the special branch and the security services decide on these matters they will use that definition, which is the subject of a great deal of controversy.

Mr. Cash: Will the hon. Gentleman, when he is discussing definitions, tell us what espionage means as that word is in the amendment and is not defined?

Mr. Winnick: We are debating amendment No. 1 at the moment. Lord Denning gave a definition of subversion in the 1960s. Yesterday I prayed Lord Denning in aid on another matter and I am about to do so again now. He must think that he has a fan on the Labour Benches. With respect to his lordship, Lord Denning is not renowned for his pro-Labour movement sympathies. I imagine that even Conservative Members take him to be quite a safe person. Nevertheless, he gave a far clearer definition that Lord Harris. He defined a subversive as one who

"would overthrow or contemplate the overthrow of Government by unlawful means".

That is very much in line with the amendment.

I should like the House to be reasonably satisfied that those who carry out these delicate and sensitive duties do not at the same time erode the rights of which my hon. Friend the Member for Liverpool, Walton (Mr. Heffer) spoke. Such rights have been slowly built up over centuries. Is not the safeguarding of the rights of citizens one of our main responsibilities? Some time ago, I raised the case of Mrs. Haigh, who was interviewed and lied to by the special branch regarding letters that she had written about cruise missiles. Some people might ask, "What does one person matter?" Surely one person's civil liberties are as important as those of many.

Other matters which cause concern have come to light as well. The security services do not have the complete confidence of everyone. I accept that we must have a security service. When asked a few weeks ago whether I favoured a security service, I gave the obvious answer. I know of no country without one. We know how dictatorships operate, but democracies require a security service too. However, such a service would be in a stronger position if it had the confidence of the whole House and the public, and I am not satisfied that the security service understands or appreciates sufficiently the strong feelings about the right of dissent and the right to hold minority opinions.

About three months ago, the hon. Member for Stroud (Sir A. Kershaw), Chairman of the Foreign Affairs Select Committee, told the Home Secretary at Question Time that if these people—he did not qualify who they were—were not investigated, he wanted his money back. What was the reaction of Tory Members? They roared with laughter and approval. Included among them, I am afraid, was the Home Secretary. Some of the people under investigation are acting perfectly legally. They just happen to disagree with the Government on major issues, such as defence. Should they be subject to surveillance and investigation, simply because they disagree with the Government? The hon. Member for Mid-Worcestershire (Mr. Forth) nods his head in agreement with that proposition. The difference between him and me is that I do believe in parliamentary democracy and people's rights that do not exist in eastern Europe or Latin America. I believe that people have a right to disagree and to express those opinions freely without being subject to investigation and surveillance.

My hon. Friend the Member for Walton has mentioned a section of the security service. On 4 April, I mentioned the F branch of MI5. F2 investigates trade unions and F7 investigates various other political groups. Apparently there is a special group of the F branch which investigates teachers, Members of Parliament, lawyers and journalists. Those allegations have been made——

Mr. Elden Griffiths: Allegations?

Mr. Winnick: Of course they are allegations. Am I supposed to go to MI5 or write the Director General a letter asking him to confirm them? Such things though cannot be dismissed out of hand.

If it is true that such a branch and such sub-branches exist, should we not be worried? Should we simply dismiss the allegations and say that, even if they are true, those sections of MI5 are justified? One of the functions of the House, I hope, is to safeguard civil liberties. We must be worried if there are civil servants in the security service with files on a very large number of people and groups. It is interesting that there has been no allegation that investigations are made into the Conservative party, the City or the stock exchange. If there were, would not Conservative Members be worried? Of course they would. They would be probing the issue and causing a fuss.

Mr. Cash: I am sure the hon. Gentleman is aware that the Bill provides for investigations into questions arising from economi., well-being, and the pointed remark which he has just made goes rather wider than the content of the Bill.

Mr. Winnick: That is a matter for the Chair. I do not think that we need a substitute Deputy Speaker in the form of the hon. Gentleman who has graced us by his presence.

I do not expect for a moment that the Minister will accept the amendment, because he does not believe in any form of parliamentary scrutiny of the security services. However, even though these amendments may be lost, I hope that they contain the sort of changes which the next Labour Government will be able to carry out. Given a tighter definition of subversion, one hopes that it will not be possible in future for Conservative Members, such as the Minister, to bait us on what the Labour party did when in office.

6.30 pm

Much has been said about those who want to undermine parliamentary democracy. Yet in the last few days it has been discovered—it is not an allegation but a confirmed fact—that someone working at the Department of Trade and Industry has a known Nazi past, has been involved in the most extreme Right-wing organisations, went to prison for Nazi activity and apparently even now is considering the formation of a new organisation based on race hate and fascism.

Despite all the talk about the need for a security service, which I accept, it is surprising that someone with such a background and involvement in extremist Right-wing politics, and who is a declared hater of blacks and Jews, should be a civil servant working in the Department of Trade and Industry. I wonder about the basis on which that gentleman was investigated, or do we take it that so long as someone has a Nazi background and has been to prison for Nazi activity, it is perfectly acceptable, whereas if someone is the general secretary of CND, files can be opened and such a person can be the subject of much gossip by special branch officers through interviewing a former editor of the CND journal?

Two laws seem to operate—one for those who carry out perfectly lawful responsibilities, and another for people on the extreme Right, such as the person I mentioned, who, according to the Department only yesterday, would continue in his job. There must be a much wider look at the security service. At the end of the

[Mr. Winnick]

day, steps should be taken to strengthen the rights of ordinary people, thereby allowing the security service to operate under a much tighter definition of subversion.

Mr. Mackenzie: I do not doubt that the intention behind the amendment is worthy, in that it seeks to strengthen the defence of the individual from unacceptable intrusions into privacy by the exercise of the Secretary of State's discretion. But from the way in which the amendment seeks to achieve its ends and the effect of its language, it is clear that the hon. Member for Birmingham, Erdington (Mr. Corbett) is under a misconception.

The hon. Gentleman made an error in believing that the most effective way of protecting the citizen from an abuse of discretion is by seeking to narrow that discretion. As I said on Second Reading, senior Ministers who have the duty to authorise interception of communications must have a very wide—in many cases, almost unlimited—discretion, and the real protection of the individual from the abuse of power which such discretion makes possible is the ex post facto examination of the exercise of the discretion, provided in the Bill by the continuing role of the commissioner, and the right of access to a tribunal for a remedy.

The attempt to narrow the ambit of the Secretary of State's discretion in respect of clause 2(2)(*a*) should not be supported. Whether or not the amendment succeeds in narrowing the discretion is far from resolved by the speech of the hon. Member for Erdington. I do not believe it achieves the purpose which it seeks, nor do I believe that the definition in amendment No. 1—

"for the defence of the realm or to prevent subversion, terrorism or espionage"—

is narrower than that contained in the phrase "national security" which is in the Bill. Nothing that the hon. Gentleman has said has persuaded me that the Labour party would succeed in reducing the circumstances in which Secretaries of State might exercise their discretion if Parliament were to make the mistake of accepting the definition in amendment No. 1, which I consider to be verbose and unnecessary.

The hon. Gentleman's apparent justification for the amendment was some dissatisfaction with the definition of subversion given by Lord Harris of Greenwich, a former Labour Minister, and acted upon by the Labour Government during their term of office.

The hon. Gentleman made an extraordinary point when he said that he and his colleagues had been elected to use political, industrial and other means to overthrow the Government.

Mr. Corbett: I did not say that.

Mr. Mackenzie: When the hon. Gentleman reads *Hansard* tomorrow, he will see that he said something like it.

Mr. Corbett: The point I was trying to make was that, by political means through the ballot box, we should try to throw out the Government.

Mr. Mackenzie: That reinforces my point. The hon. Gentleman has misunderstood Lord Harris's definition, which refers not to Government but to parliamentary democracy. It is wholly misconceived to seek to redefine subversion when that conceals the circumstances set out by Lord Harris, which do not need to be altered, activities intended to overthrow parliamentary democracy by political, industrial or violent means are patently unlawful.

Mr. Waddington: The hon. Gentleman does not do justice to himself, because the definition is in two parts and it is not even a question of either-or. The definition as a whole includes

"activities . . . which threaten the safety or well being of the State",

and which are also

"intended to undermine or overthrow Parliamentary democracy".—[*Official Report, House of Lords*, 26 February 1979; Vol. 397, c. 947.]

Does not the hon. Gentleman agree that there is no need for even a moment's hesitation and that no one but an idiot would conclude that trying to replace the Government through the ballot box came within Lord Harris's definition?

Mr. Mackenzie: I agree entirely with the Minister. I was merely focusing on the part of Lord Harris's definition which the hon. Member for Erdington addressed—his reference to the overthrow of parliamentary democracy.

The amendment dresses up a proposal which is somewhat misleading. On the face of it, the proposal seeks to narrow the Minister's discretion, but it does not achieve that. On the face of it, the proposal provides a remedy for the aggrieved citizen, but it does not achieve that. For those reasons, the House should reject the amendment.

Mr. Waddington: The question which the House is addressing is whether we can find a more appropriate phrase than "national security" when defining the Secretary of State's powers to issue warrants under clause 2.

First, the phrase "national security" is no stranger to us. It has appeared in many statutes over the years. It appeared in the Employment Protection Act 1975, in the Race Relations Act 1976, and in about 50 further Acts sprinkled through the statute books. No Government have found it necessary or appropriate to define the term, which Parliament has accepted as it is, when passing those Acts. By their nature, decisions about questions of national security must be for Ministers, who must form a judgment in the light of all the information available to them about what does or does not raise issues of national security. Uniquely, under the Bill there is an independent check on those decisions by the tribunal or the commissioner, who will be able to see all the facts.

Therefore, Parliament has less to complain about on this occasion than on previous occasions when the Labour Government were perfectly happy to put before Parliament Bills in which the phrase "national security" was used with no suggestion that any protection should be afforded to citizens lest the Labour Government should misconstrue the meaning of that expression.

Mr. Eldon Griffiths: Given the fact that the Government are providing these new safeguards, is it not curious that the previous Administration, which operated Lord Harris's definition, at no time felt constrained to bring to the House legislation to deal with the problem about which Opposition Members now complain?

Mr. Waddington: My hon. Friend is right. We had this nonsense from the Opposition last year on the Data

Protection Act 1984. Every sort of fiddling, piddling, ridiculous criticism was made of the Bill, but no explanation given why the Labour Government never introduced one when they were in power. Yet they now try to pose as the guardians of liberty. As they *did* nothing when they were in office, we can be excused for growing slightly irritated by their cant.

Secondly, the use of the phrase is appropriate because it properly reflects the way in which interception has been authorised by successive Governments of the Left and Right. It emphasises the important point that the Bill provides for no extension of existing practices. That is why I was glad to hear the reply of the hon. Member for Birmingham, Erdington (Mr. Corbett) a few moments ago.

Thirdly, the use of the phrase "national security" is especially appropriate in the context of the Bill because article 8 of the convention on human rights refers to matters being done in the interests of national security. What could be more natural than for us to import into the Bill a phrase from the convention, when part of this exercise is to ensure that we conform to our obligations under the convention?

6.45 pm

Fourthly, when I consider the Maxwell Fyfe directive, I can see why the formulation in the amendment was reached. However, it is obvious from all that the hon. Gentleman has said that there is a complete misconception by the Opposition. There is obviously more to preserving the nation's security than safeguarding against subversion, terrorism and espionage. I am taking not merely the narrow point that the amendment deals only with prevention and not with the detection of those who may have engaged in such activities — although it is extremely odd that detection should be omitted—but the point that the defence of the realm, which is one of the phrases that appears in the amendment, together with these words is of uncertain meaning. If, in this context, it means no more than defence against armed attack, the phrase is certainly not wide enough to cover all that it is necessary to do and that has previously been done.

I refer hon. Members to paragraph 10 of the White Paper published in February 1985. It states that interception is authorised

"in accordance with the Government's requirements for intelligence in support of its defence and foreign policies where . . . that . . ." is necessary in the interests of national security."

Interception may be necessary to protect our national security at international level to provide secret intelligence in the foreign and defence areas. Undoubtedly, the acquisition of such intelligence may sometimes be essential in the interests of national security. Without it, the Government's ability to safeguard the country's vital interests would be undermined in a way which I do not believe Opposition Members can intend. No previous Government have contemplated the sort of changes proposed in the amendment, and great harm would be done to our national interests if the amendment were carried.

I now turn to the question of subversion. First, I shall put into perspective the use of the power to intercept on this ground. My hon. Friend the Member for Stafford (Mr. Cash) was right continually to remind the House that at present the word "subversion" does not appear in the Bill. It is for the Secretary of State to decide whether a warrant is necessary in the interests of national security. The starting point is satisfaction in the mind of the Minister that interception is necessary. His view can be considered by the commissioner. If the commissioner gets it wrong, his view may be rejected by the tribunal, if a complaint is made to it by someone who is affected. Therefore, although Lord Harris's definition is a statement of cases within one limb of the national security test, it is not part of the Bill, and no definition of subversion is needed for the Bill to work effectively.

I shall now deal with the meaning of subversion, because the Opposition seek to incorporate a definition of it which not only does not correspond with Lord Harris's definition—we have gone over that so often that hon. Members must be tired of hearing that that is the case—but which is different from and far more limited than the one that they sought to incorporate in Committee. I remind the House that they then defined subversion as

"having in contemplation the overthrow of the Government."

Now they say that that is wrong and that subversion exists only when there is an attempt. Even more strangely, they say that it should not be an attempt to overthrow a Government, only to overthrow a Parliament.

Can one imagine anything more ridiculous? So tight is the definition which they are now trying to persuade Parliament to accept that it is hard to see how anything could be subversion under this definition except the gunpowder plot. It is sheer nonsense, and we have better things to do in the House than to debate sheer nonsense. There can be no doubt that those changes would make far more difficult the task——

Sir Philip Goodhart (Beckenham): Surely the gunpowder plot was an attempt to blow up the House of Lords. I thought that was the policy of the Opposition.

Mr. Waddington: That may be so, but it is absurd that they should put down an amendment on Report which is entirely contrary to what they said in Committee.

Mr. Cash: Does my hon. and learned Friend agree that the last time there was an attempt to put down such an amendment was during the interregnum, when Cromwell was in charge of things?

Mr. Waddington: I shall not indulge in a dissertation on the history of the Commonwealth. I intend to draw my remarks to a close, which will no doubt give much satisfaction to the House. I am sure that hon. Members will not hesitate a moment before rejecting the most absurd amendment that has been tabled during the proceedings on this Bill.

Question put, That the amendment be made:—

The House divided: Ayes 122, Noes 226.

Division No. 184] **[6.51 pm**

AYES

Anderson, Donald	Campbell-Savours, Dale
Archer, Rt Hon Peter	Canavan, Dennis
Ashton, Joe	Carter-Jones, Lewis
Bagier, Gordon A. T.	Clark, Dr David *(S Shields)*
Banks, Tony *(Newham NW)*	Clay, Robert
Barron, Kevin	Clwyd, Mrs Ann
Beckett, Mrs Margaret	Cocks, Rt Hon M. *(Bristol S.)*
Bennett, A. *(Dent'n & Rad'sh)*	Cohen, Harry
Bidwell, Sydney	Conlan, Bernard
Blair, Anthony	Cook, Robin F. *(Livingston)*
Boyes, Roland	Cowans, Harry
Brown, Gordon *(D'f'mline E)*	Cox, Thomas *(Tooting)*
Brown, N. *(N'c'tle-u-Tyne E)*	Craigen, J. M.
Brown, Ron *(E'burgh, Leith)*	Cunliffe, Lawrence
Caborn, Richard	Davis, Terry *(B'ham, H'ge H'l)*
Callaghan, Jim *(Heyw'd & M)*	Deakins, Eric
Campbell, Ian	Dewar, Donald

Dixon, Donald
Dormand, Jack
Douglas, Dick
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eastham, Ken
Edwards, Bob *(W'h'mpt'n SE)*
Evans, John *(St. Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Flannery, Martin
Foot, Rt Hon Michael
Foster, Derek
Foulkes, George
Freeson, Rt Hon Reginald
Garrett, W. E.
Golding, John
Gould, Bryan
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Central Fife)*
Hardy, Peter
Harrison, Rt Hon Walter
Hattersley, Rt Hon Roy
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
John, Brynmor
Kaufman, Rt Hon Gerald
Kilroy-Silk, Robert
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Edward
McGuire, Michael
McKay, Allen *(Penistone)*
McKelvey, William
Madden, Max
Marek, Dr John
Mason, Rt Hon Roy
Maynard, Miss Joan
Meacher, Michael
Michie, William
Mikardo, Ian
Millan, Rt Hon Bruce
Morris, Rt Hon J. *(Aberavon)*
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Park, George
Pavitt, Laurie
Powell, Raymond *(Ogmore)*
Prescott, John
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Roberts, Ernest *(Hackney N)*
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Short, Mrs R.*(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, Rt Hon J. *(M'kl'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Strang, Gavin
Thomas, Dr R. *(Carmarthen)*
Tinn, James
Torney, Tom
Wardell, Gareth *(Gower)*
Wareing, Robert
White, James
Wilson, Gordon
Winnick, David

Tellers for the Ayes:
Mr. John McWilliam and
Mr. Robin Corbett.

NOES

Alexander, Richard
Alison, Rt Hon Michael
Alton, David
Amess, David
Arnold, Tom
Ashby, David
Ashdown, Paddy
Aspinwall, Jack
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Beith, A. J.
Bellingham, Henry
Bendall, Vivian
Benyon, William
Bevan, David Gilroy
Bigge-Davison, Sir John
Blackburn, John
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brooke, Hon Peter
Bruinvels, Peter
Bryan, Sir Paul
Bulmer, Esmond
Burt, Alistair
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Cockeram, Eric
Colvin, Michael
Conway, Derek
Coombs, Simon
Cope, John
Corrie, John
Couchman, James
Cranborne, Viscount
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
Dunn, Robert
Durant, Tony
Evennett, David
Eyre, Sir Reginald
Farr, Sir John
Favell, Anthony
Fookes, Miss Janet
Forth, Eric
Fowler, Rt Hon Norman
Freeman, Roger
Freud, Clement
Gale, Roger
Galley, Roy
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Goodhart, Sir Philip
Goodlad, Alastair
Gorst, John
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Hawkins, Sir Paul *(SW N'folk)*
Hawksley, Warren
Hayes, J.
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hicks, Robert
Hirst, Michael
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howarth, Alan *(Strat'd-on-A)*
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irving, Charles
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Kellett-Bowman, Mrs Elaine
Kennedy, Charles
Key, Robert
King, Roger *(B'ham N'field)*
Kirkwood, Archy
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Luce, Richard
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, John
Maclean, David John
Maclennan, Robert
McQuarrie, Albert
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marlow, Antony
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Meadowcroft, Michael
Merchant, Piers
Meyer, Sir Anthony
Mills, Iain *(Meriden)*
Miscampbell, Norman
Moate, Roger
Monro, Sir Hector
Morris, M. *(N'hampton, S)*
Morrison, Hon C. *(Devizes)*
Murphy, Christopher
Needham, Richard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Norris, Steven
Onslow, Cranley
Osborn, Sir John
Page, Richard *(Herts SW)*
Patten, J. *(Oxf W & Abdgn)*
Pawsey, James
Peacock, Mrs Elizabeth
Penhaligon, David
Percival, Rt Hon Sir Ian
Porter, Barry
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Proctor, K. Harvey
Raffan, Keith
Rhodes James, Robert
Rhys Williams, Sir Brandon
Roe, Mrs Marion
Ross, Stephen *(Isle of Wight)*
Rost, Peter
Sackville, Hon Thomas
St. John-Stevas, Rt Hon N.
Shepherd, Colin *(Hereford)*
Silvester, Fred
Skeet, T. H. H.
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Spence, John
Spencer, Derek
Steel, Rt Hon David
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Andrew *(Sherwood)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thatcher, Rt Hon Mrs M.
Thomas, Rt Hon Peter
Thurnham, Peter
Viggers, Peter
Waddington, David
Wainwright, R.
Wakeham, Rt Hon John
Walden, George
Walker, Bill *(T'side N)*
Wallace, James
Waller, Gary
Walters, Dennis
Warren, Kenneth
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitfield, John
Whitney, Raymond
Wiggin, Jerry
Wolfson, Mark

Wood, Timothy
Wrigglesworth, Ian

Tellers for the Noes:
Mr. Tim Sainsbury and
Mr. Donald Thompson.

Question accordingly negatived.

Sir Philip Goodhart: I beg to move amendment No. 2, in page 2, line 23 at end insert

'or unless the persons whose transmissions by post or whose communications by a public telecommunications system are the subject of a warrant are officials of any Government department or of Her Majesty's Armed Forces or of any police force, who are authorised to receive and read information that for the time being is classified as secret.'.

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 3, in page 2, line 29 at end insert—

'(5) No warrant shall be needed to intercept the communications of any public servant who is entitled to read Government documents classified "secret".'.

Sir Philip Goodhart: In the debate on the previous amendments, my hon. Friend the Member for Stafford (Mr. Cash) pointed out that the word "subversion" does not have any part in the Bill, although all the speeches from the Labour Benches, without exception, have touched on the subject of subversion, in one way or another.

The amendments which I and my hon Friend the member for Bury St. Edmunds (Mr. Griffiths) have tabled are not concerned with trying to draw up guidelines on tapping the telephones of business men or of trade union leaders who may be conspiring with agents of foreign countries to do damage to the country. We are not concerned with trying to draw up guidelines to exclude or include members of organisations which may be seeking to dismantle the defences of the country.

The amendments reflect the concern of my hon. Friend and myself that we should do nothing in the Bill that makes it more difficult to track down spies and traitors who have high position in the public service. We are anxious that we should not inadvertently make it more difficult to unmask what the headline writers in the popular press would call "traitors in high places". No one has to seek employment in that part of the public service which entitles him to work with secret material. Those who choose to undertake this work, whether it be in the Ministry of Defence, the Foreign Office, GCHQ or the Underwater Research Establishment at Portland, are generally required to undergo some form of security vetting.

Despite that, within the past few years, vetted employees from all these establishments have been convicted of espionage. Therefore, it seems probable that our vetting procedures need some improvement and change from time to time. I do not see why the routine random tapping of personal communication should not be part of the continuous vetting system.

Mr. Golding: Would this category include all members of the Privy Council?

Sir Philip Goodhart: I see no reason why anybody working with secret material should be excluded.

I am concerned that the Bill will inadvertently make it more difficult to introduce such random taps, so my hon. Friend the Member for Bury St. Edmunds and I have put down these amendments. I commend them to the House.

Mr. Eldon Griffiths: I support my hon. Friend the Member for Beckenham (Sir P. Goodhart) in everything that he has said. I recognise that he is suffering from a temporary disability, which I am sure will disappear quickly, and that the brevity of his speech reflected that. He had a great deal more to say and no doubt he would have said it if he had been able to do so.

My hon. Friend and I seek to tackle the problem of traitors and spies at very high levels within the Government. Our view is that we need to do a better job of discovering those spies and traitors who exist, or have existed, in high places, and also of preventing their activities being used to damage the highest interests of the state.

I start by defining the problem. The external threat from the Soviet bloc intelligence services remains undiminished. The internal threat has become more varied and grown more serious. The fall in Communist party membership

"has been accompanied by the proliferation of new subversive groups of the extreme Left and the extreme Right (mainly the former) whose aim is to overthrow democratic parliamentary government in this country by violent or other unconstitutional means, not shrinking, in the case of the most extreme groups, from terrorism to achieve their aims. They might well seek to make public information that is injurious to the interests of this country, not at the behest or for the benefit of any foreign power, but simply to harm this country itself, whether by causing a rift between it and its allies or otherwise, and by these means to weaken its defences against the overthrow of democratic government here by force."

Those are the words of the Security Commission as quoted to the House in the White Paper laid by the Prime Minister in 1981-82. To summarise what it says, both the external threat and the internal threat are serious and growing.

Nor is that the only definition of the threat to which the amendments are addressed. Only 18 months ago we had information in a further report of the Security Commission dealing with the damage caused by the spy and traitor, Geoffrey Prime. We read in paragraph 5.22 of the 1983 report of the Security Commission:

"In the course of Prime's employment both in the RAF and in GCHQ . . . he had access to information of the very highest secrecy. An account of the information which we believe Prime passed to the Russians and our assessment of the damage he caused are set out in Appendix D."

Quite rightly, appendix D was never published, but we get some inkling of what it contains from paragraph 1.6 of the same report of the Security Commission:

"The disclosures following Prime's trial naturally occasioned the gravest public disquiet that a traitor involved in the most secret intelligence work should have for so long escaped discovery. Moreover the extent of the injury to the public interest was greatly magnified by the fact that United States secrets had been no less gravely compromised than our own."

There can be no doubt that the problem which my hon. Friend and I are addressing in these amendments is very real. Nor are these the only examples where people in high positions have behaved as spies and traitors.

There was the extraordinary case of Commander Trestrail, though I ought not perhaps to apply the words "spy" or "traitor" to him. A police officer appointed to safeguard in the first instance the Duke of Edinburgh and subsquently the Queen, Trestrail was in no sense a traitor or a spy. But he was a personality who could, because of his sexual proclivities, have been capable of being blackmailed, as has happened in other cases.

According to the report of the Security Commission, at the time that Trestrail was originally engaged to safeguard Her Majesty, he had not been positively vetted. That is most peculiar when one remembers that all members of the special branch who are engaged in protecting foreign

[Mr. Eldon Griffiths]

Heads of State or Heads of Government when they are in Britain are positively vetted. Trestrail at the material time was not, though I should add that since then the Metropolitan police have imposed positive vetting on all members of the royalty protection squad.

7.15 pm

I mention a number of other individuals of whom I have had some passing personal experience. During the 1950s, when I worked in the United States, I came into contact from time to time with senior members of the British diplomatic service working in the British embassy. I am not sure whether I ever met Burgess and Maclean together, but from time to time I had contact with both. Neither of those two was ever imagined by me or any of their colleagues to be traitors or spies, but we now know that they were.

Subsequently, it was widely argued in the United States that there was a third man—a third traitor and spy.

Mr. Golding: What are we to make of this hon. Member who claims the acquaintanceship of those two spies and then puts up a smokescreen about a third man?

Mr. Griffiths: It was bruited about in the United States, especially in the intelligence community, that there was a third man. At the time that was denied by the Foreign Office, the Ministry of Defence and members of the security service. Subsequently we discovered that Kim Philby, whom I also met, was a spy and a traitor. If it helps the hon. Member for Newcastle-under-Lyme (Mr. Golding) with his interventions, I may say that a former British ambassador, whom I know well, shocked me the other day by asking me whether I remembered when we had last met. I replied that I did not. He said, "It was when I gave you lunch in Beirut with Kim Philby." I had forgotten the incident.

My point is that Burgess, Maclean and Philby were all spies in high places and that they did irreparable damage to our country. They were members of the foreign service, but there were others in the defence services. I think of Vassall and of Blake, and since then we have had the shocking case of Geoffrey Prime.

I make one specific point about the Prime case to my right hon. and learned Friend the Home Secretary, who I am glad to see in his place. The allegations about spying in the security services, notably in the book by Mr. Chapman Pincher, were examined very carefully by the Security Commission. My right hon. and learned Friend will recall that in May 1982 the Diplock Security Commission reported to the Prime Minister and that the Prime Minister, who has been more open about the procedures of the Security Commission than any other British Prime Minister, told the House in her White Paper of May 1982:

"The procedures as they have been applied . . . have worked well."

She added that the present system of security was well conceived and operated effectively. Unfortunately, as we discovered some nine months later, that conclusion was not accurate. It was then discovered that, despite the investigations that the Security Commission itself had conducted, Geoffrey Prime was still at work, undetected.

It is right to remind the House that, as the White Paper of that day made clear, there had been an investigation by the Security Commission which lasted nine months and involved 32 meetings and interviews with 36 witnesses, among whom, I must suppose, since the Security Commission was conducting the investigation, were the heads of all our counter-espionage services. At the end of that investigation, the Security Commission gave the Prime Minister its considered assessment of the efficacy of the vetting arrangements set up after Radcliffe and applied throughout Geoffrey Prime's career. That assessment said all was well. But that assessment turned out to be wrong. It did not uncover Geoffrey Prime, but it should have done so.

If the security services had had better instrumentalities, would they have been able to do the job that they failed to do? The Security Commission concluded that at the time there were no available resources whereby Prime's treachery could have been detected—save only perhaps the polygraph. I understand that experiments as to the efficacy of the polygraph are continuing and, no doubt at some stage, the Home Secretary or the Prime Minister will give us the conclusions. However, I believe that, if the security services had had available to them the powers proposed in the amendment, there would in fact have been a much greater chance that they would have apprehended Prime during his period at GCHQ. No one can be certain that that would have happened but the chances would have been far better if it had been axiomatic that no person handling intelligence material at the level that was available to Prime should be immune from having his telephone tapped.

The central point of the argument of my hon. Friend the Member for Beckenham and myself is that too many of the acts of treason and espionage that have come to light have been conducted by people at the very highest levels.

Mr. Corbett: From public schools.

Mr. Griffiths: I accept that. Too many of them have been from public schools. Too many have come from the Oxbridge background. But that is in no way an indictment of public schools or Oxbridge. What matters is that too many of these acts of espionage and subversion have come from those occupying positions in which they have access to information that is classified for the time being as secret.

Those who join the police service put aside most of their personal civil liberties, and rightly so. From the moment of engagement, a police officer may join no trade union, engage in no politics, affiliate to no political or trade union organisation. He must live where he is told and be available 24 hours a day. Certain officers too, are covered by the Official Secrets Act 1911, and that is entirely correct. It is a precondition of the policeman's employment that he should accept the restrictions imposed on his civil liberties that are necessary for him to do his job properly.

We are now asking in these amendments that another category of public servant at the highest level should accept as a condition of employment that some of the civil liberties that are available to the generality of people must be forgone. It is a proper and reasonable condition of service that those at the most senior levels in the Ministry of Defence, in the Foreign and Commonwealth Office, perhaps in GCHQ, and certainly in the Atomic Energy Authority, and any of the agencies that are to be engaged in space, especially where they collaborate with the Americans in the strategic defence initiative, should be

asked, as a condition of taking on their post, to put aside the civil liberties that the rest of us enjoy—the right not to have our communications intercepted when suspicion justifies interception.

Mr. Golding: Do the hon. Members for Bury St. Edmunds (Mr. Griffiths) and for Beckenham (Sir P. Goodhart) include Privy Councillors? Do they include the Home Secretary in this category?

Mr. Griffiths: As drafted, my amendment does not. Like my hon. Friend the Member for Beckenham, I have no inherent objection to that, but I should like to hear the arguments for such an inclusion.

The House is naturally concerned with striking the subtle and difficult balance between civil liberties and the proper preservation of the security of the democratic state. That balance will constantly concern us. It is the nature of political dialogue that one side of the House will tend to lean a little more one way and the other side a little more the other way. But not all civil liberties are the civil liberties of individuals. The civil liberty of the community must also be protected against subversion, aggression, terrorism, drugs and war. In the 21 years that I have been a Member, rarely has a Home Secretary had to pilot through the House the welter of legislation introduced by the present Home Secretary, and I congratulate my right hon. and learned Friend on it. In virtually all that legislation—the Data Protection Act 1984, the Police and Criminal Evidence Act 1984 and the Prosecution of Offences Bill—we have been concerned at every point with the balance between the liberty of the individual and the proper protection of the rights and liberties of the community.

If the amendment is accepted and those who handle secret information no longer have absolute rights, the security services will be better able to ensure that the freedoms of the community — not to be terrorised, subverted, subjected to violence or the importation of drugs on a large scale and not to see the enemies of democracy triumph — are equally protected. The amendment is worth pursuing on that ground.

Mr. Golding: The hon. Gentleman persists in saying "the amendment". Is he aware that there are two amendments on the amendment paper in his name? Is he aware that we are debating both? Is the hon. Gentleman aware that amendment No. 3 refers to public servants who are entitled to read Government documents? Does that not relate to the Home Secretary? Is it not odd that we should discuss giving people the right to tap the Home Secretary's telephone without the Home Secretary's knowledge?

Mr. Griffiths: The hon. Gentleman is quite properly a stickler for precision, and I do not complain about that. My name appears at the top of the amendment that is confined to officials. It would exclude from the protection of the clause those persons who are

"officials of any Government department or of Her Majesty's Armed Forces or of any police force".

The name of my hon. Friend the Member for Beckenham appears at the top of the amendment dealing with

"the communications of any public servant".

I acknowledge that there is a slight difference. I am speaking to my amendment, but, in its wisdom, the Chair has judged that we should debate both amendments together.

7.30 pm

Mr. Gerald Kaufman (Manchester, Gorton): I regard the speech of the hon. Member for Bury St. Edmudnds (Mr. Griffiths) as odious. He was moving a repulsive amendment. It is intolerable for him, in response to my hon. Friend the Member for Newcastle-under-Lyme (Mr. Golding), to weasel out of his responsibilities for amendment No. 3. Only two hon. Members have signed it. One is the hon. Member for Beckenham (Sir P. Goodhart) and the other is himself. The hon. Gentleman cannot pretend that, because the two amendments are linked, and he is speaking to the one on which his name comes top, he is dissociated from the other amendment, which, as I shall seek to point out, bears the interpretation to which my hon. Friend has drawn attention.

I described the speech of the hon. Member for Bury St. Edmunds as odious because it was deliberate sensation-mongering. He decided to drag Mr. Trestrail's name through the mud. Mr. Trestrail has suffered all that he should be required to suffer after the episode in which he was involved. It was a regrettable and unhappy episode. It is monstrous of the hon. Gentleman to drag that man's name through the mud when he is in no way involved with the subject matter of the two amendments, however the hon. Gentleman defines them. It is a disgraceful abuse of parliamentary privilege to pillory an individual who has suffered a great deal.

Mr. Eldon Griffiths: I made it crystal clear that Commander Trestrail was in no way involved in espionage or treachery. My point—it bears repeating as the right hon. Gentleman was signing his letters at the time and apparently did not listen—was that if there had been telephone interception of Commander Trestrail's conversations, his peculiar proclivities would undoubtedly have been picked up.

Mr. Kaufman: The hon. Gentleman is therefore seeking to have people's communications intercepted on a basis far wider than has been proposed by almost anyone. The hon. Gentleman is proposing that someone should have his telephone or letters stopped not because he has committed or is likely to commit a crime but because he is a potential security risk on the basis of a social bias against some sexual activities. I regard that as utterly abominable. On that basis, almost anyone vulnerable in that way can have his telephone tapped or letters intercepted.

I made that point because it will not do in the House for us to seek sensational headlines by dragging along the names of all those spies about whom people like to write newspaper articles. It was disgraceful of the hon. Gentleman to do that. When we speak in the House, we should take account of the feelings of those whose names we mention. If there is no overriding public reason to do so, we should exhibit some fastidiousness. The hon. Gentleman's fastidiousness has now gone below zero.

The hon. Gentleman mentioned Mr. Prime. That strikes me as nuts. It is bananas. Mr. Prime, or any serious spy, will not speak on the telephone. A non-serious spy will speak on the telephone to be intercepted in the way that the hon. Gentleman wants, but serious spies have other ways in which to communicate with one another.

All of us who have served in Government and who have travelled abroad on Government service have had our security briefings. That is why——

Mr. Griffiths: The right hon. Gentleman has made personal animadversions. May I quote the words of the Security Commission dealing with the interception of communications? The commission said:

"The criminal and the wrongdoer should not be allowed to use services"—

that refers to telephone services—

"provided by the State for wrongful purposes quite unimpeded; and the police . . . and the Security Service ought not to be deprived of an effective weapon in their efforts to preserve and maintain order for the benefit of the community."

It is the Security Commission and not I that is saying that telephone interception could be effective in the case of traitors, including Prime. The right hon. Gentleman should do his homework before he makes such allegations.

Mr. Kaufman: The Security Commission says that they should not have the use of those media of communication. The hon. Gentleman should have tabled an amendment providing that all spies should have their telephones cut off.

The amendment is not just extraordinary objectionable; it is stupid. It is stupid when it comes from two hon. Members who have served in Government. If the hon. Gentlemen were new Back Benchers I could understand them—I should not sympathise; I should still deplore them — tabling such an amendment. Both hon. Gentlemen — in particular the hon. Member for Beckenham, who has served in the Northern Ireland Office — are aware, as I am, how enormously wide a circulation documents marked "secret" have. Junior civil servants see documents marked "secret" the whole time. Civil servants of higher executive officer level see documents marked "secret".

A document is not secret because it is marked "secret". A document is classified as "secret" because it is marked "secret". Anyone who has served in Government—I did for five years and my hon. Friend the Member for Newcastle-under-Lyme did—knows that the most trivial documents are marked "secret", for reasons that I have never been able to understand.

The Home Secretary clearly told us that there are four classifications of documents. I think that there is probably a fifth, but not for the likes of me as I then was. The four categories are restricted, secret, top secret and commercially confidential.

My experience in Government was that a restricted document was one which, if one dropped it in the street and it was picked up by a reporter from the *Daily Mail*, he would throw away as being too boring. If someone dropped a document marked "secret" in the street and it was picked up by a reporter from *The Sunday Times*, it might be examined with some interest to see whether it would make a paragraph in an inside story.

Most Government documents are over-classified. That being so, the amendment would make it possible for the security services — without applying to the Home Secretary because no warrant needs to be issued—to intercept the communications of someone who has regular access to documents marked "secret". It would make it possible for most civil servants to have their telephones tapped without the Home Secretary knowing anything about it.

The Home Secretary and I have our differences, and we shall continue to have them, but I take seriously what he said. I know that he has said conscientiously that every time he is asked to sign a warrant for an interception of communication he deals with it with enormous care. He does not deal with it, as we know, and as my hon. Friend the Member for Knowsley, North (Mr. Kilroy-Silk) said in Committee, as a Minister in the Home Office. It is not a Home Office responsibility. It is not a responsibility that the Home Secretary can hand on to his hon. Friend the Minister of State or anyone else. It is his personal responsibility as Home Secretary. It is a private and important responsibility. It is a responsibility—whatever we may think of the outcome of any Home Secretary's decision—exercised with great restraint.

To insert in the Bill an amendment which would take away the Home Secretary's right to decide about warrants and allow the security services to tap a telephone or intercept letters on the basis merely of someone having access to secret documents could mean that tens of thousands of taps would take place without the Home Secretary knowing and using his judgment about them. That would immensely widen the scope for interception. It would also remove any ministerial responsibility from most telephone tapping. It would be a police state development with the most serious consequences. I am convinced that it would be as intolerable to this Government as it would be intolerable to a Government formed by the Opposition.

The hon. Member for Bury St. Edmunds was completely wrong and my hon. Friend the Member for Newcastle-under-Lyme was absolutely right on the question whether Ministers could have their telephones tapped. Amendment No. 3 is poorly drafted as well as repulsive in content. It refers to "any public servant". Ministers are certainly public servants. They may not be civil servants but they are public servants. If they are not public servants, what on earth are they? If the amendment were to become part of an Act of Parliament, it would be open to MI5 to decide that any right hon. or hon. Member on the Conservative Front Bench could have his telephone tapped and his letters intercepted.

There is another danger of a contrary kind. That is the temptation for those who are responsible for classifying documents to classify them as secret in order to allow communications to be intercepted. The hon. Members who have put their names to this horrible amendment know very well that it is not Ministers who decide the classification. As a Minister of State, I was responsible for areas of great confidentiality, even though a good deal of the material was over-classified. The documents arrived on my desk classified.

This is another area in which Ministers, if they wished —to give them credit, I do not think they would—could classify documents as secret as a way round the other criteria in the Bill for allowing communications to be intercepted. It would also be possible for other public servants, other civil servants or senior civil servants to have documents classified as secret in order to have the communications of colleagues intercepted. Hon. Members may say that that is fantasy. I hope it is, but it is what the Act of Parliament would say if the amendments were made.

There is among some hon. Members a kind of spy mania or security mania. Of course we all want to deal with enemies of the state; of course we want to prevent important state secrets being spied upon by people and then communicated to external enemies of our society; of course we all want that, and it is essential to have an apparatus that brings it about. The Opposition have never

said or implied otherwise at any stage during the passage of the Bill. But to widen on an enormous scale, in massively outwardly radiating concentric circles, the number of people whose civil liberties are to be interfered with, because they might conceivably have access to documents which are over-classified in any case, is pushing things too far.

As the Home Secretary said on Second Reading, and as he said previously when he made his statement on the White Paper, the power with which the Bill deals is an unattractive power. Governments say that they do not want it. It is a power that they should not want. It is a power that, if used at all, should be used to the minimum extent necessary consonant with the security of the state and the detection of serious crime—which the Government, we are glad to say, have been able to re-define as the Bill has proceeded.

7.45 pm

Let us remember what the Bill is about. It is not about having some kind of McCarthyite phobia, although the two hon. Members whose names appear on the amendments seem to believe that it is. On Second Reading, the Home Secretary said that it was the first statutory restriction on the interception of communications, and that is what it should be. We have serious differences across the Floor of the House as to whether the restriction is tight enough, but the amendments are not about the restriction of interception of communications. They are about widening the interception of communications to an extent which would cause delight if it were available in Moscow or any of the Eastern bloc countries, in South Africa, Chile, or any totalitarian country of any kind. We are utterly opposed to providing this Government with totalitarian powers, and we very much trust that the Government will tell the House that they do not want such powers.

Mr. Waddington: I shall not follow the right hon. Member for Manchester, Gorton (Mr. Kaufman),who, from time to time, rather exaggerates. I do not believe for one moment that my hon. Friends can be accused of being odious or of deliberate sensation-mongering. We all know that the right hon. Member is a past master in overworked abuse and snide and silly remarks. He uttered a few last week. Those who live in glass houses should not cast stones.

Clearly, the Government cannot accept the amendments. I appreciate my hon. Friends' concern about the menace of treachery. It behoves us all to recognise the dangers and to encourage continual vigilance, but the Bill is surely right not to single out any category of people as being either especially liable to interception or as being especially protected from it. Surely the object of the exercise must be to establish clearly in the statute the grounds on which interception can be authorised. If the criteria set by the Bill are right, and if the arrangements for operating the system are correct, no one should need special protection or be specially liable to have interception directed against him. Surely the question here is whether we have the criteria right. We believe that we have.

My hon. Friends are rightly concerned about treachery, and they see the amendments as a means of deterring it. The powers in the Bill allow all proper steps to be taken. Espionage, of course, is a crime and is therefore covered by clause 2(2). Treachery must be covered by national security in clause 2(2)*(a)*. The Bill does not provide for speculative interception for the purpose of deterring treachery, and two questions obviously arise. First, is it right that interception should be used in that speculative way? Secondly, if it is, is it likely in any event that it would have any practical effect?

With regard to the second question, a large number of Crown servants have access to secret material. Would it be a sensible use of resources to have their communications dipped into occasionally as a matter of routine? Obviously it could be only occasionally, because there are so many of them. The right hon. Gentleman is at least right on this. Any person seriously bent on treachery would know that because of his position he was in that category of persons liable to have their communications dipped into from time to time. If he were up to no good, he would not use the public system. Therefore, the effect of the amendments might be to make such a person even more difficult to catch, and would have exactly the opposite effect to that which presumably my hon. Friends are after.

There are two other relevant points. It is at least doubtful whether, under the European convention, speculative interception of a certain class of people would be deemed by the European Court to be

"necessary in a democratic society."

I refer there to the article concerned. Secondly, we are all agreed that interception is distasteful. Therefore, we have set out to make it subject to special controls and safeguards.

That is what the legislation is about. The effect of the amendments would be to remove all safeguards from this type of interception—there would be no warrants from the Secretary of State and no tribunal. To do that would be to defeat the whole purpose of the Bill. We could not possibly go down that road. As a Government, we are proud of the fact that we are introducing a measure which, while giving adequate powers to the Secretary of State in regard to telephone tapping, at the same time provides new safeguards for citizens.

I respect the reasons why the amendments have been tabled. I share the view of my hon. Friends on the need to take adequate steps to safeguard national security, but I think I have made it abundantly plain that the amendments run entirely counter to the central theme of the legislation.

Mr. Eldon Griffiths: It was never the intention of my hon. Friend or myself to press the amendments to a Division. The right hon. Member for Manchester, Gorton (Mr. Kaufman) totally misconceived the purpose of our amendments. He was characteristically assassinatory in his ugly and repulsive remarks, which I reject. In view of what my hon. and learned Friend has said, and in view of the fact that I am sure that the Home Secretary has apprehended the point made by my hon. Friend and myself that we are looking for the utmost diligence by the Government to ensure that we do not have more such cases, I beg to ask leave to withdraw the amendment.

Mr. Deputy Speaker (Sir Paul Dean): I am afraid that the hon. Gentleman cannot do that, because he did not move the amendment.

Sir Philip Goodhart *indicated assent.*

Mr. Deputy Speaker: I see that the hon. Member for Beckenham (Sir P. Goodhart), who moved the amendment, wishes to withdraw it. Is it the pleasure of the House that the amendment be withdrawn?

Hon. Members: Aye.

Amendment by leave, withdrawn.

Clause 7

The Tribunal

Mr. Golding: I beg to move amendment No. 5, in page 5, line 27, leave out

'sent to or by him'.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments: No. 10, in page 6, line 31, at end insert

'or

'(iii) an applicant specifies or describes to the Tribunal a person or address specified or described in the warrant;'.

No. 11, in page 6, line 36, at end insert

'or if an applicant specifies or describes to the Tribunal an address used as mentioned in paragraph *(a)*(ii) above which is specified or described in the certificate.'.

I understand that it will be for the convenience of the House if we discuss at the same time Government amendment No. 8.

Mr. Golding: It is with some trepidation, and before he goes, that I thank the Home Secretary for placing amendment No. 8 on the Amendment Paper. The last time I was accused by the Home Secretary, wrongly as the record shows, of adding to what he had said. Sadly, my blameless life has been littered with such unjust accusations. I seem to upset equally the *Militant* newspaper, *Tribune*, the *New Statesman* and now the Home Secretary when I adopt a reasonable, moderate, middle of the road approach.

However, I want to thank the Home Secretary once again, whether or not I upset him. Perhaps he has left the Chamber to avoid being upset by my thanks. I thank him because the employees of British Telecom and the Post Office have wished for many years to be able to report unauthorised tapping without risk of prosecution under the Official Secrets Act. Following a little gentle persuasion, the Home Secretary has removed that threat.

To avoid adding to what the Home Secretary has said, I shall try to summarise the position. The Minister can indicate whether I have it right. As I understand it, if an employee of the Post Office or British Telecom believes that the law has been broken — this Bill will make unauthorised tapping an offence — he or she may complain to the police. A person who makes a complaint to the police about a breach of the law will not be liable to prosecution under the Official Secrets Act. I want to get this clear so that we know the precise position when we come to the tribunal.

Under the Bill, I understand that information can be given to the commissioner because it is called for or volunteered, and the person who gives it need not fear prosecution under section 2 of the Official Secrets Act 1911. It is expected that the commissioner will express his requirement for information and documents in general terms. As the Home Secretary said:

> "Anyone in possession of information which he thinks is relevant to the commissioner, even if he has not been asked for it, would be authorised to disclose it, and therefore not be guilty of an offence under section 2. If there were any doubt, the person need only tell the commissioner that he is in possession of relevant information or documents and the commissioner will ensure that his requirement is framed, or reframed, in terms which cover those circumstances. It is inconceivable that that would not be done."

Under the amendment that the Government have tabled, Post Office and BT employees required to give information to the tribunal could do so without fear of prosecution. As I understand it, that is the position. I do not think that I have added to what the Home Secretary said. If I have, I will readily give way to the Minister of State. That represents an important improvement for employees of British Telecom and the Post Office whom I represent as a union official.

Although I do not wish to detract from that, important questions remain. One relates to the security clearance of BT and Post Office staff. It is rumoured that the Government aim to introduce vetting even into the privatised BT. That is a matter of great concern to the National Communications Union, the new name for the enlarged Post Office Engineering Union.

Perhaps the Minister of State will answer my questions. Are the rumours about the extension of vetting true? How wide will the vetting be? In what circumstances will it take place? Following a point made earlier, will those who have been educated at public school and Cambridge be refused the right to climb the telegraph poles of BT, as my hon. Friend the Member for Wigan (Mr. Stott) used to do? The union is concerned about civil liberties, and I express that concern today.

I am sceptical about the reliability and effectiveness of our security officers. I remember being lectured by a young man in 1964, when I was a Government Whip, on how to spot a Communist. Some of us had been putting the black spot on members of the Communist party long before that security officer had gone to school. He was ill-informed.

The sight of the Social Democratic party Member reminds me of my interrogation on going into the Department of Employment. What a farce it was. The security snoop asked me if I had ever belonged to a progressive organisation. I was able to tell him that there were thousands of people who would willingly testify to the fact that I had never had a progressive thought in my head. He persisted. He asked, "What about the 'troops out' movement?" I told him that the only person I knew who supported the "troops out" movement was Jim Wellbeloved and that the Prime Minister had just put him into the Ministry of Defence, at which the security officer sloped off. I presumed that he had gone to screen my right hon. Friend who was then Prime Minister. I have not been impressed so far by the screenings that I have had from the security forces.

8 pm

Our union is opposed to the vetting of British Telecom staff because of the implications for civil liberties. The theme of civil liberties brings me to tribunals. I find it difficult to understand why they have been given such a narrow remit, and I do not know whether they will work. The Home Secretary described the work of the tribunals in these terms:

> "It must decide whether official interception has taken place — a relatively simple matter — and whether it should have taken place in the sense of the Secretary of State acting reasonably in applying the criteria when he issues the warrant." —[*Official Report*, 3 April 1985; Vol. 76, c. 1297-8.]

It would make sense for the tribunals to receive complaints about any interception, passing them to the police if they found them to be illegal and dealing with them themselves if they were authorised.

What is to happen if a complainant is being tapped illegally? Is his only recourse to the police? If the answer to that question is yes, that is undesirable. It would be far better for the tribunal to be able to receive a complaint of any interception and then for officers of the tribunal, having made internal inquiries, to have the power either to proceed with the examination themselves or to refer the matter to the police or the commissioner. I do not see why it is not possible to take complaints about illegal interception to the tribunal. I am not arguing that the tribunals should deal with them, but it is unreasonable that somebody somewhere, who fears that he is being intercepted, has to decide whether the tap is illegal or authorised.

This is the purpose of the amendments in my name and that of my hon. Friend the Member for Blaydon (Mr. McWilliam). It should be possible for people other than the person whose phone calls or post are being intercepted to refer matters to a tribunal. I think in particular of employees of BT and the Post Office. For example, a tap might be placed on the phone of the convener of a big factory or, worse still, a tap might be placed on the phone of the political officer of the National Communications Union engineering group—to wit, the hon. Member for Newcastle-under-Lyme. What should the BT engineer assume? Let us say that the BT engineer, in either Newcastle-under-Lyme or Hanwell, comes across the tap on my phone. What should he do? How should he behave? Is he to conduct his own inquiries among his colleagues as to whether the tap is authorised or unauthorised?

When the engineer comes across the interception in the normal course of his duties, he immediately starts to ask questions of himself. To determine whether the tap is authorised or unauthorised — there are different procedures now for the two cases that I have mentioned —should the engineer go round his colleagues asking, "Has anybody seen a warrant? Who signed that warrant? When was that warrant produced? By whom was it produced?" Should he do that? It hardly seems desirable. In any case, I do not want engineers going round asking, "Is it official that Golding is tapped?", because that will bring only one response.

How will that person make a judgment? Our secret police may just want to know about wage claims and strike plans from the convener. If they tapped my phone, all that they would find out about would be racing tips—losing racing tips — and good fishing venues. It would be reasonable for the BT engineer to ask, "Is that why the phone is being tapped? Are those security officers hoping to find out who will win the National or the Derby? Is that reasonable?" On the other hand, he may decide that the security service and the Home Secretary have real fears that these pillars of the establishment are subversives. How is the BT engineer to know, on coming across the interception? One thing I know is that unless our members are absolutely certain that a tap is illegal, they will not go to the police. Even if they think that it is illegal, they will be reluctant because BT and Post Office employees do not want to be involved with the special branch in any shape or form.

I say that knowing that in Staffordshire the special branch has always treated me very well. Perhaps that is because they have been informed incorrectly by the Young Socialists that I am an agent of the CIA. Certainly it has not been the experience of all my colleagues that they have had such good relations with the special branch as I have had. Many of my colleagues in the union would not wish to report to the police what they only suspected were illegal acts. They are much more likely to go to the commissioner, and far more likely still to be prepared to go to a local tribunal, particularly if they can be reassured in an off-the-record initial discussion of the confidentiality involved.

Mr. Roger Stott (Wigan): I am following my hon. Friend's line of argument closely. He knows that my hon. Friend the Member for Blaydon (Mr. McWilliam) and I used to be employed by British Telecom, and we are familiar with many of the things that used to go on in security. I am interested to listen to my hon. Friend describe the series of options that he feels might be available to our colleagues in the industry. My initial reaction to what he has said is that I should have thought that at least there should some proper guidance to members of BT on the right course of action that they should take. If I were still working in BT and in my duties as a telecommunications engineer I had come across a tap of someone's phone, my instinctive reaction would be to report it to my first line supervisor. Is that what my hon. Friend is suggesting we should do, or should there be clearer lines of communication on how we should go about investigating whether that tap is illegal?

Mr. Golding: Perhaps I can explain to my hon. Friend that when he was more happily engaged — perhaps "engaged" is the wrong word—on his honeymoon, I was being reassured by the Home Secretary that our members could go to the commissioner. I shall refer to the point about the first line supervisor later. My advice to our members at the moment would be, "Do not go to the first line supervisor. If you have doubts, go immediately to the commissioner and, if the Government permit it, to the tribunal."

Incidentally, Mr. Deputy Speaker, you will have noticed the caution of my hon. Friend. He said that he was employed by BT. Yes, he was. I understand that my hon. Friend the Member for Blaydon actually worked for the Post Office. Confidentiality is important.

My hon. Friend said that the Government should give an assurance that no internal disciplinary action will be taken against staff by management. In Committee, the Home Secretary was silent on this point. I hope that the Minister of State will not be silent upon it tonight. There is no point in the Home Secretary saying to British Telecom and Post Office employees, "In no way will you be subject to the Official Secrets Act if you give information to the commissioner or the tribunal," if there is any risk that, after providing such information, they can be made subject to internal disciplinary action. The Government must face that fact. There ought to be an absolutely explicit understanding that if employees respond in the way that the Home Secretary said they should, their action will not be the subject of internal disciplinary action by the management of BT and the Post Office.

The Government ought to respond to that point. Otherwise, what advice can be given to our members when they ask whether they should co-operate with the

[Mr. Golding]

commissioner or the tribunal? Of course we should be able to say to them that in no way will they suffer as a result of action taken under the Official Secrets Act or disciplinary action taken by management. However, if there is any risk that they will suffer from providing such information, we must advise them to be cautious. The Minister must recognise that this is a very important point.

The members of the National Communications Union are more likely to go to a local tribunal, and they should be allowed to do so directly. It is madness for the procedure to depend upon the victim suspecting that his mail is being intercepted or that his phone is being tapped, because the temptation will be for those who find the taps to tip off the victim. That does not make sense and it is undesirable, particularly if there are good reasons for the interception. What applies to communications with the commissioner should also apply to communications with the tribunal. There ought not to be the temptation to leak information to a journalist, to friends of the suspect, or to the suspect himself. It ought to be possible for the BT engineer or the Post Office employee to go direct to the tribunal.

That, of course, will widen the area for complaints. However, complaints are more likely to be soundly based if they are made by those inside rather than outside the business. As the Minister knows, one can quickly find out whether tapping is taking place. In any case, there is bound to be the problem of ill-founded complaints from very unstable people, but it is a price that has to be paid.

I hope that the Government will take these practical, not party, points very seriously. I have put the facts to the Minister as they have been put to me by honest people who are very worried about this matter. I do not expect an immediate response from the Government. I am grateful to the Home Secretary for tabling an amendment which will provide protection for our members before a tribunal. It adds to the protection that they already enjoy when giving evidence to the police and to the commissioner. The Government have gone a very long way towards allaying the fears and disquiet of BT and Post Office employees, but I ask them to go just a little further, because it would result in the tribunal system working more efficiently. It would allow BT engineers to go directly to the tribunal and give evidence, thus avoiding the nonsensical situation in which only the person whose post is being intercepted or whose telephone is being tapped has the right to complain.

8.15 pm

Mr. Waddington: I was asked by the hon. Member for Newcastle-under-Lyme (Mr. Golding) to answer a specific question about the vetting of BT staff. The Official Secrets Act applies as a matter of law to the Post Office and to British Telecom as a result of the Post Office Act 1969 and the Telecommunications Act 1984. I am advised that there have long been arrangements to make sure that state secrets in the hands of such organisations are not prejudiced—for example, defence telecommunications. However, the hon. Gentleman will understand that it is not for me to comment on present and future arrangements. I should emphasise that this is not new territory. BT may have been altered as a result of the 1984 Act, and we may now be putting into statutory form powers which have been exercised by successive Governments for a very long time, but the problem to which the hon. Gentleman referred does not arise from the introduction of the Bill. Far from it.

We are considering whether third parties should be able to complain to the tribunal about what they consider to be improperly authorised tapping. The tribunal is being set up to offer a means of redress. Essentially, it fulfils a role which in other circumstances would be carried out by the courts. Those who believe that they have been injured can complain to the tribunal, and if they have been injured they can obtain compensation. Generally speaking, however, a person cannot go to court and complain about what happened to somebody else without that "somebody else" being involved or consulted. We are setting up a tribunal to act in a quasi-judicial fashion and to grant a remedy to somebody who says, "I have been injured because I have been the victim of tapping which was wrongly authorised."

We must keep in the forefront of our minds what the tribunal is there for. I appreciate that other amendments have urged the Government to widen the powers of the tribunal, but the scheme in the Bill is clear. The tribunal exists to hear complaints by people who think that they may have been injured. It is not there to see that the whole interception system is working properly. That is the role of the commissioner. The tribunal is not there to prevent unlawful tapping. It is there to hear complaints by people who believe that they have been the victims of improperly authorised tapping. As article 13 of the convention states, the tribunal exists to provide "an effective remedy" for someone who has been the victim of improperly authorised tapping. Its purpose is not to carry out a general review of the Secretary of State's exercise of his functions. That is a matter for the commissioner.

The House will note, however, that the category of people who can complain to the tribunal is very wide. It includes not just those named in a warrant, but entirely innocent people whose communications have been unavoidably intercepted because they live or work at an address specified in a warrant. The hon. Gentleman will not need to be reminded that that arises from the definition of a relevant warrant or certificate under clause 7(9). therefore, although it may appear at first sight that only those who think that they have been named in a warrant may complain to the tribunal, the number of people entitled to complain is actually much greater.

The hon. Member for Newcastle-under-Lyme raised the important issue of BT staff who are worried about interceptions which they know to have taken place and believe to have been improperly authorised. I have no doubt that in such circumstances the people concerned would in the first instance take their worries to their senior officer. I have not had the privilege of working in the telecommunications industry, and the hon. Gentleman may say that that would not be the case, but, looking in from the outside, I should have thought that that would be the obvious first course. I would expect the person to tell his superior officer that something fishy was going on and that tapping was taking place when it should not be taking place. I am sure that the hon. Member for Wigan (Mr. Stott) was right when he said that his inclination would be to report to his first line superior in those circumstances.

Be that as it may, if for some reason, the person involved felt that that was not the right course but remained worried and wanted to do something about the situation, he could go to the commission. The hon.

Member for Newcastle-under-Lyme accurately described what should happen, exactly as my right hon. and learned Friend the Home Secretary explained it. If the person goes to the commissioner, but is worried that he is not protected by clause 8 unless he is required by the commissioner to provide the information, his course is plain. He simply asks the commissioner to require him to provide the information because he is nervous about his legal position if the commissioner does not do so. As my right hon. and learned Friend the Home Secretary said a few days ago, it is hard to believe that the commissioner, having been alerted to the fact that something might be going wrong with the system, would not do as he was asked by the member of BT staff who had come to see him.

Mr. Douglas Hogg: I took part in the debate on this issue in Committee and suggested amendments on these lines. I do not understand why the Government rely on the assertion that the commissioner will no doubt require people to produce the information if he is asked to do so. Why cannot we provide a statutory defence enabling people to proffer the information in the first place?

Mr. Waddington: If my argument is correct, there is no need to do so. The circumstances described by the hon. Member for Newcastle-under-Lyme would arise extremely rarely, and there is an easy way round the problem which the hon. Gentleman suggests might exist but which in my humble belief would very rarely exist. Frankly, I cannot believe that anyone so determined to take information to the commissioner and to ensure that something was done to right a wrong would be troubled for one moment about the remote possibility of being prosecuted under the Official Secrets Act for giving that information. It seems a nonsensical proposition, but we are saying that if there is any reality at all in such a fanciful suggestion the problem can be met.

I am afraid that I cannot give the hon. Gentleman satisfaction on the other important point that he raised. He asked about the position of BT staff who are afraid to go to the commissioner in case they are then subjected to internal disciplinary proceedings. Again, looking in from outside, it seems to me inconceivable that that should happen. It would be a most extraordinary management who thought it right to take disciplinary proceedings against a member of staff who was so conscious of his duties to the public as to go to the commissioner and whose public spirit had been proved by the commissioner requiring him to provide the information. It seems fanciful to suggest that in those circumstances the person might be subjected to disciplinary action. Of course, the hon. Gentleman would not have raised the matter if he did not regard it as important, but now that it has been raised everyone can read about it in *Hansard*. Nevertheless, it cannot be for the Home Office to give directions to BT as to its disciplinary code, any more than any Home Secretary would have dreamt of doing so before the 1984 Act.

Mr. Douglas Hogg: That is precisely the point that I made in Committee. I agree that it is unlikely that the management would take disciplinary action. What concerns the House is that unless there is a general policy declaration by BT, employees may fear that they would be in breach of their contract of employment and may therefore be reluctant to go to the commissioner. That being so, all that the Government can do is to provide them with a statutory defence. That is what I was aiming at in Committee.

8.30 pm

Mr. Waddington: With respect, that has nothing to do with the point raised a short time ago, which was that there should be a statutory defence to protect a person against prosecution under the Official Secrets Act if he went to the commissioner. My hon. Friend is now talking about purely internal disciplinary proceedings, not criminal proceedings. What we are discussing is whether, after the passage of the Bill, BT should alter its disciplinary code to make it plain to its servants that they would not be disciplined internally if, in a public-spirited fashion, they went to the commissioner.

The hon. Member for Newcastle-under-Lyme has done us a public service by raising the matter today. Everyone can now read about it. However, I doubt whether the matter could possibly be the responsibility of the Home Office. If the hon. Gentleman would like me to ensure that the matter is brought specifically to the attention of my right hon. Friend the Secretary of State for Trade and Industry, I shall gladly take pen and paper and write to my right hon. Friend.

It is all-important that one should not exaggerate the likelihood of BT staff wishing to intervene. It is right that these matters should be raised, but, on examination, the point is somewhat unrealistic. The task of BT staff is to execute a warrant. However, quite rightly, no member of staff will be told any of the reasons for the issue of the warrant. That being so, how could he reach an informed judgment on whether the tapping was right or wrong? The most that he can have is an instinctive suspicion that something must be wrong. He cannot have an informed suspicion. If the system works as it always has, the member of staff will not have the faintest idea whether or not the Home Secretary has authorised the interception correctly.

I would not like the hon. Gentleman to think that I do not take seriously what he has said. His contribution has been extremely valuable, and I am grateful to him for what he said about Government amendment No. 8, which I should now like to move.

Mr. Deputy Speaker: Order. The Minister need not formally move the amendment at this stage, but it is in order to discuss it with this group of amemdments.

Mr. Waddington: Thank you, Mr. Deputy Speaker. Amendment No. 8, is designed to bring the duty to disclose to the tribunal into line with the duty to disclose to the commissioner in clause 8(3). This is being done deliberately to meet the point made by the hon. Member for Newcastle-under-Lyme in Committee. We have written to the hon. Gentleman and are indebted to him for having raised the matter. I hope that the House will accept Government amendment No. 8, which is a useful addition to the Bill, but I cannot commend the Opposition amendments to the House.

Mr. McWilliam: First, I must again declare my interest. Secondly, I thank the Minister for meeting the points raised and for discussing amendment No. 8, which is valuable and helpful and will help to set at rest the minds of the staff of BT, Mercury, and any other public telephone systems.

[Mr. McWilliam]

Some of the Minister's comments on the Opposition amendments cause a problem. He says that there is no change in connection with vetting. I am not sure that that is so. I speak as someone who has worked for BT in defence and other installations. It was unusual in the past for formal vetting to take place. When Bob Mitchell was the chairman of the Fife branch of the Post Office Engineering Union, he was very upset when he was told that he could not go into Rosyth naval dockyard. However, as he was an avowed member of the Communist party at the time, that seemed reasonably fair and nobody became worked up about the matter. In general, vetting was no more stringent, and went no higher, than that.

The Minister also seems unaware how much information a qualified telephone engineer can pick up about an installation by looking at it. A qualified radio engineer can tell roughly what the function of an aerial is by looking at the size of it and noting whether or not it is steerable. That will tell him what frequency it operates on, and therefore roughly what it is used for. There is no point in vetting when such matters are plain to see. Many telecommunications engineers are qualified radio engineers.

Mr. Waddington: I have made no attempt to comment on the present or future arrangements for vetting. I said that the problem existed in the past and continues to exist. There will continue to be a need for vetting because the new BT will carry communications of the same type as the old. I do not have the faintest idea about what goes on in the case of vetting. My point was that the problem is no different from the problem which existed when the 1984 Act was passed.

Mr. McWilliam: With respect, the problem is different. In the past, we were all established civil servants and subject to the Civil Service code of discipline. Today, BT engineers and other engineers are employees of a private company whose duty is to make profit for its shareholders. The investigation that preceded the issue of the certificates that made one an established civil servant no longer takes place. Circumstances have changed, and that change gives rise to some of the concern expressed by my hon. Friend the Member for Newcastle-under-Lyme (Mr. Golding).

The Minister says that the tribunal offers a means of redress. That is fine. The problem is that the provisions in the Bill apply only to an individual or an address. A telephone is useless if there is no one on the other end of the line, and an interception picks up both ends of the line. It might be that the person who was under surveillance had no idea what was happening but that, because of actions taken on the basis of a telephone call, the person at the other end of the line became suspicious. He might suspect that it was not his line, but someone else's, that was being intercepted.

Years ago, an hon. Member with whom I used to share an office said to me, "John, I think my phone is tapped." I took the phone apart and spread the bits over his desk. There was nothing untoward there. I asked him why he thought that it was tapped. He said that every time he called the Palestine Liberation Organisation the security services found out about it. I was not at all surprised to learn that the PLO was tapped. The hon. Member, of course, was not.

That is an illustration of one of the problems raised by the Bill. Amendment No. 5 is designed to help someone making a call to a tapped telephone, who suspects then an interception may have taken place and who knows that the person concerned is not engaged in espionage or in any subversive or criminal activity. Such a person should have the right to go to the tribunal and report his belief that an illegal interception has taken place.

The Minister is right to say that a BT engineer will rarely come across a tap. The mainframe of a major telephone exchange is as long as the Chamber and roughly the width of two Benches. Nowadays, there are up to 40,000 numbers on such a frame, and the chances of a BT engineer seeing a tap on one of them is small, but such things happen.

Mr. Peter Bruinvels (Leicester, East) *rose*——

Mr. Waddington: That was not quite my point. I said that if an engineer came across a tap he would not have the faintest idea whether it had been properly authorised.

Mr. McWilliam: I shall answer the Minister after giving way to the hon. Member for Leicester, East (Mr. Bruinvels).

Mr. Bruinvels: What does the engineer do when he finds that a telephone has been tapped?

Mr. McWilliam: I am grateful to the hon. Gentleman for asking that question, because the regulations will have to change as a result of the Bill. When an engineer discovers a tap, he knows which number is being tapped because all telephone lines must be terminated on a number. Knowing the number, he can go to a card index and discover who is registered as having been allocated that number. That information will probably mean nothing to the engineer except in cases such as that which my hon. Friend the Member for Newcastle-under-Lyme mentioned. A BT engineer in the Newcastle-under-Lyme telephone exchange might see a tap, notice that the number is registered with my hon. Friend and knowing that my hon. Friend is not a member of the Communist party, a Fascist or damaging the economic interests of the country. By his own admission, my hon. Friend might be damaging the economic interests of a few bookmakers——

Mr. Golding: And my economic interests.

Mr. McWilliam: Indeed. The engineer might think that it is not reasonable for my hon. Friend to have his telephone tapped and therefore make a complaint to the tribunal. It is self-evident that any such complaint would be upheld. My hon. Friend might know nothing about the interception but he will have the satisfaction of knowing that the lads will check it out.

The Minister talked of warrants as though the chap who makes the interception is armed with a warrant signed by the Secretary of State in his grubby little hand. That is not the case. He is instructed to put an interception on a given number to a terminal on a terminal block. He does not know whether it is authorised. Present legislation provides that if a colleague in BT comes across an interception and is worried about it, he telephones someone who is designated as the security officer, who is usually employed by the traffic division of BT and has various duties, one of which is to ensure that warrants are all right.

As I said on Second Reading, interceptions are still put on correctly but without a warrant. There is a loophole which allows that. I hope that the Bill will stop that, but

there is a problem — how is the engineer to know whether the warrant has been issued, especially if he is putting an interception on somebody he knows is probably all right? The security services might know something adverse about that person. In such circumstances, the tribunal will investigate and find that the paper work is OK and nothing will happen. The person making the report will not be told whether the tap was authorised. It will remain secret. Nevertheless, the BT engineer would be happier for knowing that he has done his duty and that the matter has been checked.

We do not want taps put on without warrants and we want to ensure that any interception is made with a warrant. We also want to ensure that the aggrieved party is not considered to be just the person who has had the interception put on. There are two possible aggrieved parties. It is obvious that we cannot cater for an innocent person telephoning somebody who is not innocent and who has an interception. We should be prepared to go along with that if the person who made the call had redress. There is no redress under the Bill as drafted.

8.45 pm

Mr. Geoffrey Dickens (Littleborough and Saddleworth): Is the hon. Gentleman saying that, if somebody is suspected of a vast VAT fraud, of drug offences or of being a security risk and his telephone is tapped, anybody who telephones him and who most likely has no knowledge of any tap should be protected? There is a limit. The Bill introduces a remedy which we have not had hitherto. Is the hon. Gentleman saying that we should protect anyone who telephones someone under surveillance? That would not work.

Mr. McWilliam: I apologise to the hon. Gentleman if I am not being clear. I am talking about the grievance of the person making a telephone call to another whose telephone has been tapped illegally. I am not talking about a telephone call to someone who has been tapped legally, and said that we are prepared to go along with that.

Mr. Douglas Hogg: Can the hon. Gentleman clarify what he means by "legal" in this context? Does he mean a tap that is not in accordance with the warrant or for which there is no warrant at all?

Mr. McWilliam: I mean one that is not legal when the Bill becomes an Act.

Mr. Hogg: It can be several things. It can be an unlawful tap for which there has never been a warrant, it can be a warrant which should not have been issued or it can be a warrant the time of which has expired. There is a variety of combinations. I should like to know what the hon. Gentleman means.

Mr. McWilliam: I mean the combinations that the hon. Gentleman has just described. I apologise for using loose language, but I am a telephone engineer not a barrister. I am trying to do my best. I have difficulty sometimes and I am grateful to the hon. Gentleman for his help and advice. I do not want what I am saying to be misunderstood; and the hon. Gentleman has made clear what I meant to say.

The Opposition's proposals are all square with complaints to the Press Council. In that context, a complainant does not have to be the aggrieved party. The Minister prayed in aid article 13 of the European convention, saying that the Bill was designed to protect the victim of unauthorised tapping. Even on a legally tapped line, somebody on one end of a line will be the victim of just that. We accept that but do not accept that that person has no right to make a complaint. If the amendments are carried, such a complaint could be dealt with by the tribunal.

If the amendments are not carried, we shall have to rely on the person who believes the interception to have taken place illegally informing the person who is being intercepted. That will cause a problem which the Minister does not want to occur, because it will raise suspicions among people who are lawfully intercepted.

Mr. Douglas Hogg: I have a great deal of sympathy with what the hon. Gentleman is saying. Is not the mischief remedied because, under clause 1, which contains the substantive offence of tapping when there is no warrant, a person who has become aware of that fact, although the communication was neither
"sent to or by him",
can, none the less, raise the matter with the police or the DPP? However, clause 7 is related exclusively to applications to the tribunal.

Mr. McWilliam: I am grateful to the hon. Gentleman for making that point. Unfortunately, a suspicion is that most unauthorised tapping is carried out by the police and not by the security services. Therefore, it is not much of a remedy to complain to the police about an unauthorised tapping if it has been carried out by the special branch. That problem should exercise our minds.

The tribunal has been set up as the independent body. We accept that. The amendment merely seeks to make certain that all possible evidence and complaints are properly investigated by that independent body. It will probably prove that the slander which I have just perpetrated on the police is quite untrue. I hope that is so, but we want that perk to be available to individuals; otherwise they could be aggrieved. If the amendment is carried, they will at least have some means of seeking redress if it is justified.

Mr. Douglas Hogg: I wish to make a few comments on amendments Nos. 5 and 8. What the Minister has done in amendment No. 8 to schedule 1 is useful, in that he has met a point made by the Opposition as well as by myself in Committee. However, I do not think that it goes quite far enough.

What happens to a BT employee who believes that some improper act has taken place and wishes to make a complaint to the tribunal? Amendment No. 8 protects the BT employee if he is required to deliver up the documents or information, but it does not protect him if he wishes to volunteer the information. It is perfectly true that no sensible management would discipline an employee who referred information to the tribunal in good faith. But there is another point with which the Minister has not come to grips. Unless that fact is well known and generally accepted, the risk is that employees will never be ready to make a complaint in the first instance. We therefore require statutory protection to meet that difficulty.

I am very fond of notes from the Whips, and because I like to oblige the House on occasion, I shall bring my remarks to an end.

Mr. Golding: It is a wise Member who responds as quickly as that to a Government Whip. When in opposition, one does not have to respond quite as quickly.

[Mr. Golding]

Dozens of Conservative Members are pouring into the Chamber. They have come either to hear my speech or to vote. I shall not disappoint them on either count—we shall vote. However, before doing so, I should be delighted if the Minister were to write to his colleague in the Department of Trade and Industry and say that, as this is a serious problem, could he not have a chat to the management of BT and to the management of the Post Office and arrive at a sensible understanding that employees acting responsibly will not be subject to disciplinary procedures.

I do not wish to exaggerate the size of the problem in BT. I merely wish to make absolutely sure that, in the unlikely event of finding something wrong, the employees will have confidence that there is a proper procedure for perusing their concerns.

We shall vote on the amendment because I do not think that the Minister yet understands the deficiencies in the Bill. BT and Post Office staff can go to the commissioner. The commissioner can report and tell the Prime Minister that not all in the world is right, but he has no specific powers. That is the difference between the commissioner and the tribunal.

The tribunal has a direct power. It will investigate whether there is a warrant and whether it is in order. If it determines that there has been an infringement, it can

"give notice to the applicant stating that conclusion,"

and

"make a report of their findings to the Prime Minister; and"—

this is the important distinction from the commissioner—

"if they think fit, make an order under subsection (5)".

It can

"quash the relevant warrant or the relevant certificate",

and

"direct the destruction of copies of the intercepted material or, as the case may be, so much of it as is certified by the relevant certificate".

It could be that irrelevant information could be ordered to be destroyed. The powers of the tribunal are very different from the powers of the commissioner. It ought to be possible for an employee to lay the same sort of information before the tribunal as he is permitted to lay before the commissioner. In one case the tribunal can act to stop the offence taking place, whereas the commissioner can draw general conclusions and report to the Prime Minister. The Bill does not deal with what the Prime Minister should do.

I hope that my right hon. and hon. Friends will join me in voting for the amendment.

Question put, That the amendment be made:—

The House divided: Ayes 88, Noes 218.

[Division No. 102] [8.59 pm

AYES

Anderson, Donald
Archer, Rt Hon Peter
Ashton, Joe
Bennett, A. *(Dent'n & Red'sh)*
Bidwell, Sydney
Blair, Anthony
Boyes, Roland
Brown, Gordon *(D'f'mline E)*
Brown, N. *(N'c'tle-u-Tyne E)*
Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Canavan, Dennis
Clark, Dr David *(S Shields)*
Clay, Robert
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Coleman, Donald
Cook, Robin F. *(Livingston)*
Cowans, Harry
Craigen, J. M.
Cunliffe, Lawrence
Davis, Terry *(B'ham, H'ge H'l)*
Deemer, Donald
Dixon, Donald
Dormand, Jack
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eastham, Ken
Edwards, Bob *(W'h'mpt'n SE)*
Evans, John *(St. Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Flannery, Martin
Foster, Derek
Foulkes, George
Freeson, Rt Hon Reginald
Golding, John
Gould, Bryan
Hamilton, James *(M'well N)*
Harrison, Rt Hon Walter
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
John, Brynmor
Kaufman, Rt Hon Gerald
Kilroy-Silk, Robert
Lamond, James
Leadbitter, Ted
Leighton, Ronald
Lewis, Terence *(Worsley)*
Lloyd, Tony *(Stretford)*
McKay, Allen *(Penistone)*
McKelvey, William
Madden, Max
Marek, Dr John
Michie, William
Millan, Rt Hon Bruce
Morris, Rt Hon A. *(W'shawe)*
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Park, George
Pavitt, Laurie
Powell, Raymond *(Ogmore)*
Prescott, John
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Short, Ms Clare *(Ladywood)*
Short, Mrs R.*(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Snape, Peter
Spearing, Nigel
Stott, Roger
Strang, Gavin
Thomas, Dr R. *(Carmarthen)*
Tinn, James
Torney, Tom
Wardell, Gareth *(Gower)*
White, James
Wilson, Gordon
Winnick, David

Tellers for the Ayes:
Mr. John McWilliam and
Mr. Robin Corbett.

NOES

Aitken, Jonathan
Alexander, Richard
Allason, Rt Hon Michael
Alton, David
Amess, David
Ashby, David
Ashdown, Paddy
Aspinwall, Jack
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Beith, A. J.
Bellingham, Henry
Bendall, Vivian
Benyon, William
Bevan, David Gilroy
Bigge-Davison, Sir John
Blackburn, John
Boscor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Bright, Graham
Brinton, Tim
Britten, Rt Hon Leon
Brumwell, Peter
Bryan, Sir Paul
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(R'ton S)*
Cash, William
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Cockeram, Eric
Conway, Derek
Coombs, Simon
Cope, John
Corrie, John
Couchman, James
Cranborne, Viscount
Critchley, Julian
Crouch, David
Currie, Mrs Edwina
Dicksens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
Dunn, Robert
Durant, Tony
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forth, Eric
Fowler, Rt Hon Norman
Fraser, Peter *(Angus East)*
Freeman, Roger
Gale, Roger
Galley, Roy
Gardner, Sir Edward *(Fylde)*
Goodhart, Sir Philip
Goodlad, Alastair
Gorst, John
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan

Hawkins, C. (High Peak)
Hawkins, Sir Paul (*Sir N'folk*)
Hawksley, Warren
Hayes, J.
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas (*Gr'th'm*)
Holland, Sir Philip (*Gedling*)
Holt, Richard
Howard, Michael
Howarth, Gerald (*Cannock*)
Howell, Ralph (*N Norfolk*)
Hubbard-Miles, Peter
Hunt, David (*Wirral*)
Hunt, John (*Ravensbourne*)
Hunter, Andrew
Jenkin, Rt Hon Patrick
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym (*Cardiff N*)
Jones, Robert (*W Herts*)
Kellett-Bowman, Mrs Elaine
Kennedy, Charles
Key, Robert
King, Roger (*B'ham N'field*)
Kirkwood, Archy
Knight, Gregory (*Derby N*)
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Leigh, Edward (*Gainsbor'gh*)
Lennox-Boyd, Hon Mark
Lewis, Sir Kenneth (*Stamf'd*)
Lightbown, David
Lilley, Peter
Lloyd, Peter, (*Fareham*)
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, John
Maclean, David John
Maclennan, Robert
McQuarrie, Albert
Madel, David
Malins, Humfrey
Maples, John
Marlow, Antony
Marshall, Michael (*Arundel*)
Mates, Michael
Mather, Carol
Maude, Hon Francis
Maxwell-Hyslop, Robin
Meadowcroft, Michael
Merchant, Piers
Meyer, Sir Anthony
Mills, Iain (*Meriden*)
Miscampbell, Norman
Moate, Roger
Monro, Sir Hector
Moore, John
Morris, M. (*N'hampton, S*)
Morrison, Hon C. (*Devizes*)
Murphy, Christopher
Needham, Richard
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Norris, Steven
Osborn, Sir John
Page, Richard (*Herts SW*)
Parris, Matthew
Pawsey, James
Peacock, Mrs Elizabeth
Penhaligon, David
Percival, Rt Hon Sir Ian
Porter, Barry
Powell, William (*Corby*)
Powley, John
Prentice, Rt Hon Reg
Proctor, K. Harvey
Rathbone, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridsdale, Sir Julian
Roe, Mrs Marion
Rossi, Hugh (*Hornsey*)
Rost, Peter
Salisbury, Hon Timothy
Shaw, Giles (*Pudsey*)
Shepherd, Colin (*Hereford*)
Shepherd, Richard (*Aldridge*)
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Sir Dudley (*Warwick*)
Smith, Tim (*Beaconsfield*)
Speed, Keith
Spence, John
Spencer, Derek
Stern, Michael
Stevens, Lewis (*Nuneaton*)
Taylor, John (*Solihull*)
Taylor, Teddy (*S'end E*)
Temple-Morris, Peter
Thornton, Malcolm
Trippier, David
Twinn, Dr Ian
Viggers, Peter
Waddington, David
Walden, George
Waller, Bill (*T'side N*)
Wallace, James
Walters, Dennis
Watson, John
Watts, John
Wells, Bowen (*Hertford*)
Wells, Sir John (*Maidstone*)
Wheeler, John
Whitfield, John
Wolfson, Mark
Wood, Timothy
Wrigglesworth, Ian

Tellers for the Noes:
Mr. Tristan Garel-Jones and
Mr. John Major.

Question accordingly negatived.

Schedule 1

THE TRIBUNAL

Amendment made: No. 8, in page 11, line 39, after 'Crown', insert

'or engaged in the business of the Post Office or in the running of a public telecommunication system'.—*[Mr. Brittan.]*

9.10 pm

The Secretary of State for the Home Department (Mr. Leon Brittan): I beg to move, That the Bill be now read the Third time.

This Bill fulfils the commitment that my right hon. Friend the Lord President gave in another place just over a year ago, that the Government would bring forward legislation on interception in the present Session. As we come to the end of our consideration of the Bill, it is worth looking again for a moment at what it is and is not designed to achieve. These broad objectives have understandably, perhaps almost inevitably, been rather lost sight of during the course of detailed examination of the individual provisions.

The Bill is comprehensive in its application to the interception of communications. It demonstrates the wisdom of the view that previous attempts to incorporate provisions in legislation dealing with other matters were bound to be unsatisfactory. Interception is a definable matter capable of being dealt with in one measure, and capable of being dealt with now. The enactment of this Bill would ensure that the authorisation of interception will be on a basis expressly approved by Parliament. I believe that that is a fundamentally important change and one that will be widely welcomed.

Throughout the preparation and passage of this Bill, the Government have been guided by one particularly important principle—that they are not seeking and not taking wider powers for authorised interception than have been practised by Governments of both parties over a long period. That is not perhaps a claim that I would often expect to be able to make for legislation as a Minister, but with interception it is of crucial importance. The Government want only to place on a statutory basis those things which they and their predecessors have judged essential to the interests of fighting crime and preserving the country's vital interests. The Bill does this, and no more than this.

These first two objectives involve the breaking of no new ground. The third does, and it is just the opposite. The Bill introduces significant additional safeguards. I urge the House not to underestimate either their importance or their novelty. In a number of respects the most fundamental is the provision in the Bill least discussed during recent weeks—the creation of the new offence of unlawful interception. I believe that I can claim that there has been universal acceptance of the offence provision and what it sets to achieve. Such criticism as has been voiced was at the margins and the Government have sought to respond positively to it.

Clause 1 is, however, more than just the creation of another criminal offence. It is essential that it is seen, as it features in the Bill, alongside the arrangements for authorised interception. The point about the offence—I welcome this opportunity of publicly stressing and underlining this—is that it means that anybody who oversteps the mark, whoever he may be, whoever he works for, or whatever his purpose or motive, runs the risk of severe penalties. It is essential that those in official positions should be seen here, as in other spheres of life, to be subject to the same constraints as everybody else.

Mr. Douglas Hogg: My right hon. and learned Friend is now accepting that, because of the compensation provisions in clause 2, compensation should be payable where the interception has been made improperly, and the

[Mr. Douglas Hogg]

tribunal has power to direct that. Will my right hon. and learned Friend consider giving an aggrieved person the right to claim compensation where an offence has been committed under clause 1?

Mr. Brittan: Wholly different considerations arise there. Clause 1 covers unauthorised interception, which may be by anybody, not necessarily by anybody who is in any sense an agent of the state. Therefore, compensation for criminal offences cannot be treated in quite the same way as compensation for an interception that has been officially carried out by an agency of the state under the power given by a Secretary of State, but held by the tribunal wrongly to have been so given.

The other safeguards in the Bill have been discussed more thoroughly. Again, I can claim that they have not at heart been challenged. They mean that for the first time the individual can cause the decision of the Secretary of State to be reviewed and, if appropriate, overturned. That is no mean thing. Those who hitherto have had the responsibility of signing warrants have not been subject to that check and the power of review in that way. The personal decision of a Minister can in this way be reviewed by an independent body at the prompting of a private person, without legal representation or lengthy or expensive proceedings, simply in response to a brief application that he may make.

In the same way, the whole system of authorised interception, including all the administrative arrangements which necessarily underpin it, are subject to the continuing review of the commissioner. He will be a person of proven independence, stature and capacity, with free access wherever he wishes to go in pursuit of his duties. The importance of that should not be underestimated either. Continuing inspection of that kind will ensure that everybody concerned observes the highest standards, and, through the powers conferred upon him, nothing can be hidden from the commissioner.

During proceedings in the House, the Government have agreed to a number of significant changes to the Bill. Reading some of the comments on them, I cannot help feeling that in politics it is not possible to get anything right. If a Minister does not agree to changes, he is being obstinate; if he agrees to changes, he is "forced to make concessions." However, the important thing is to get it right rather than to worry about any comments that may be made, and I had no qualms about readily agreeing to amendments suggested from a number of quarters, including the official Opposition. I hope that the amendments that have been made are accepted as being helpful. Without exception they are designed to clarify the Bill and to underscore the objectives to which I have just referred—that new powers are not being sought and that the protection offered by the legislation is real and should be seen by people at large to be real.

The Bill is designed to ensure that people can have confidence in the operation and supervision of the system of authorised interception, and the Government have approached the proceedings throughout with an open mind on any practicable changes which might enhance that confidence. We shall continue to adopt that approach during the forthcoming stages of the Bill's passage elsewhere.

It is not my wish to detain the House longer. The Bill has been well examined. It will be examined further in another place. Discussion of the Bill — as distinct perhaps from the discussion of certain other extraneous matters on which attention was focused last month—has been measured and has recognised the need for carefully framed 'egislation. I trust and believe that that spirit will continue in the coming weeks. It is in that expectation that I commend the Bill's Third Reading to the House.

9.18 pm

Mr. Kaufman: The Bill's passage has been marked by a number of changes. I am grateful to the Home Secretary for acknowledging the part that the Opposition played in the discussions that brought about a number of concessions. Some of the changes are of particular importance. The Government have announced that they intend to legislate on the Law Commission's recommendation that there should be a civil remedy for the use or disclosure of information obtained by improper means, including bugging devices. The Home Secretary has issued guidance to the police on the new offence of unauthorised interception of communications.

We are gratified that the Government have moved—although they said previously that it was not their intention to do so—on the removal of the ability of a live-in landlord to consent to the interception of the communications of his tenants. The Government have tightened the definition of the "serious crime" criterion for interception, along the lines of the definition in the 1980 White Paper. We asked for that change during Second Reading. There is a tighter definition of the circumstances in which a civil servant may urgently authorise or modify a warrant. This will be done only on the express authority of the Home Secretary. Although this will not be done precisely in the way that we requested, it is, nevertheless, a considerable improvement.

The most important single change between Second Reading and Third Reading is in the currency of warrants. This will be as stated in the White Paper, and not as set out in the Bill. The period of first issue of warrants has been reduced from six months to two months.

The amendment on judicial review has acceptably clarified what was not clear on Second Reading, although the Home Secretary assured the House that it was. The Government amendment makes it clear that the tribunal will be able to look at the merits of the decisions by the Secretary of State to authorise warrants for interception.

In response to the shrewd and persistent applications by my hon. Friend the Member for Newcastle-under-Lyme (Mr. Golding), the Government have made a concession in relation to the protection of disclosures by Post Office and telecommunications employees and others to the commissioner and to the tribunal.

Those are all important and worthwhile changes, and the Opposition are glad to have played their part in bringing them about. There is no doubt that they improve the Bill, but it still requires a great deal of further improvement.

We still have major misgivings about some parts of the legislation, including the Government's failure, or refusal, to import into the Bill the administrative safeguards of the 1981 White Paper. We have to depend upon the tribunal or the commissioner to ensure that Ministers comply with those safeguards. The tribunal or the commissioner can be

guided only by the criteria set out in the legislation and not by any other criteria—even though the Home Secretary has put them forward as criteria which govern him.

There is a risk that the Bill will accidentally destroy the safeguards set out in the 1980 White Paper. They have not been incorporated into the Bill. These include the matters about which we have misgivings and in respect of which we have sought, without result, to improve the Bill. They are both in clause 2(2). The first is the criterion of national security, which we insist is far too wide, and the second is the criterion of economic well-being, which, if there is any place for it in the legislation, is again too wide and imprecise.

In addition, the Government have given the citizens inadequate protection against unauthorised interception by excluding it from the remit of the tribunal and the commissioner. For unauthorised interception, the citizen depends completely on the ability of the police to investigate and the Director of Public Prosecutions' willingness to prosecute. We do not regard that as satisfactory.

There are other matters about which we know more because of admissions made by Ministers during the Bill's passage. One is that the individual will not be able to seek an injunction against unauthorised tapping. The Minister of State made that clear. Secondly, the Minister of State said that the tribunal is necessary because the rules of natural justice cannot be applied to complaints about interception.

One reason why the Government have resisted what we sought—a right of appeal from the tribunal—is that the criterion of natural justice is excluded. The tribunal is not obliged to report evidence of unauthorised interception to the police, although the Government assume that it will follow its duty as a citizen.

The tribunal's other major shortcoming is that it does not seem, from the debates and an examination of the Bill, that it will be of any use to the citizen who wants a remedy against interception, because the Government have insisted over an over again that it is not there to deal with unauthorised interception. For that, the citizen has to go to the police. Authorised interception is matched against the Secretary of State's issuing of a warrant. That depends upon, and is governed by, criteria which, as we have said, are far too wide.

The Home Secretary alluded in a somewhat discursive fashion to the circumstances which existed when the Bill was introduced and which led to two delays in its being given a Second Reading. I am referring to the climate in which the Bill was introduced, and which, on a fairly placid evening on Third Reading, the House might tend to forget but should not be allowed to do so. Anxiety and misgivings were felt by a wide spectrum of opinion, from the Conservative through to the Left-wing press, about the Cathy Massiter allegations in the television programme which was first banned from Channel 4 by the IBA and then permitted to be shown. A wide spectrum of opinion was worried about interceptions which were not authorised by the Home Secretary, as well as about allegations of the way in which the Home Secretary might have authorised interceptions, and also about the way in which, for example, the Secretary of State for Defence might have misused the fruits of interception. That climate may be a little less heated now, but it still exists, as do the misgivings.

The misgivings must have been heightened by the surreptitious publication, immediately before Easter, of the terms of reference of the three advisers, which accompanied a written answer in this House. That was information which the House was able to know about and to raise only because of information supplied, not to this House, but to journalists, by the Prime Minister's press secretary, the notorious Mr. Ingham, an ex-Labour candidate for Leeds city council. Fortunately, the electors of that ward showed good sense at the time.

Mr. Brittan: Is the right hon. Gentleman unaware of the fact that a written answer was given, and that therefore the reference to the Prime Minister's press secretary is wholly inappropriate?

Mr. Kaufman: No reference to the Prime Minister's press secretary is wholly inappropriate.

The right hon. and learned Gentleman knows very well that there was a planted question, with an answer which did not provide the terms of reference. It was only the fact that a number of journalists at No. 10 Downing street applied for and were given the information, and were then good enough to let Members of Parliament see it, that enabled us to see it in time. *[Interruption.]* There is no point in the Minister of State getting into a great fuss about it. These are the facts, and are known to be facts. That is one of the reasons why a great deal of the comment could not be made until after Easter. But what emerges—this is extraordinarily important—is that——

Mr. Brittan: May I interrupt the right hon. Gentleman?

Mr. Kaufman: I shall readily give way to the Home Secretary, but I wish first to complete this passage. In the Bill we have been dealing with the question of subversion. Earlier this evening, when we were seeking to redefine subversion, we emphasised that it was a subjective definition based upon the hazy Lord Harris definition of 10 years ago. That criterion, which can govern the decision of the Home Secretary to issue a warrant, is now affected by paragraph 1 of the terms of reference of the three advisers, where the words are:

"a subversive group, acknowledged as such by the Minister".

That means that it is the Minister who can define a subversive group to suit his own personal criteria.

The whole paranoia about subversion which has arisen under this Government in recent months is now being imported into definitions which will govern criteria which will permit the interception of communications under this legislation.

Mr. Brittan: Leaving aside the fact that the change announced in the written answer to which I have referred is on the lines of what was recommended by the Security Commission—a fact which the right hon. Gentleman conveniently ignores—I want to deal in this intervention with the specific misstatement by the right hon. Gentleman. He gave a picture of a bare written answer and the information about the terms of reference having to be winkled out of the Prime Minister's press secretary by assidious journalists. However, the Prime Minister's answer said:

"In the light of the Security Commission's report following its review of security procedures and practices in the public service . . . the terms of reference of the three advisers and the statements of procedure have been revised. I am arranging to have copies placed in the Library of the House."—[*Official Report*, 3 April 1985; Vol. 76, c. 621.]

[Mr. Britan]

That does not sound like the clandestine operation that the right hon. Gentleman mentioned.

Mr. Deputy Speaker: Order. We seem now to be straying somewhat from the contents of the Bill, and it is the contents of the Bill that are in order on Third Reading.

Mr. Kaufman: Thank you, Mr. Deputy Speaker. If you will permit me, before moving on I shall respond very briefly to what the Home Secretary said. To give a written answer with a reference to something that can be obtained in the Library, but which is not available to hon. Members who read the answer, is not the same as making the information plainly and clearly available simultaneously with the answer to the House of Commons.

We all know what happened. The answer was put out by the Prime Minister just before she left for her weird tour. She hoped that it would be submerged by the Easter press, because, of course, there are no newspapers on Good Friday — something well known to the Prime Minister through her press secretary. The Home Secretary's answer will not do. We know that he is a craven apologist for the Prime Minister, but that answer does not go far enough.

The Home Secretary has said that it will be all right, because the Security Commission has proposed something. The Security Commission does not sit at the top of Mount Sinai. We do not have to accept what it says as being like the Ten Commandments. The Prime Minister can decide for herself, if she wishes to do so.

The terms of reference, which are so germane to the Bill which the House will be asked to pass within a few minutes, are far wider than anything that has existed previously. The terms of reference have widened the definition of a public servant. They include a list, which did not exist before, of people who are liable to be sacked as security risks. The list covers people in the public service, the United Kingdom Atomic Energy Authority, including British Nuclear Fuels plc and United Kingdom employees of URENCO Ltd., the Civil Aviation Authority, British Telecom——

Mr. Deputy Speaker: Order. I am sorry to interrupt the right hon. Gentleman, but I must ask him to set a good example to the House by returning the Bill.

Mr. Kaufman: I am talking about criteria which will govern the definition of subversion and decide whether a warrant can be issued under clause 2(2)(*a*). That is being widened by the document which the Government did not exactly publish but which was made available to the Opposition through the assistance of certain journalists of good will.

The Bill goes far too wide. In addition, parliamentary accountability will consist simply of a report to the House following the report by the commissioner. Proper accountability through the House—that is accountability of the commissioner appointed by the House to a Select Committee of the House—does not exist.

There are two areas of very wide concern. One relates to the criteria which make the Bill a telephone tappers' charter, as I said on Second Reading. The other is the total failure of the Government to take the opportunity of this legislation at long last to bring the security services under some form of parliamentary accountability when the fear has been throughout that elements in the security services are operating in a way not known to the Home Secretary.

The Home Secretary may well have made a quickie investigation, but that does not begin to meet the misgivings of many people outside the House as well as many Members inside the House. Although we have secured some improvements in the Bill during its passage, it is for those reasons that we regard the Bill as so unsatisfactory that we shall vote against it tonight.

9.39 pm

Mr. Douglas Hogg: I rise in the Third Reading debate to make a few short comments on the Bill—

Mr. Robert Kilroy-Silk (Knowsley, North): They may well be short.

Mr. Hogg: I heard what the hon. Gentleman said. They may be short, but the example of his right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) is not encouraging. He appears to be anxious to lose the Opposition's prayer, perhaps because the prayer is largely without merit so he does not want it to be discussed. However, that is by the way.

The Bill is a very important and useful step forward, in that it enshrines in statute practices which had previously not been statutory. It sets out in statutory form the circumstances in which a warrant may be issued. It defines the practice in statutory form, and, for the first time, it provides an effective review system. All those things represent a great step forward, and I am sorry that the Opposition are so churlish as to say that they will vote against the Bill.

Having said that, I believe that there are at least four respects in which the Bill can be improved. The first is the point that I made to my right hon. and learned Friend the Home Secretary. I do not see why, where a person has had his phone or mail intercepted unlawfully, and thus there is an offence under clause 1, he should not have the right to claim compensation. I hope that the Home Secretary will consider that matter with a view to making possible changes in another place.

Mr. Deputy Speaker: Order. I am sorry to interrupt the hon. Gentleman, but he is now talking about what he would like to see in the Bill. What he must now discuss is the contents of the Bill itself.

Mr. Hogg: I am grateful to you, Mr. Deputy Speaker. The second specific point is the definition in clause 2, which sets out in statutory form the circumstances in which a warrant may be issued. The Home Secretary has sought to define the circumstances that justify it — national security and so on. It is a pity that he has not felt able to include a slightly more precise statutory definition of the circumstances in which the warrant may be issued. I should like to have seen that done.

The third point relates to the power of the tribunal. I share with the hon. Member for Newcastle-under-Lyme (Mr. Golding) a certain amount of disappointment about that. When a person believes that there has been an interception, he has a right to go to the tribunal to make a complaint. The tribunal's powers are limited by clause 7. In particular, the tribunal does not have the power to say that there has been an offence under clause 1. I regret that omission. I hope that the matter will be looked at again in another place.

My final point relates to clause 9. It is the point about which I feel the greatest concern. Clause 9 provides that under no circumstances may evidence be adduced in a court or tribunal which shows that an offence under clause 1 has been committed or, indeed, shows that there has been an offence under clause 2. As a general proposition, I bitterly oppose any legislation which prevents people from adducing relevant evidence in court. That seems to be objectionable in principle. It is an extension of the law and has never been the case before. Until the Bill becomes an Act, people can adduce evidence to show that warrants have been issued. They are able to show that tapping has taken place. However, for the first time, under clause 9 that will no longer be possible. I am against that in principle.

I am prepared to accept that there may be a case for saying that the presumptions are against the adducing of such evidence, but I believe that there should be a residual power in either the court or the tribunal to cause such evidence to be admitted in exceptional circumstances. I deeply regret that the Minister of State, when I raised this matter in amendments two weeks ago, could not meet me on any point that I put to him. I very much hope that when the Bill goes to another place clause 9 is scrutinised with the greatest of care. I should be pleased if amendments came back to this place which would alter the nature of clause 9.

However, this is an important step forward. I do not want to derogate from it. The Bill can be improved. Notwithstanding that, it is a very welcome development.

9.44 pm

Mr. Maclennan: I shall follow the example of the hon. Member for Grantham (Mr. Hogg) and speak extremely briefly. He passionately expressed his opposition to clause 9—opposition which, as he knows, I wholly share. I consider that to be a sufficient reason in itself for voting against the Third Reading of the Bill. I and my hon. Friends in the Liberal party and the Social Democratic party will vote against it for that and for other reasons.

It was surprising that when the Home Secretary introduced the debate he did not refer once to the real provenance of the Bill—the finding of the European Court of Human Rights that the British system of telephone tapping is outside the law, that we are therefore in breach of the European convention on human rights and that because our system is based upon administrative rules, not upon the law of the land, something has to be done about it.

There is no certainty that the passing of the Bill will necessarily bring us wholly within the four corners of the convention. It has to be admitted that the necessary requirements were not spelt out in the Malone case, which led to the adverse ruling against this country. However, in the Klass case against the Federal Republic of Germany, control over the exercise of Executive discretion was considered in some detail. Although I acknowledge that the Bill marks a step forward, it does not go nearly so far as the legislation in the Federal Republic and is most notably defective in the provision that it makes for paliamentary scrutiny of what is happening.

I accept that the Bill contains a provision for an annual report to be made to Parliament. However, I do not believe that it amounts to real and effective control. I opposed the concept of a single commissioner of high judicial office and proposed instead that this review function ought to be conducted by senior Privy Councillors, some of whom have experience of exercising discretion and who have a tie with Parliament. I believe that that would have been a better procedure. I hope that another place will consider that point. For those reasons, my right hon. and hon. Friends and I will vote against the Bill.

9.47 pm

Mr. Eldon Griffiths: What has come out of our debates is general agreement that interception is necessary in the interests of freedom and security. It is a step forward that all parties have said that clearly. The Bill legitimates the interception of communications. Therefore, I very much welcome it. It provides, for the first time, a legislative sanction. The House is determining how this practice should henceforth be applied. Previously, it has been a matter of prerogative and practice. Now, it is a matter of statute. I congratulate my right hon. and learned Friend the Home Secretary on that achievement.

My right hon. and learned Friend has also introduced two novel and important safeguards: first, the commissioner; and, secondly, the ability of the citizen to have the Home Secretary's decision overturned and compensation provided. That is an extension of civil liberty.

My last point is that during our discussions nothing has seemed to me to be more peculiar than the attitude adopted by the Opposition Front Bench. If the right hon. Member for Manchester, Gorton (Mr. Kaufman), who spoke for the Opposition, felt so strongly about the iniquities of telephone tapping without the proper safeguards, the review procedures of a Select Committee and the thousand and one additional amendments to which he referred this evening, why on earth, when he was in government, did he do nothing about it? That is the essential difference between the Opposition and this Government. When the opportunity presented itself, this Government provided an extension of civil liberties and parliamentary sanction for the Bill. The Opposition have done nothing but complain, even though they did nothing about it when in office. Now they have the humbug to complain when the Government are putting this Bill on the statute book.

9.49 pm

Mr. Stuart Holland (Vauxhall): I shall address myself briefly to the content of the Bill. How will it affect, for instance, my constituent Carol Brickley, who, according to this month's *Monochrome*, as a prominent activist of the City Anti-Apartheid group had her telephone tapped and transcripts passed to the South African embassy? This is allegedly based on information from an MI5 officer on the lines of the Cathy Massiter revelations.

First, did the Home Secretary authorise that tap and, if so, did he know that the information was to be passed to a foreign embassy? If not, will he inquire into the matter? Finally, does my constituent have redress under the Bill by applying to the commissioner or the tribunal—and if not, why not?

9.50 pm

Mr. Norris: It would be churlish for anyone on either side of the House not to welcome the Bill, for at least three good reasons.

First, much to the surprise of Members on both sides, an offence of unlawful interception is being created for the first time. It is extraordinary how many members of the

[Mr. Norris]

public are amazed and appalled that no such offence now exists and that this important statutory safeguard for the public is being provided for the first time.

Secondly, having introduced a ten-minute Bill towards the end of last Session, on the Law Commission's recommendations on breach of confidence, I was especially pleased at the introduction of a civil remedy as a vital adjunct to the criminal provisions in the Bill.

Thirdly, and especially significant in the light of the "20/20 Vision" film, which coloured earlier proceedings on the Bill to a large extent, anyone who claims to have been unlawfully subject to interception in that way will now be entitled to have a commissioner investigate the case and a tribunal decide that the tapping was completely unlawful. That is a very significant advance.

For those three individually significant and collectively extremely important reasons, it would be churlish indeed not to welcome the Bill.

Mr. Dickens *rose*——

Mr. Norris: Despite my hon. Friend's alacrity in springing to his feet, I must detain the House a little longer, as I have two major reservations about the Bill.

First, clause 1 still clings to an unnecessarily restrictive definition of interception. After all our deliberations on the Bill, we are left with the ludicrous situation in which telephone tapping and interception of mail are covered, but surveillance by any other means is not covered. Far be it from me, Mr. Deputy Speaker, to stray into matters not covered by the Bill. One is obliged to point out, however, that the Bill covers precious little and to suggest that it is a safeguard against the whole process of unlawful surreptitious surveillance is inaccurate so long as the Bill assumes that such surveillance is carried out only through telephone tapping or the interception of mail.

Secondly, the procedure outlined in clause 2, whereby warrants for interception will be issued by the Home Secretary, is still deeply unsatisfactory because it continues the fundamental error of failing to distinguish between the judiciary and the Executive. Other European Governments have found no difficulty in making that distinction—not, as is sometimes asserted, because their judicial systems are different, because their judges have a different role or because their courts undertake different functions. There are precedents in this country for search warrants, for instance, to be issued on a judicial basis. The real answer, I suspect, is that where there is a will to achieve such a system a way can be found, but it is clear that there was no such will in the content of the Bill.

While we are considering the limitations of the power of the tribunal and the commissioner, I must point out to my hon. Friends — I address my hon. Friends in particular because this is not a party political issue and the freedoms being protected in the Bill are far too important to be considered on a party political basis—that clauses 7 and 8 set out the procedure by which the tribunal and the commissioner will work.

Hon. Members may be interested to recall that when Lord Bridge was asked to review the way in which authoritisatons had been issued in the past, after various recent allegations in the press, he was able to complete the onerous task in a weekend. That shows how restrictive are the terms for the tribunal and the commissioner. They can only ensure that the warrant has been properly applied for and that the criterial established under the legislation are met. They are not concerned with the broader principles of natural justice. Such considerations are beyond the scope of this limited Bill.

There are many important new safeguards in the Bill which we should all welcome. I shall have no difficulty at all in supporting the Government in the Lobby tonight. There is much in the Bill to welcome. However, the measure will not go far enough to dispel the public disquiet and concern aroused not only by the "20/20 Vision" film but by many other incidents over the years. The Bill will do something, but a great deal remains to be done, and I must add to the sentiments expressed by my hon. Friend the Member for Grantham (Mr. Hogg) the hope that in another place the Bill will be given the teeth that will enable it genuinely to dispel the public disquiet that has arisen.

9.58 pm

Mr. Cohen: According to a report that I have read, the secret services have a word identification machine which was used during the miners' strike. Unfortunately, someone decided to put on a word picket when the miners' phones were being tapped. The result was an unexpected mass picket on the machine, and it became overloaded. That is one example of abuse.

Many other abuses have been mentioned in the House during debates on the Bill and at other times. The Minister never comments on them. The answer is always that the matter is, of its nature, secret. That is a great excuse for a cover-up of incompetence, negligence or even political corruption on the part of the Minister, politicians or administrators.

There have been far too many abuses. We have heard about the tapping of the phones of the Campaign for Nuclear Disarmament and of trade unionists. The definition of subversion is too wide. It enables tapping, and other unsavoury activities that abuse civil liberties, to take place.

The Bill gives no definition of the national interest. The Minister says that the concept of national interest can be used in a variety of contexts. On Second Reading, he said that the concept was not unnecessarily imprecise. What is necessary about imprecision in a matter as important as the invasion of privacy and civil liberties? The judge in the Ponting case raised a serious issue when he equated the national interest with whatever the Government of the day wanted to do. That was dangerously wrong, as the jury thought.

The Home Secretary has said that even lawful activity can be regarded as subversive and against the national interest and that perfectly lawful tactics could be used to subvert our democratic system of government. That must be wrong. The definitions are so wide that the security service or Ministers can get away with virtually anything.

My right hon. Friend the Member for Chesterfield (Mr. Benn) hit the right note in Committee when he said that there is only one legitimate criterion for listening to or intercepting a person's telephone call——

It being Ten o'clock, the debate stood adjourned.

Ordered,

That, at this day's sitting, the Interception of Communications Bill may be proceeded with, though opposed, until any hour.

Mr. Cohen —that a crime is being, is about to be or is thought likely to be about to be committed. Once we

depart from what people do and include what they think, which is what subversion is all about, we are getting away from a basic principle on which British justice is supposed to be founded.

With warrants, the signature of one is an excuse for tapping perhaps hundreds or even thousands of telephones. With the extension to computer data, it is possible to get perhaps 50,000 personal records as well. The Minister said today that warrants are signed by a non-political Director General or a non-political Secretary of State. Was the signing of Mr. Cox's warrant non-political? Mr. Cox, the vice-chairman of CND, had his telephone tapped. If the Secretary of State is non-political, what is he doing duplicating the Director General's job? In those circumstances, he is effectively no more than a rubber stamp.

The extension of tapping to computer data, which the Bill allows, will permit a trawl of personal data. My amendment, which would have required the destruction of excess material, was not selected. In Committee, the Minister said that intercepted material will be limited to the minimum necessary.

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. The hon. Gentleman must not discuss amendments that were not selected.

Mr. Cohen: I am not, Mr. Deputy Speaker. The Bill provides for a massive extension of tapping to computer data. It should be explicit and ensure that excess material is destroyed rather than set up in files on people, which is the big brother technique.

The tribunal's powers are severely limited and many people will be denied the opportunity to right wrongs that have been done to them. There will be no proper parliamentary accountability. The idea of there being a Select Committee as an overseer has been rejected by the House. A secret budget of more than £1 billion a year has been reported, and the principle of no taxation without representation has been negated.

The abuses will go on. Policy will be changed and widened without proper debate, perhaps without the knowledge of the House, and the Bill will do nothing to stop that.

10.3 pm

Mr. Geoffrey Dickens: I shall not detain the House. This Third Reading is of immense importance to the country. There can be no user of a telephone who has not at some time felt, by the hum on the line, a crackle, a voltage drop or an apologetic interruption, that his line is being intercepted. How many of us say on the telephone, "We must not say too much. The telephone is not the best medium on which to discuss such things."

When constituents ask us what safeguards there are, we reply that the Home Secretary or a senior Cabinet Minister must sign a warrant. That warrant must be authorised by a chief constable or a deputy chief constable. A constituent may ask, "What if the Home Secretary is on the twelfth green? How can he sign if there is a suspected VAT or drugs offence, or vast frauds or security implications? How can we be sure that the Home Secretary or his alternative can be reached swiftly?" People are suspicious about the procedures that are followed, but when they are told that at present it is not a criminal offence to intercept someone's telephone calls, there is complete disbelief.

We are now on the Third Reading of a Bill which gives hope. I am appalled to think that the Opposition will vote against a measure which provides safeguards such as the tribunal and the commissioner. How can they vote against a Bill which they never had the guts to introduce when in government? It is quite disgusting. I have been saddened by the contributions of Labour Members. When they were in office, they did nothing at all. Yet for propaganda and political gain, they snipe at the Conservative Front Bench and at Conservative Back Benchers.

I shall watch with interest when they oppose the Bill, and I shall refer to that fact at the next general election. I shall also be interested to see how the minority parties vote. I shall note what Lobby they go into. Every sensible thinking person wants legislation to make the unlawful interception of someone's telephone an offence. The privacy of the individual still stands for something in this country, and the Conservative Government have provided the legislation.

10.7 pm

Mr. Peter Bruinvels: My hon. Friend the Member for Littleborough and Saddleworth (Mr. Dickens) speaks for the country, as I do, when we refer to the dangers for those whose communications are intercepted without lawful authority. I am glad that we have finally reached the Third Reading of the Bill. I sincerely believe that the Home Secretary will now follow the proper procedures as laid down by the House. As we already know, if decisions are not arrived at properly, they will be overturned.

Unlawful interception is a serious crime, but the nation's security must be properly protected. The procedures which have been discussed at length in Committee will be strictly adhered to, and I am confident that authorisation will be granted properly and in the interests of the state.

It should be remembered that the Bill was the result of a commitment by my noble Friend Viscount Whitelaw. It was the Malone case which pointed to the necessity for such a measure. That case was of great interest to the country and to the Government. Even before the European Court gave its judgment, it was of particular concern to me, because Mr. Malone lives near me.

It is lawful to intercept in order to prevent crime. That view must be supported. The Bill will ensure that United Kingdom law is in line with articles in the European Convention on Human Rights. We need such a legal framework. Many people have been crying out for it for years, but nothing came from the Labour Government. A Conservative Government have restored the balance, and I am confident that this framework, which I believe the public will come to accept and respect, is reasonable.

We need the legislation to ensure that interception can be used where necessary to protect society. However, interception must be lawfully carried out, I am sure that it will not be used all the time. I also believe that the public will finally grow accustomed to it. There are no new powers in the Bill. Indeed, in some cases it will restrict powers. Many previous Home Secretaries have authorised the carrying out of interception. Any unauthorised interception will now be a criminal offence. That is to be welcomed, and I would have thought that the Opposition would welcome it rather than vote it out.

No warrants will be issued without authority. I have been worried about warrants being issued, but I am happy that they will be issued for the purposes of the Bill—

[Mr. Peter Bruinvels]

that is, in the interests of national security, to detect serious crimes and for the economic well-being of the United Kingdom. Warrants will be issued in the same way as at present—that is, by my right hon. and learned Friend the Home Secretary. Some newspapers were worried about intercepting material, but it was needed for authority. The intercepted material needed to be examined. The tribunal will have the proper redress to examine what is happening. That is right, and the revelations are all right. I shall support the Bill.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 255, Noes 105.

Division No. 186] **[10.15 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amess, David
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Robert *(South Ribble)*
Atkinson, David *(B'm'th E)*
Baker, Rt Hon K. *(Mole Vall'y)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Benyon, William
Bevan, David Gilroy
Bigga-Davison, Sir John
Blackburn, John
Body, Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Braine, Rt Hon Sir Bernard
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brooke, Hon Peter
Bruinvels, Peter
Bryan, Sir Paul
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butler, Hon Adam
Butterfill, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Carttiss, Michael
Cash, William
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Cockeram, Eric
Conway, Derek
Coombs, Simon
Cope, John
Corrie, John
Couchman, James
Cranborne, Viscount
Critchley, Julian
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
Dunn, Robert
Durant, Tony
Dykes, Hugh
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forth, Eric
Fowler, Rt Hon Norman
Fox, Marcus
Fraser, Peter *(Angus East)*
Freeman, Roger
Gale, Roger
Galley, Roy
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Goodhart, Sir Philip
Goodlad, Alastair
Gorst, John
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Ground, Patrick
Hamilton, Hon A. *(Epsom)*
Hamilton, Neil *(Tatton)*
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Hawkins, C. *(High Peak)*
Hawkins, Sir Paul *(SW N'folk)*
Hawksley, Warren
Hayes, J.
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Jenkin, Rt Hon Patrick
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jones, Robert *(W Herts)*
Jopling, Rt Hon Michael
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Key, Robert
King, Roger *(B'ham N'field)*
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lee, John *(Pendle)*
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, John
Maclean, David John
McQuarrie, Albert
Madel, David
Malins, Humfrey
Maples, John
Marlow, Antony
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Mills, Iain *(Meriden)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Moate, Roger
Monro, Sir Hector
Moore, John
Morris, M. *(N'hampton, S)*
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Murphy, Christopher
Needham, Richard
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Norris, Steven
Onslow, Cranley
Osborn, Sir John
Page, Richard *(Herts SW)*
Parris, Matthew
Patten, J. *(Oxf W & Abdgn)*
Pattie, Geoffrey
Pawsey, James
Peacock, Mrs Elizabeth
Percival, Rt Hon Sir Ian
Porter, Barry
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Raffan, Keith
Rathbone, Tim
Rhodes James, Robert
Rhys Williams, Sir Brandon
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rowe, Andrew
Rumbold, Mrs Angela
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Spence, John
Spencer, Derek
Spicer, Michael *(S Worcs)*
Stanley, John
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stradling Thomas, J.
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Thompson, Donald *(Calder V)*
Thornton, Malcolm
Thurnham, Peter
Tracey, Richard
Trippier, David
Trotter, Neville
Twinn, Dr Ian
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Walters, Dennis
Wardle, C. *(Bexhill)*
Warren, Kenneth
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitfield, John
Whitney, Raymond
Wilkinson, John
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Younger, Rt Hon George

Tellers for the Ayes:
Mr. John Major and
Mr. Mark Lennox-Boyd.

NOES

Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Ashdown, Paddy
Ashton, Joe
Atkinson, N. *(Tottenham)*
Barron, Kevin
Beckett, Mrs Margaret
Beith, A. J.
Bennett, A. *(Dent'n & Red'sh)*
Blair, Anthony
Boyes, Roland
Brown, Gordon *(D'f'mline E)*
Brown, N. *(N'c'tle-u-Tyne E)*

Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Canavan, Dennis
Clark, Dr David *(S Shields)*
Clay, Robert
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Coleman, Donald
Cook, Robin F. *(Livingston)*
Craigen, J. M.
Cunliffe, Lawrence
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dormand, Jack
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eastham, Ken
Evans, John *(St. Helens N)*
Fatchett, Derek
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Flannery, Martin
Foster, Derek
Foulkes, George
Freeson, Rt Hon Reginald
Freud, Clement
Golding, John
Gould, Bryan
Hamilton, James *(M'well N)*
Harrison, Rt Hon Walter
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
John, Brynmor
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kilroy-Silk, Robert
Kirkwood, Archy
Lamond, James
Leighton, Ronald
Lewis, Terence *(Worsley)*
Lloyd, Tony *(Stretford)*
McGuire, Michael
McKay, Allen *(Penistone)*
McKelvey, William
Maclennan, Robert
Madden, Max
Marek, Dr John
Meadowcroft, Michael
Michie, William
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
O'Brien, William
O'Neill, Martin
Park, George
Pavitt, Laurie
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Redmond, M.
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Short, Ms Clare *(Ladywood)*
Short, Mrs R. *(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, Rt Hon J. *(M'kl'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Stott, Roger
Strang, Gavin
Thomas, Dr R. *(Carmarthen)*
Tinn, James
Torney, Tom
Wallace, James
Wardell, Gareth *(Gower)*
White, James
Wilson, Gordon
Winnick, David
Wrigglesworth, Ian

Tellers for the Noes:
Mr. Robin Corbett and
Mr. John McWilliam.

Question accordingly agreed to.

Bill read the Third time, and passed.

Television Licence Fee

10.23 pm

Mr. Robert Kilroy-Silk (Knowsley, North): I beg to move,

That an humble Address be presented to Her Majesty, praying that the Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment) Regulations 1985 (S.I., 1985 No. 490), dated 25th March 1985, a copy of which was laid before this House on 27th March, be annulled.

I regret that it is necessary to have this debate in the shadow of what is probably the greatest threat there has ever been to public service broadcasting, the BBC and television standards. The threat is represented by the inquiry announced by the Home Secretary of 27 March, to be conducted by Professor Peacock, into an assessment of the effects of the introduction of advertising or sponsorship on the BBC.

This is the wrong inquiry and it is being chaired by the wrong man. It is the wrong inquiry because it is clearly based on the assumption that advertising on the BBC would be appropriate and acceptable, when it clearly would not be. It is also based on the assumption that the introduction of advertising on BBC television or radio is the only source of funding for the BBC other than the licence fee. But it is not the only other source.

If the Government were really concerned about the future of broadcasting, let alone the future of public service broadcasting, if they were serious about the way in which our broadcasting system should be financed, and if they were concerned to develop a proper, coherent strategy for broadcasting, they would have commissioned an inquiry into communications policy generally for the whole of the United Kingdom.

As it is, this inquiry is a shoddy cop-out and it represents the price that the Home Secretary has been prepared to pay to, as he believes, achieve the objective of satisfying some of his hon. Friends who want to see a reduction in the influence and the services provided by the BBC as well as an increase in advertising.

Mrs. Elaine Kellett-Bowman (Lancaster) *rose*——

Mr. Kilroy-Silk: I do not intend to give way to the hon. Lady. I know what she wishes to say, and I shall be coming to it.

It is the wrong inquiry and, as the hon. Member for Lancaster (Mrs. Kellett-Bowman) wishes to remind me, I said that it was also chaired by the wrong man.

Mrs. Kellett-Bowman: That is the remark on which I wanted to comment.

Mr. Kilroy-Silk: I am afraid that the hon. Lady will not get the chance to say what she wishes to say in that case, because I am trying to protect the interests of those of her hon. Friends who wish to speak in the debate in the hour that is left to us, many of whom have asked me to make a brief speech so that they may do so.

The inquiry is chaired by the wrong man because, although Professor Peacock may be an estimable and worthy man, he is also well known for his free market views, for his support of laissez-faire economics and for his advocacy of such Tory measures as education vouchers. His views do not inspire confidence in either his objectivity or his impartiality on the issue with which he has been entrusted. Added to that is his public criticism of the licence system as a means of raising revenue for the BBC and his stated public tolerance of advertising on the American television networks.

Given that kind of track record, it is no wonder that such a man should have been chosen to hold the inquiry, and it is small wonder that many individuals in broadcasting, especially in the trade unions involved in broadcasting, feel that the inquiry is biased in favour of advertising and that the report could well have been written already.

It is difficult to avoid the suspicion that the Government and Professor Peacock have already arrived at their conclusion and that Professor Peacock is the man who has been chosen to make those recommendations and implement those proposals. It is difficult not to see the hand—on this occasion the malign hand—of the Prime Minister behind this proposal and this inquiry.

Of course, the Prime Minister is supported by the more philistine, unthinking and avaricious among her Back Benchers. Nothing was more disturbing and offensive than to witness the baying ranks of PR Tory Members of Parliament three weeks ago emitting clear spite, hostility and vengeance towards the BBC. They seem to be motivated by nothing more than vindictiveness towards public broadcasting, hostility to the BBC, and greed for what they see as the rich pickings likely to be had if advertising is introduced into BBC television or radio.

I say again that the Opposition are implacably and fundamentally opposed to the introduction of advertising on BBC radio or television.

Mr. David Maclean (Penrith and The Border): Why?

Mr. Kilroy-Silk: Because we believe that it would damage the BBC, the independent television network and the rest of the media.

Mr. Maclean: How?

Mr. Kilroy-Silk: I should expect the hon. Gentleman to have done sufficient homework to be able to answer his own questions. As he has not, let me answer them for him. It would damage the BBC because it would inevitably lead to a lowering of standards, not just on BBC television but on independent television, and to producers and schedulers of programmes pandering—even if only unconsciously—to what they regard as the interests and demand of advertisers. They would tend to fashion their programmes and their scheduling to forms for which advertisers are prepared to pay the most. Inevitably, producers and programme devisers would respond to the lowest common denominator in establishing their programme priorities.

The hon. Member for Penrith and the The Border (Mr. Maclean) is no longer asking why or how. He seems to be easily satisfied. There would be a drive by the BBC to win bigger audiences, because that means bigger advertising rates, which means greater revenue. There would therefore be more worthless, philistine and superficial programmes. The consequence would be the type of appalling distasteful television which many of us have witnessed to our great dissatisfaction and which disfigures the screens of American television but which, apparently, according to the public record, Professor Peacock admires.

Nor does the Labour party accept that the introduction of advertising—even on one part of the BBC during a limited period of the day, on any of the BBC channels—would be tolerable or acceptable. Once advertising is

allowed — whatever its form and however minute or marginal it is — it will be irresistible in future. Home Secretaries confronted by a broadcasting corporation needing an increase in the licence fee to meet that demand would extend the allowable amount of advertising. There would be irresistible pressures to extend and increase advertising every time the BBC asked for increased financial support. That would be an easy option that few Governments could resist.

The introduction of advertising not only would lead to a lowering of standards in the BBC and independent television companies and to more demands for even greater advertising but would damage irreparably the independent television companies, commercial radio and local newspapers. The Home Secretary has acknowledged that implicitly in the inquiry's terms of reference and during the debate when he announced the increase in the licence fee and the setting up of the inquiry.

Clearly, there is a risk that the introduction of any form — however minute — of advertising on BBC radio or television would substantially erode the financial viability of independent local radio, local newspapers and, in many ways, independent television companies. Many of them would face the prospect of severe financial difficulties, if not bankruptcy, because the advertising cake is limited. That is not my assertion; it is the assertion of Sir Denis Forman, the chairman of Granada Television, and Rodney Harris — *[Interruption.]* I understand what the Government are saying. Of course Rodney Harris has a vested interest. That does not mean that his opinions are right or that they are wrong. I am merely quoting his opinion.

Many others make that assertion — not just the chairman of Granada or Rodney Harris, the media director of the advertising agency that started this whole debate. During the past two weeks, that agency has confirmed that many independent local radio stations may face substantial difficulties if advertising is allowed on the BBC. Saatchi and Saatchi has spoken clearly about the risk to independent local radio. Many small radio stations and local newspapers would be bankrupted if advertising were allowed.

I suppose that all those individuals could be tarred with the brush of having a vested interest, but, as I have said, that is no reason to disbelieve what they have to say or to suggest that their judgment is suspect. I presume that the Minister of State does not have a vested interest. If he does, perhaps he will declare it.

Speaking in the late night debate on 19 December, 1984, the Minister made out a strong, powerful and compelling case against the introduction of advertising on the BBC. He talked about feast and famine in the margarine industry. I am not sure of its relevance, but he clearly went on to say:

"It is by no means certain that advertising revenue will continue to grow at the same rate as in the past 10 years. In fact, ITV revenue this year looks certain to fall short of the £1,000 million forecast for 1984, even though only two or three months ago it seemed likely"—

Mr. Patrick Thompson (Norwich, North): On a point of order, Mr. Deputy Speaker. There is nothing about television advertising in the regulations.

Mr. Deputy Speaker (Mr. Ernest Armstrong): The Chair will decide what is relevant to the debate.

Mr. Kilroy-Silk: The Minister of State said:

"ITV revenue this year looks certain to fall short of the £1,000 million forecast for 1984, even though only two or three months ago it seemed likely to reach that figure."—[*Official Report*, 19 December 1984; Vol. 70, c. 507.]

He then went on to talk about the sharp downturn in adverising revenue and how there would be great difficulties for the ITV companies if the BBC took the major share of the cake. He spoke about competition from the BBC obliging the independent companies to take a reduction in their revenue.

If any Conservative Members are worried about the likely consequences for all our media of the introduction of advertising on the BBC, they will see no more compelling or convincing case than that presented by the Minister.

Those are clear, good, compelling and practical reasons why we should be careful about any proposal to introduce advertising on the BBC. They are important and must be taken into account. Leaving them aside, however, the Opposition resort to the arguments of principle. I reaffirm that there will be no circumstances in which the Labour Government who will be elected at the next election will allow advertising on BBC radio or television.

Mrs. Kellett-Bowman: On a point of order, Mr. Deputy Speaker. Could the hon. Gentleman be persuaded to deal with regulation 2? It relates to the increase in fees, which is of great anxiety in the north-west.

Mr. Deputy Speaker: The hon. Lady knows that that is not a matter for me.

Mr. Kilroy-Silk: As you will be aware, Mr. Deputy Speaker, but as the hon. Lady and the hon. Member for Norwich, North (Mr. Thompson), who intervened earlier, do not seem to know, we are talking about regulations that deal with the financing of the BBC. As part of the statement about the increase in the licence fee to which these regulations give effect, the Home Secretary announced the setting up of an inquiry whose terms of reference were to study the feasibility of obtaining the licence fee revenue which will be obtained by the order by means of advertising.

It is reasonable and acceptable, therefore, when discussing the financing of the BBC, to talk about the alternative means that the Home Secretary clearly has in mind, but which the Opposition feel would not just be damaging to the BBC, ITV and the media generally but would be completely unacceptable and indefensible in principle.

Mr. Richard Tracey (Surbiton) *rose*——

Mr. Kilroy-Silk: I shall not give way. We accept that as the licence fee increases so it becomes more regressive and burdensome on low-income individuals and families. It represents, for example, a high proportion of the income of pensioners.

Many of our pensioners, particularly those living alone, are very dependent on television. Many of them are housebound; many are inactive, ill or disabled. Indeed, it has been said that they watch 20 per cent. more television than other viewers do. It is clearly unjust that after this order has been passed by the House they should be required to pay £58 to have the privilege of watching television, while many other pensioners, because they live in sheltered housing accommodation, pay no more than

[Mr. Kilroy-Silk]

5p. That is clearly wrong. It is a very deep and serious cause of resentment and bitterness. It is indefensible and cannot be accepted.

It is also wrong and unjust that hotels pay the same £58 to provide 15 television sets; they pay exactly the same price as one pensioner living on a single pension. We have the ability to change that and we should have the will to change it.

Many pensioners—hon. Members on each side have the letters and representations at their surgeries—[HON. MEMBERS: "Where are they?"] They are watching the football. Many pensioners are deeply anxious and distressed about their ability or inability to find the money that is required to pay the licence fee so that they can watch television not just in comfort but without guilt and without breaking the law. We recognise that, as the Home Secretary and the Government do not, and we shall therefore phase out the television licences for pensioners. We shall not be prepared to tax pensioners in order that they may have the benefit of watching television in their own homes.

We accept that that will cost the Treasury about £320 million a year, and no doubt the Minister, when he responds to the debate, will pour scorn on the amount of money that we are prepared to provide so that pensioners should have the ability to watch television without having to pay the new exorbitant fee. Yet, if we put this in the context of other tranches of £325 million, the comparison is not perhaps as odious as the Minister may attempt to make out.

In order to give all our pensioners a free television licence next year, we have only to take out seven months of the cost of the Trident programme. *[Interruption.]* It is a clear choice. This House has the power——

Mr. Eldon Griffiths (Bury St. Edmunds): On a point of order, Mr. Deputy Speaker. While I heard very clearly your correct observation to the House that it is, of course, entirely for the Chair to determine the rules of order, may I draw your attention to the exact text of the order before us?

Mr. Deputy Speaker: May I remind the House that the debate must finish at 11.30 pm? Therefore, I ask for brevity. The hon. Gentleman should know that I have considered the order very carefully. We are discussing an increase in fee. All that has been said is relevant as to where the money comes from, the cost, and other matters.

Mr. Griffiths: With respect, Mr. Deputy Speaker, you indeed are the very last person whom I would wish to challenge. I would, however, respectfully say to you that the order before us contains two elements—first, the title of the regulations, and, secondly and quite specifically, the increase in charges. It does not deal with advertising; it does not deal——

Mr. Deputy Speaker: Order. I have the same respect for the hon. Gentleman as he has expressed for me. I have considered the order very carefully, and all that has been said about advertising, the cost and where the money comes from, in my view is relevant.

Mrs. Kellet-Bowman: And very boring.

Mr. Deputy Speaker: I ask for great brevity, because the debate will finish at 11.30 pm.

Mr. Kilroy-Silk: This is a matter for a clear political decision, which can and should be taken by the House of Commons. Hon. Members on the Government Back Benches are entitled to take the view that they would rather spend £325 million on the purchase of a Trident missile system. *[Interruption.]* We do not share that view. We believe that that kind of money could be much better spent on providing the facility of a free television licence for pensioners.

The £325 million that would be required to implement our promise to give free television licences to pensioners is also less than the Government's current spending on production support for surplus cereals. Can any hon. Member defend the expenditure of more money on producing and storing food that no one wants or consumes——

Mr. Deputy Speaker: Order. The hon. Gentleman is trying the patience of the House. He must not list in detail the alternatives that the money is being spent on.

Mr. Kilroy-Silk: With respect, Mr. Deputy Speaker, I think you will understand that it is very difficult to make a speech, given the constant barracking and harassment of Conservative Members. *[Interruption.]* They are making my point again. I think you would also accept that as we are debating regulations which will increase the licence fee paid by all our constituents, it is reasonable and in order in that context to refer to people who can least afford to pay that licence fee. Surely, then, it is in order to meet the argument that will be deployed by other hon. Members later in the debate by drawing comparisons between the large cost of implementing this promise and other expenditure that I would regard as non-essential. In the light of the examples I have given—and I could give many others—we believe that providing free television licences for pensioners at that price is a bargain that we are prepared to pay and that I am sure they would welcome.

We want to preserve the integrity of the BBC and to maintain the standards of public service broadcasting. We want to preserve the economic viability of the independent television companies, of independent local radio and, indeed, of local newspapers. We want also to protect the political independence of the BBC from the philistinism, the avarice and the greed that will be demonstrated tonight by Conservative Members. All of those things that we wish to protect are under threat from the Government. It is our mandate to defend them and we will continue to do so.

10.47 pm

Mr. Mark Carlisle (Warrington, South): The hon. Member for Knowsley, North (Mr. Kilroy-Silk) took 24 minutes in a debate which must end at 11.30 pm. I shall try to be brief. His speech was typical of what one expects to hear from Opposition spokesmen on Home Affairs matters. It was memorable for the total lack of support that he had from his own Benches. His offensive remarks about those who happen to disagree with him were also typical.

I was at least glad to hear that the hon. Gentleman does not propose to divide the House. I hope that the regulations will go through without a Division, because I believe my right hon. and learned Friend the Home Secretary is right in his decision. I hope that he will have the support of the House.

I want briefly to make four points. First, it is a fact that the BBC as a service has to be paid for. When one considers all the services provided by the BBC on television and radio, the fact that they are provided at a cost per day of less than would buy a copy of the *Daily Mirror* or *The Sun* shows that it is good value for money. That is the view of the vast majority of people. Speaking for myself, I have had one letter expressing concern since my right hon. and learned Friend made the statement about the increase in the licence fee. It may be the fact that it costs more to post one letter than to pay one day's licence fee for the BBC.

Secondly, I am interested to see that the right hon. Member for Manchester, Gorton (Mr. Kaufman) has chosen to leave the Chamber. I do not blame him. I am not surprised that he has put up the monkey rather than the organ grinder to speak tonight. Frankly, the shameless vote-catching pledge given on 27 March by the right hon. Member for Gorton, claiming that if the Labour party were returned there would be no television licence free for old-age pensioners, is a disgrace, and Labour Members know it. According to the right hon. Member for Gorton, who has disappeared, not only are they opposed to any form of advertising, but it will not be provided out of general taxation. The real honest pledge for the Labour party to make if it wishes to go forward as the party that believes in freedom of information is to announce tonight not that a vote for Labour is a vote for free television licence for old-age pensioners, but that a vote for Labour is a vote for an £88 licence for everyone else. That is what it would mean.

My third point is that there is concern among old people about the cost of the television licence, because it has to be found as one sum. When he replies, I hope that my hon. Friend the Minister of State will give encouragement and support to the BBC by making it possible for the television licence to be paid for on a weekly or monthly basis. If it were paid for in that way, old-age pensioners would find it easier than finding the sum in one go.

My final point is about the inquiry that my right hon. and learned Friend the Home Secretary has proposed. I do not object to the inquiry. Personally, I would regret it if the BBC were to be financed by advertising. It is arguable that the BBC has gone wider than it should. I was a members of the General Advisory Council of the BBC when it started out into local radio. I questioned its wisdom then, and I still question it today. It is an area that could be covered by the commercial interest, but that has been done, and, in fairness to the BBC, it has been done successfully. I questioned whether it was right to go into breakfast television. That is a very small part. It is right that any inquiry should look at the role of the BBC and ask whether it is right that what one might call the peripheral areas should be financed in the way that they are.

I say to my right hon. and learned Friend the Home Secretary that I believe that the central thrust of the BBC, which seems to me to be its national programmes on television and radio, has enhanced the standard of television. Those programmes have enhanced it generally. If we were to turn to having them financed by advertising, it would be to the detriment of the standard not only of the BBC but of ITV. I do not dispute the need to look at sponsorship and other matters, but I hope that I shall not see the day when my right hon. and learned Friend invites the House to support advertising as a means of financing what I would call the BBC's basic services.

10.53 pm

Mr. Clement Freud (Cambridgeshire, North-East): I shall try to be as brief as the right hon. and learned Member for Warrington, South (Mr. Carlisle), with whose views I largely agree.

Many years ago a young man went to a police station and told the sergeant on duty that there were some workmen dressed up as Oxford undergraduates digging up Piccadilly. He then went to the foreman of the workmen digging up Piccadilly and told him that there were some undergraduates dressed as policemen who were going to try to arrest them for wrongfully digging up the road. He then stood by and watched the most tremendous fight between the police and the road workers. That is very much what the Labour party has done on this matter. The Labour party is so void of ideas that it has tabled a prayer for no other reason than to cause trouble among Her Majesty's Government.

It is right for the House to realise that. One is sorry to intrude upon private grief. Nevertheless, this is a prayer. Whereas reading it on the Order Paper made it sound like an agnostic prayer, having heard it, it is more like an atheist prayer. It is supported by three Opposition Members, and when it was presented by the hon. Member for Knowsley, North (Mr. Kilroy-Silk) he totally ignored the Wireless Telegraphy (Broadcast Licence Charges and Exemption) (Amendment) Regulations 1985, against which he was praying.

When the Labour party was in government between 1974 and 1979, it had every opportunity to cut or abolish the licence fee for old-age pensioners. During the four or five years in which Labour Members had the opportunity to do that they did absolutely nothing, but now that they are in opposition they say, "Let us save £320 million". This is no more than a charter to rent a grannie. If there were legislation whereby pensioners would not have to pay a licence fee, all that would happen is that everybody would find a pensioner who would somehow apply for a licence.

When the Labour party was in government it did not even undo the 5p licence for pensioners in warden-controlled accommodation. It would not have been difficult for that to be done. The excellent Annan report said:

> "Moreover, other elderly people who were not eligible for the licence considered that it favoured those who were already favoured by living in a home or in accommodation with the services of a warden."

The Labour party is wasting the time of the House on what is nothing more than a villainous little prayer, by which it is trying to make trouble. It is total humbug.

I am in favour of the continuation of the television licence in order to preserve the independence of the British Broadcasting Corporation. I would not like commercials to be shown on the BBC. God help us if people cannot have one channel, or preferably two, on which they can watch programmes of quality that are not interrupted every few minutes. Those who watched the open golf championship in America and found that every few minutes the action of play was interrupted by yet another commercial know how appalling it is to be unable to watch quality television without interruptions. If this prayer should come to a vote, and I hope that it does, as does the right hon. and learned Member for Warrington, South, my right hon. and hon. Friends and will not support it.

10.58 pm

Mr. Robert B. Jones (Hertfordshire, West): The 25-minute speech of the hon. Member for Knowsley, North (Mr. Kilroy-Silk) convinced me, if I needed to be convinced, that there is a thought-free zone opposite. On a subject so important as the financing of the BBC it is appropriate that we should spend the scarce time that is available to us upon the key issues. It is a pity that when Parliament is provided with only a very limited opportunity to debate the BBC—about once every three years—it does not discuss the issues at stake.

This debate is largely about the size of the licence fee, not whether advertising should be allowed. I am content to await the outcome of the inquiry that has been set up by my right hon. and learned Friend the Home Secretary, although I disagree in principle with my right hon. and learned Friend the Member for Warrington, South (Mr. Carlisle). At my instigation a debate was held shortly before Christmas on the possible alternatives which I hope will be considered by the inquiry.

This debate is also not about the editorial content of BBC programmes. My view has certainly never been conditioned by any criticism in that respect. On the contrary, many of the BBC's programmes are excellent, but that is not to say that some ITV programmes are not excellent, too.

I have two main reservations about the present situation. The first concerns the period within which the inquiry is to report. I believe that August 1986 stretches the time limit beyond all reason. If the report were to be available at the end of the two-year period—that is, by March 1986, in time for implementation in the year ending March 1987—that would go a long way to reassure me. Perhaps my right hon. and learned Friend the Home Secretary will be able to apply some pressure in that direction.

The second main issue is the fee. Two factors are involved. First, the increase is greater than the predicted rate of inflation not just over the two-year period but over three years, if we are to take my right hon. Friend the Prime Minister at her word, as I certainly do. That lends credence to the view that the BBC, like many institutions, will be less rather than more committed to improving efficiency. The argument that inflation in broadcasting is higher than in the economy as a whole is a self-fulfilling prophesy. We must encourage the BBC, like any other institution, to create less inflation than in the economy as a whole and thereby help to reduce inflation in the economy as a whole. Much of the extra inflation in broadcasting is in fact due not just to overmanning in the BBC but to overmanning and restrictive practices in the IBA as well. That is one reason why, contrary to the view of my right hon. and learned Friend the Member for Warrington, South, I believe that it is important to have competition for advertising.

Secondly, the principle of the BBC licence fee has declined in legitimacy. In the days when the BBC provided a monopoly service, it was an easy equation for the punter to decide whether the service was worth the fee, but that situation changed with the advent of the BBC-IBA duopoly. Since then, technical change has brought cable television and it will shortly bring satellite television. Furthermore, many people now use their television sets to play video recordings which may have nothing whatever to do with BBC or, indeed, ITV broadcasts. Yet the licence fee must still be paid. I therefore question the legitimacy of the BBC having a monopoly of funds from this source when it is no longer responsible even for the majority of the service to people with receivers.

I hope that my right hon. and learned Friend the Home Secretary will consider those two reservations. He may be able to reassure me on the time scale, but I remain profoundly worried that he has gone along with an inflation figure greater than that for the economy as a whole.

11.3 pm

Mr. David Winnick (Walsall, North): I wish to make just two points.

First, provoked to some extent by the hon. Member for Cambridgeshire, North-East (Mr. Freud), who spoke on behalf of the Liberal party, I wish to mention the problems of elderly people living on their own. Labour Members believe that there is every justification for ensuring that a concessionary television licence fee is available for such people. For many elderly people, particularly those getting on into their seventies, television is not just entertainment but a link with the outside world, especially during the winter months. I believe that it is right to have other concessionary schemes for the elderly such as the bus pass, and I hope that no one is suggesting that this should be discontinued. If any Tory Members think that it should be, they should say so to their constituents. If we accept that it is right to have schemes for the elderly, then I believe they should pay a much much smaller fee than the proposed £58 for a colour television licence. Such a scheme will be introduced in due course, if not by this Administration and thereafter no Government will dare withdraw it.

I am strongly opposed to any attempt to introduce advertising in BBC transmissions. Only a few months ago my hon. Friend the Member for Bassetlaw (Mr. Ashton) introduced a Bill that would have had that effect, but it was defeated, mainly with the help of Labour Members. There is no enthusiasm in the country for advertising to be introduced on to the BBC. In the main, viewers welcome the opportunity to be able to watch television without having to suffer commercial breaks, and sometimes quite long ones.

There seems to be a lobby for advertising on the BBC on the Conservative Benches, but I welcome the remarks that have been made so far by Conservative Members who are opposed to it. I am sure that others want to argue the case for the introduction of advertising on to the BBC.

Whatever my criticism of the BBC—I was certainly critical of it during the previous general election because I do not believe that it was as free from prejudice as it should have been—it would be madness to undermine the professional excellence, independence from advertising and wide esteem, leaving aside political matters, in which the BBC is held in Britain and by so many abroad. We have had public service broadcasting for many years and anything that will erode the service that it provides, such as advertising, should be fiercely resisted. I hope that the Home Secretary and his Cabinet colleagues will resist the undoubted pressure from the Conservative Benches for the introduction of advertising into BBC transmissions.

11.7 pm

Mr. Tim Brinton (Gravesham): My hon. Friend the Member for Hertfordshire, West (Mr. Jones) questioned

the need for a licence fee for the BBC. I suspect that we shall attempt closely to consider and scrutinise what the licence fee revenue should be used for, and that we shall be unable to do so without discovering what new finances would do for all other broadcasting.

The hon. Member for Cambridgeshire, North-East (Mr. Freud) described the prayer as "villainous", a word which has been called into question. Perhaps it would be more apt to describe it as evil. If it were carried, it would condemn the BBC to a licence fee of £46, or perhaps nothing. It would certainly provide for no increase. However, Labour members have sought to defend the BBC. This is almost unbelievable. Why should such mischief be caused by those who are the defenders of the BBC?

The hon. Member for Walsall, North (Mr. Winnick) referred to concessions for old-age pensioners. He did so without regard to their means. Not all old-age pensioners are on the basic old-age pension. Some of them, including retired Prime Ministers, are quite well off and can afford to pay a BBC licence fee. We should protect old-age pensioners and the needy by providing a DHSS test to ensure that a concession is given to those who need it most. We must help the needy and reform the present system, but we must consider closely the entire broadcasting system if we are to contemplate change.

The £58 fee is becoming too high a target for too many people. The average income is stretched to find such a sum once a year. I applaud what has been said about weekly or monthly payments, which are a way round it, but we must ask whether we should use a compulsory tax, called a licence fee, to provide bread and circuses, chocolates and light entertainment, to quite the extent that the BBC does. We should ask whether we want the BBC to go into every new piece of electronic progress. Such issues must be considered when we are discussing the financing of the BBC and the rate of the licence fee.

I am adamant that any attempt to make the BBC advertise would be doomed to failure in terms of the quality of the BBC's programmes and the rest of the advertising world. That is not the way forward, but the Peacock committee will take evidence from many people. The way forward is to be constructive and to question whether, with multi-choice, people are prepared to pay a compulsory levy. We must ask whether we should find some other means, such as a subscription, and back up a base licence fee set at a reasonable level with payments for services.

Time is short and I have gone on for too long. I hope that this is the first of many debates on the future of public service broadcasting.

11.10 pm

Mrs. Elaine Kellett-Bowman (Lancaster): When the increased fee was announced on 27 March the opposition to the increase was strong on this side of the House. I am astounded that the hon. Member for Knowsley, North (Mr. Kilroy-Silk) scarcely dealt with the hardship that will arise for the old and other low-paid people in the north-west if the increase goes ahead. I am astounded, if the rumour is correct, that the Opposition do not intend to divide the House. If they do not believe in the regulations, to which the hon. Gentleman hardly referred, they should at least have the courage to stand up and vote. As it is, precisely two Labour Back Benchers are present.

I should like some information about how the BBC is spending its money. I should like to know whether it is true that 200 members of BBC staff or, as has been suggested in another newspaper, a mere 140, are to cover the snooker championships in Sheffield. If so, why should the elderly and low-paid in my constituency pay for such gross overmanning? I agree entirely with those of my right hon. and hon. Friends who have said that there should not be such overmanning.

Advertising is not the only alternative. Economy should be the watchword. If the BBC is to economise, it should do so not on invaluable services, such as overseas broadcasting, but on the frills. It should concentrate on what it does so well and leave the rest to others. I am utterly opposed to the increase in the fee and hope that there will be a Division so that hon. Members who feel as I do can vote against the regulations.

11.13 pm

Mr. Peter Griffiths (Portsmouth, North): When the regulations increasing the licence fee to £46 were introduced, I gave notice that I would not support any further increase in the fee unless there was clear evidence of the BBC actively seeking alternative sources of financing to cover at least part of its programmes. There is not the slightest evidence of such an attempt. The BBC has decided that it can rely on Parliament to provide it with a licence fee which will allow it to go on with its present programming.

It has been said consistently that there is something peculiarly British about the BBC and that there is an especially high quality which must be defended. One of the most significant television experiences of the past few months was "The Jewel in the Crown". That was not on BBC, which screened a cheap and nasty import called "The Thorn Birds." It was not on ITV that only a week or so ago a pop singer pulled down his trousers and exposed himself: that occurred on BBC, for which we are told that higher standards operate. It was not ITV which pirated a news broadcast only today; it was the BBC, whose standards are supposed to be so high that we would do damage if we introduced an element of the commercial.

My constituents believe that an increase in the licence fee to £58 is too much. That licence fee will operate for two years, and the Peacock committee will report in the meantime. Undoubtedly the BBC will claim, "We shall have to take a very long time considering and discussing it," and there will be yet another increase. That is unacceptable.

There should have been a simple, straightforward statement that the licence fee would be held at its present level, plus an increase of 5 per cent. for this year's inflation and that, within 12 months, the BBC should come forward with its own proposals for raising the rest of its revenue after that time. By doing so, we would have concentrated the BBC's mind wonderfully and seen the way ahead.

I trust that there will be a Division so that we can flush out Opposition Members who had the gross gall to talk about a concessionary licence fee when they know darn well that none of their hon. Friends is present to vote for it. I also hope that there will be a Division so that the 50 or more Conservative Members who signed an early-day motion opposing an increase in the licence fee will have a chance to show just how serious they are.

11.17 pm

Mr. David Maclean (Penrith and The Border): As a Conservative Member who signed the early-day motion, I came here fully intending to vote for the prayer, but when I heard the hon. Member for Knowsley, North (Mr. Kilroy-Silk) deliver his piece, I decided that there was no way in which I could go into the same voting Lobby as the hon. Gentleman.

I then discovered that the Opposition will not even press the prayer to a vote. The Opposition Front Bench are not supported by any of their Back-Bench colleagues. Tonight has been an exercise in sheer political humbug by the Opposition. They have promised the old-age pensioners that if they vote Labour at the next election they will not have to pay for a licence fee, without mentioning where the money will come from. We know that by the time the next election is held the Labour party's research department and all its pressure groups will have said, "Hang on a moment. There are others who ought to be included. What about the unwaged who are earning less than pensioners? What about those in the minority rights group?" In the end almost everyone will be exempt, and only 2 million people will be paying £200 a year for a TV licence. Labour's promise will be that everyone will be exempt and that the paternalistic Labour party will hand out free TV licences.

Two things concern me about the proposed increase to £58. First, it is three times above the rate of inflation, certainly in the two-year period, and above the predicted rate of inflation in the three-year period. I am one of those poor Back-Benchers who were not able to see the 200 pages of the Peat Marwick report which the BBC suppressed. There may be very good reasons why I should not be able to see it.

Mr. Brinton: In fact, the Peat Marwick report was published and placed in the Library, with one or two bits left out.

Mr. Maclean: I apologise if 200 pages were not suppressed, but perhaps the one or two bits that were left out would have helped hon. Members to conclude, "Yes, we will vote for a £58 licence fee." It is no good the BBC saying, "Trust us, we are efficient and we need this for our future expansion and development. Here are the reasons, but we shall not tell you why," especially when Peat Marwick Mitchell had to step in the day after the report was published to correct some of the misleading information which had been issued by the BBC. So much for high standards of reporting and broadcasting.

Secondly, I believe that the time scale is slightly too lax. I welcome what my right hon. and learned Friend has done. I called for an inquiry into the scope, nature and financing of the BBC. The inquiry is to be welcomed, and I congratulate my hon. Friend on initiating it. It is not appropriate for us to talk in depth about advertising in the BBC or other forms of sponsorship. The inquiry must determine that. I am worried that after the inquiry reports in August 1986 there will be months of consultation, it will be found appropriate for the Government to issue a Green Paper, and we shall then discover that we are in the run-up to a general election or that a new licence fee is required. That would be iniquitous. I agree that we should then say to the BBC, "I am sorry, but we shall cut off your licence fee and impose a new system." We must give it a run-in, and to do that we must have a shorter inquiry and a full investigation of the BBC. Let us find a system so that we can put into force alternative methods of funding by the time of the next licence fee inquiry.

I must tell Opposition Members that my right hon. and hon. Friends and I also wish to see pensioners and the low-paid exempt from the fee. The way to achieve that is not to force others to pay an exorbitant fee, but to freeze the fee at its present level while we find alternative methods of propping up the BBC's finances. We must be fair to everyone and not dish out licences like a social service. If the hon. Member for Knowsley, North and his two hon. Friends who remain present have any courage or political integrity, they will force the issue to a vote. They should not go round the country afterwards saying, "We put down a prayer which opposed the terrible increase in the licence fee and, oh, if only you had voted for us we would have given you free television licences". That would be deplorable. They should have the courage to vote tonight.

11.21 pm

The Minister of State, Home Office (Mr. Giles Shaw): I regret that, because we have lost some time, it will not be possible to hear further speeches from my right hon. and hon. Friends, many of whom wished to participate. The debate is being held in the most absurd circumstances possible — on a prayer, with few performers in the church. The remarks of the hon. Member for Knowsley, North (Mr. Kilroy-Silk) were scarcely worth noting, except for one passage in which he quoted accurately from a rather brilliant speech that I made in December on these issues. I found that thoroughly acceptable, and recommend it to my hon. Friends.

The important speeches have come entirely from this side of the House. I face the ranks of Tuscany, and happily they are not evident. Those of my hon. Friends who have taken the issue seriously from the word go, have once again demonstrated their genuine anxiety about the progress of the BBC's financing.

The Government's role in judging what should be a correct settlement of fee occurs every three years under the present arrangement. During that period there will inevitably be considerable pressure about what a Government should do at the vital moment of reappraisal. I thank my hon. Friends who have made their views known loudly and clearly. It is certainly in view of all that they have said that my right hon. and learned Friend has made this year's settlement of such a special character.

First, I shall seek to justify to my hon. Friends the size of the increase that has been made. I fully understand that an increase from £46 to £58 cannot be accepted easily, especially by those who are living on fixed incomes. However, as I suspect my hon. Friends are aware, the three-year licence settlement which preceded this proposal means that, at the end of the period, the corporation was running not at a £46 licence fee equivalent, but at a £51 licence fee equivalent. That is inevitable if one seeks to establish a flat fee for a long period. During the first year the corporation was running at about £50 million below the licence fee generation, during the second it was equal to that generation, and in the third it exceeded that generation.

It is perfectly true that during that period the corporation was also increasing its services and seeking to offer greater value for the money that it was asking the viewer to pay—as many Conservative Members would wish. It is not reasonable for my hon. Friends to say that

the job of the Government is to produce a licence fee and then to determine how to manage the BBC. There is no way in which the House, or indeed the Government, would wish to run the corporation and take over the role of the governors and the executive. I do not believe that that is what Conservative Members wish.

However, hon. Members expect the Government to provide for the next period major changes in the way in which the corporation should use its licence income, partially because they recognise that there is a significant alteration in the efficiency and productivity of the corporation. Therefore, my right hon. and learned Friend suggested that an independent inquiry should be held into its efficiency, and Peat Marwick Mitchell reported. I should make it clear that the £58 fee now proposed requires the corporation, bearing in mind its application for £65, to run the existing services at a higher rate of productivity than that which Peat Marwick Mitchell recommended in its specific objectives. It will require the corporation, which said in its application that a £60 licence fee equivalent is required to run existing services, to create a further improvement in productivity.

Secondly, when it comes to making a further extension, whether it be in development or in new services, the corporation must find existing services that can be covered by internal efficiencies and savings.

Therefore, during the next three-year period for which the licence fee has been set, there will have to be significant changes in the productivity and efficiency of the corporation. My hon. Friends were anxious to ensure that that should be part of the settlement, to determine once and for ever that there is no divine right suddenly to determine by application that the fee requested should be accepted under the threat that there would be major changes in what the corporation must do. The fact remains that the fee settlement, in relation to what the corporation sets out to do, is extremely tough. As Mr. Milne said to us the other day, having to forgo £350 million worth of revenue during a three-year period has required the corporation to take seriously into account the requirements for improved productivity and efficiency.

To deal with the licence fee period, my hon. Friend the Member for Hertfordshire, West (Mr. Jones), who I thought made a most trenchant contribution to the debate, asked about the time scale of Peacock and the relevance of the two or three-year licence period. I remind him that my right hon. and learned Friend the Secretary of State, in his licence fee statement, said:

"I have therefore decided that the present licence fee settlement should be for a period of two years with the intention that any possible changes in the system of financing broadcasting should be considered in the light of the committee's report before the licence fee falls to be further renewed. But if decisions cannot be made in the light of the report within two years, or if it is decided there should be no change to the system, this settlement will run for a third year with the licence fee continuing at the rates I am announcing today."—[*Official Report*, 27 March 1985; Vol. 76, c. 480.]

I hope that my hon. Friend recognises that there is a possibility—I trust that it will be more than that—of the Peacock committee's report running to time, which means that it will be published by the middle of next year. That would influence the third year which my right hon. and learned Friend announced on 27 March. I fully accept the importance that my hon. Friend attaches to that objective.

My hon. Friend and several other hon. Members asked about the inflation rate. I must tell him that the inflation rates within the television industry are substantial, as he will know. The House must recognise that this is not wholly of the corporation's making. There is a large question mark over the pressures on costs that are presently exerted in the ITV system. Hence, the Government's review of the structure of the levy could have an important role to play, because the terms of reference of that review suggest that we are not entirely satisfied that the present structure of the levy does not result in cushioning ITV companies against resisting cost pressures. That, too, will be an important consideration when we consider further financing objectives for the corporation.

Finally, in reaction to the Peacock committee, many of the comments made have referred to whether there should be change. But what I trust the debate has demonstrated beyond doubt is the crucial importance that this matter be properly examined. My right hon. and learned Friend the Member for Warrington, South (Mr. Carlisle) was right to say that the Peacock committee's examination must be done carefully, not rashly or wantonly. I assure the House that the Peacock committee, in its terms of reference, has been given a wide range of options, which will ensure that many of the propositions that have been suggested by hon. Members in their anxiety to move quickly to advertising in this or that section of the corporation will be taken on board by the committee and by the Government. The Government, not the corporation, will receive that report, and the corporation, I point out to my hon. Friend the Member for Portsmouth, North (Mr. Griffiths), is not a party to the decision-making of that committee. That is the way in which we shall examine this matter.

With a licence fee settlement that, at the very best, is to remain unchanged for three years, and has been arrived at with a much tougher rein on the productivity and efficiency of the corporation, with the Peacock committee genuinely looking at alternative sources of funding——

It being half-past Eleven o'clock, MR. DEPUTY SPEAKER *put the Question, pursuant to Standing Order No. 4 (Prayers against statutory instruments, &c. (negative procedure)).*

The House divided: Ayes 9, Noes 290.

Division No. 187] **[11.30 pm**

AYES

Dicks, Terry	Stevens, Lewis *(Nuneaton)*
Harris, David	Whitfield, John
Jones, Robert *(W Herts)*	
Kellett-Bowman, Mrs Elaine	Tellers for the Ayes:
Maclean, David John	Mr. Peter Griffiths and
Maxwell-Hyslop, Robin	Mr. Eldon Griffiths.
Shepherd, Richard *(Aldridge)*	

NOES

Adley, Robert	Bellingham, Henry
Aitken, Jonathan	Bendall, Vivian
Alexander, Richard	Biffen, Rt Hon John
Alison, Rt Hon Michael	Biggs-Davison, Sir John
Amess, David	Blackburn, John
Ancram, Michael	Blaker, Rt Hon Sir Peter
Arnold, Tom	Body, Richard
Ashby, David	Bonsor, Sir Nicholas
Aspinwall, Jack	Bottomley, Peter
Atkins, Rt Hon Sir H.	Bottomley, Mrs Virginia
Atkins, Robert *(South Ribble)*	Bowden, A. *(Brighton K'to'n)*
Atkinson, David *(B'm'th E)*	Bowden, Gerald *(Dulwich)*
Baker, Rt Hon K. *(Mole Vall'y)*	Boyson, Dr Rhodes
Baker, Nicholas *(N Dorset)*	Braine, Rt Hon Sir Bernard
Baldry, Tony	Bright, Graham
Batiste, Spencer	Brinton, Tim
Beith, A. J.	Brittan, Rt Hon Leon

Brooke, Hon Peter
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Buck, Sir Antony
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butler, Hon Adam
Butterfill, John
Carlisle, John *(N Luton)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Chalker, Mrs Lynda
Channon, Rt Hon Paul
Chapman, Sydney
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Colvin, Michael
Conway, Derek
Coombs, Simon
Cope, John
Corrie, John
Couchman, James
Cranborne, Viscount
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dunn, Robert
Durant, Tony
Dykes, Hugh
Edwards, Rt Hon N. *(P'broke)*
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Finsberg, Sir Geoffrey
Fletcher, Alexander
Forman, Nigel
Forth, Eric
Fowler, Rt Hon Norman
Fox, Marcus
Fraser, Peter *(Angus East)*
Freeman, Roger
Freud, Clement
Gale, Roger
Galley, Roy
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Goodlad, Alastair
Gorst, John
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Grist, Ian
Ground, Patrick
Grylls, Michael
Hamilton, Hon A. *(Epsom)*
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hawkins, C. *(High Peak)*
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Heseltine, Rt Hon Michael
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howell, Rt Hon D. *(G'ldford)*
Howell, Ralph *(N Norfolk)*
Hubbard-Miles, Peter
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Jenkin, Rt Hon Patrick
Jessel, Toby
Johnson Smith, Sir Geoffrey
Jones, Gwilym *(Cardiff N)*
Jopling, Rt Hon Michael
Joseph, Rt Hon Sir Keith
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Peter, *(Fareham)*
Lord, Michael
Luce, Richard
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacGregor, John
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
McNair-Wilson, P. *(New F'st)*
McQuarrie, Albert
Madel, David
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marlow, Antony
Marshall, Michael *(Arundel)*
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Meadowcroft, Michael
Mellor, David
Merchant, Piers
Meyer, Sir Anthony
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Moate, Roger
Monro, Sir Hector
Moore, John
Morris, M. *(N'hampton, S)*
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Murphy, Christopher
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Norris, Steven
Onslow, Cranley
Oppenheim, Rt Hon Mrs S.
Osborn, Sir John
Page, Richard *(Herts SW)*
Patten, J. *(Oxf W & Abdgn)*
Pattie, Geoffrey
Pawsey, James
Percival, Rt Hon Sir Ian
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Prior, Rt Hon James
Proctor, K. Harvey
Pym, Rt Hon Francis
Raffan, Keith
Rathbone, Tim
Rees, Rt Hon Peter *(Dover)*
Rhodes James, Robert
Ridsdale, Sir Julian
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Sayeed, Jonathan
Scott, Nicholas
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shelton, William *(Streatham)*
Shepherd, Colin *(Hereford)*
Shersby, Michael
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Sir Dudley *(Warwick)*
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Spence, John
Spencer, Derek
Spicer, Jim *(W Dorset)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Stanley, John
Steel, Rt Hon David
Steen, Anthony
Stern, Michael
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stewart, Ian *(N Hertf'dshire)*
Stokes, John
Stradling Thomas, J.
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Temple-Morris, Peter
Terlezki, Stefan
Thatcher, Rt Hon Mrs M.
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thornton, Malcolm
Thurnham, Peter
Tracey, Richard
Trotter, Neville
van Straubenzee, Sir W.
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Wall, Sir Patrick
Waller, Gary
Walters, Dennis
Ward, John
Wardle, C. *(Bexhill)*
Warren, Kenneth
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wheeler, John
Whitney, Raymond
Wiggin, Jerry
Wilkinson, John
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*
Younger, Rt Hon George

Tellers for the Noes:
Mr. Carol Mather and
Mr. Robert Boscawen.

Question accordingly negatived.

PETITION

Transport Bill

11.42 pm

Mr. Roy Hughes (Newport, East): I have been a Member for more than 19 years, and I have never before presented a petition. The fact that Gwent county council has asked me to present this petition on its behalf shows that the county of Gwent is concerned about the proposals in the Government's Transport Bill. The petition is signed by the chief executive of the council, Mr. Michael Perry, and by the council's chairman, Mr. Viv Etheridge.

The petition points out that if the proposals are implemented there will be fewer services, less reliability, and little, if any, co-ordination. The council fears

the possible withdrawal of the Council's concessionary pass scheme for the elderly and the disabled, and its replacement with a less flexible token based scheme.

Likewise, the council fears

lower standards of vehicle safety and maintenance and inadequate resources for enforcement purposes.

The petition goes on to say:

There are wider aspects to the proposals. Gwent is an area of high unemployment and low car ownership. Public transport fulfils important environmental, social and economic functions, the loss of which would be felt by all sections of the community. In particular, the loss of mobility for the non car owner will reduce job opportunities, which in turn will frustrate efforts by new companies to recruit and maintain their work forces. Business and the community as a whole will therefore suffer.

Wherefore your Petitioners pray that your honourable House reject any legislation to implement the proposals of the White Paper on "Buses" and the Transport Bill.

And your Petitioners as in duty bound will ever pray etc.

To lie upon the Table.

Post Office, Pontarddulais

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lennox-Boyd.]*

11.45 pm

Mr. Gareth Wardell (Gower): I am grateful for the opportunity to make known, in the stongest terms the opposition of the people of Pontarddulais to the closure of their sub-post office at Bolgoed road.

I raised the matter on the Floor of the House on 28 February this year during the annual Welsh affairs debate. I then pointed out that the Post Office has a code of practice for the closure of post offices, which is supposed to take into account six factors. None of those factors seems to have been considered in relation to Bolgoed road post office, which serves people up to two miles away who will now have to walk 2½ miles to collect their pensions, benefits and stamps, because there is only one other office to cope with their business. They will have to join existing queues for service at that other office. Most of the people affected are pensioners who will have to negotiate a long hill into Pontarddulais. There is no regular or reliable bus service.

The closure will take place despite the fact that Pontarddulais is scheduled in the local plan, following the efforts of the local chamber of trade and County Councillor Gareth Williams, for further development.

There are six ways in which the code of practice should operate in favour of Bolgoed road post office. I have received over 100 letters from people in Pontarddulais protesting at the closure and asking me to do what I can to prevent it.

I shall read just three of those letters, which are short, to the point and representative, to illustrate the hardship that the closure will create. Miss E. Williams of 49 Bolgoed road states:

"May I make the following observations in connection with the closure of Bolgoed Road Post Office.

1. In recent years there has been such a great deal of additional building of houses, e.g. Pentre Road and the new Council Houses in Pantiago (which also cater for infirm and disabled persons), that the above-named Post Office has served not only the upper end of Pontardulais, but also these new estates.

2. Planning permission has also been granted for a new site for approx. 80/90 houses on the old Brickworks in Bolgoed Road, which would mean further business for this Post Office.

3. Speaking on a personal basis, my Sister (an old-age Pensioner) is Blind and the only time she ventures out is to collect her Pension on a Thursday. The other residents of this road watch out for her so that they may help her across the road. This is her only walk of the week and she feels she accomplishes something herself by collecting her Pension. There is no way she would be able to walk down to the Dulais Road post office.

4. As I work from 8.0 a.m. to 5.0 p.m. and have to travel, there is no way I can collect her pension from the Dulais Road Post Office, and this would mean I would have to collect it on a Saturday morning.

5. At present the queues in the Dulais Road Post Office are not conducive to Old Age Pensioners, many of whom find it difficult enough to walk distances and then have to stand for a long time.

Surely, in this day and age, when there are so many Pensioners, it is ludicrous to even suggest closing a Post Office which serves so many people so well. Also, when so many people now purchase stamps for electricity, gas, television, etc., this again is a service, and should be preserved."

The second letter comes from Mr. Victor Davies, of 11 Twyniago road, Pontarddulais. He says:

"Dear Sir,

[Mr. Gareth Wardell]

As regards the closing of Bolgoed street Post Office, Pontardulais, this will mean to the wife and myself three quarters of a mile walking, as there are no buses available. We both are pensioners and are over 83 years old, 'registered disabled' persons, and unable to walk only very short distances. How we are going to manage I don't know. We have no children, and no relations at hand."

The third letter is from Mr. W. B. Jones, of 208 St. Deilo street, Pontarddulais. He says:

"I am in total agreement with not closing Bolgoed road sub-post office. My wife prior to her death was the sub-postmistress there for many years and I have some knowledge of how convenient it was for the aged, a few who are blind and many who suffer the malady of rheumatism, etc. Add to this the people who now live in sheltered homes, now opened in this area, the new housing estate at Pentre road with its young mothers and children, etc., then one can see where opposition against such closure stems from. I also cannot see what the 'Crown Office' in Swansea would save by this closure, for it is the Sub Postmaster himself who pays the rent, rates and other overheads appertaining to the business, not the Crown Office. The office in Dulais road is not a 'Crown Office' but another 'sub-office' . . . but with the closure of Bolgoed Road he would obviously get a higher remuneration, the saving to the 'Crown Office' would be minimal and would do nothing to alleviate the catastrophe of larger queues on the short and narrow stretch of road which is used by buses and other vehicles. It would mean the appointment of traffic wardens and even police at times, and our rates are high enough without this addition. So speaking as a healthy old age pensioner and for ones not so healthy, may your fight against this closure be victorious. We thank you for your help."

The Post Office document, "A Strategy for the Future", and Mr. Potter, chairman of Wales and the Marches Postal Board, speaking at the all-Wales conference on the closure of sub-post offices at Merthyr Tydfil on 15 February this year, said that urban sub-post offices must close so that the money saved can be spent on equipping Crown Offices with new technology, and on making them more attractive. The question is, attractive to whom? To the people in town who can already use a plethora of existing banks and building societies? One third of the Post Office's business is DHSS payments. Those customers need a local service. They do not want, nor can most of them afford, to pay bus fares to collect their pensions and benefits. The people of Pontarddulais tell me that they would sooner have their pensions and benefits paid into the bank than walk 2½ miles to collect it at the town post office.

Would the Minister, relatively young and fit as he is —and, at any rate as far as I can detect, free from arthritis and rheumatism—think it right that he should have to walk 2½ miles to collect his income each week? From his face, I note perhaps a lack of enthusiasm. Perhaps we are fortunate in this House not to have to walk many steps to enter the Members' post office. Yet this is the way the Post Office intends to expand its business, despite knowing that more and more of its customers are already opting for their pensions and benefits to be paid directly into their bank.

Mr. Potter said that if people use automatic telling machines outside post offices, they would go inside the post office to do other business. I disagree completely. People use automatic machines outside banks so that they will not have to queue inside, are not confined to one bank and can obtain cash outside bank hours.

The strength of the Post Office is its extensive local network. If people do not have a post office within easy reach, they will not use the service except to stock up on stamps. The attempt to turn post offices into banks will hasten their decline, not reverse it.

What about the social functions, supposedly laid down by statute, that the Post Office claims it cares about? Certainly the Post Office does not care about the social function of Bolgoed road sub-post office. The Post Office informed me in a letter dated 7 August 1984 that pensioners could nominate someone else to collect their pension. That showed a complete disregard of the morning spent on an hour's walk to the post office and back, with extra time spent chatting to friends on the way. That is what many pensioners do. Apart from the fact that they enjoy it, it is good for them to get out and be independent. That will be denied to the customers of Bolgoed road because they would have to walk too far, but the Post Office does not care. The Post Office does not take these social factors into account because to do so it would have to cost them, and that it has been unable to get right.

Mr. Potter says that these closures are taking place because of the financial limits which the Government have imposed on the Post Office. He said at Merthyr Tydfil that the Government had insisted that last year's profits of £70 million had to be invested in Government stock, and that those profits could not be used for development, but only the interest. The Post Office strategy document says that the Post Office must meet the Government demand of a 4 per cent. profit on turnover for the financial year 1984-85. It seems to me that the Post Office is being asked to do so with one hand—its profits—tied behind its back in Government coffers. Certainly it is to meet this financial requirement that the Post Office is closing 5 per cent. of its urban sub-post office network, despite the social cost.

I sent the letters that I received, over 100, to the Secretary of State for Trade and Industry for his examination. The reply I received from the Under-Secretary of State said that regretfully the Government's role was

"confined to broad issues of general policy and to matters of overall financial control";

therefore, the closure of Bolgoed road was a matter for the Post Office. I expect that the Under-Secretary will make the same response tonight. But I must tell him plainly that from the viewpoint of the people of Pontarddulais and mine that will not be a good enough answer.

Under the Post Office Act 1969, the Post Office became a corporate body responsible for its own actions. Clearly, if the Government's role is with broad issues of policy, and if the Government dictate how profits will be used, or in this case not used, then it is Government policy and Government action that determine what happens to local post offices. The Government cannot wash their hands publicly of the responsibility for closures which result from the policy they dictate and from their financial controls on the Post Office service.

The Government and the Post Office have underestimated the strength of opposition to the closure of sub-post offices. It is an issue that people feel strongly about because it affects their day-to-day living. The fact that over 100 people, representing, as families, well over 200 of my constituents in one part of Pontarddulais, took the trouble to put pen to paper, demonstrates how strongly people feel.

Therefore, even at this late stage, and despite the comments made in the House on Monday by the Minister

for Information Technology, I urge the Minister to reconsider his position and urge the Post Office to review the closure of the post office in Bolgoed road, Pontarddulais, I genuinely feel that the hardship to the people of that village in my constituency will be enormous and the service of which they will be deprived will make the quality of their lives poorer than it is at the moment, with the post office open.

12.1 am

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. John Butcher): I congratulate the hon. Member for Gower (Mr. Wardell) on his tenacity in fighting the case in which he so passionately believes on behalf of his constituents. I have examined the quite thick file of correspondence that he has initiated. Perhaps he himself, in fighting this case on behalf of his constituents, has gone some way towards making a significant contribution to the turnover of the Post Office. Of course, that was not his prime objective. His prime objective is to use our procedures legitimately and properly to raise a matter of considerable urgency.

The hon. Gentleman will have heard Ministers say from the Dispatch Box that they share his concern, or are equally worried about one phenomenon or another, but I say to him at the outset that there is hardly a Member of Parliament on either side of the Chamber who has not been faced with excruciating dilemmas similar to those which the hon. Gentleman exposed to us when deploying his arguments.

The hon. Gentleman described in some detail the efforts that he has made to persuade the Post Office that the Bolgoed road post office in his constituency should not be closed. It is, of course, quite right that he should have undertaken those efforts on behalf of those of his constituents who use that post office, and I can understand his disappointment over the fact that the Post Office has, nevertheless, decided to close that particular sub-post office.

The hon. Gentleman explained why he believes that that decision was wrong and why it should be reversed. However, as he rightly surmised, I am not able to comment on the particular circumstances of the particular case or to make any assessment of the Post Office's decision. Later I should like to flesh out that observation by pointing to the fact that there has been no change in the procedure adopted by this Administration compared with the procedure adopted by the previous Labour Administration. The hon. Gentleman has not raised the matter as a party political point. He has not sought to sensationalise the argument in political terms, and I shall not respond in that way. However, I am sure that if he were to examine later this week the number of closures by previous Administrations, and the way in which the policy has been implemented, he would find consistency, but it is that consistency that is upsetting his constituents at the moment.

My noble Friend the Parliamentary Under-Secretary of State for Trade and Industry, in his reply to the hon. Gentleman's letter of 11 March to my right hon. Friend the Secretary of State, said that he was unable to comment, and referred the correspondence to the chairman of the Post Office. That was not because he was being obstructive or unhelpful. He was following the clear and consistent policy of this Government and their predecessors on such questions, which are operational ones for the Post Office to decide on, and are not for the Government under normal circumstances.

It should be clearly understood that the Post Office is responsible for running the counters network and that decisions about individual post offices are operational ones for the Post Office and not for the Government. This is in accordance with the clear distinction, of which the hon. Gentleman is aware, between the respective roles of the Government and the Post Office Board. Since the Post Office was established in 1969 as a public corporation with its own board, it has been the policy of successive Governments, embodied in the relevent legislation, that decisions concerning the day-to-day management of the business are the responsibility of the board. The role of the Government is confined to broad issues of general policy and matters of overall financial control.

I think that the majority of right hon. and hon. Members of this House have constituents who are affected by post office closures. The hon. Gentleman's arguments are at this very moment being deployed in my constituency. Of course no post office closure is popular, because it will inevitably mean some inconvenience to people who will have to travel further to the nearest alternative. It is quite understandable that the average post office customer's primary interest is in the particular post office which he or she is used to going to and is concerned if a decision is made to close that office. But the Government are required to take a wider view.

As far as the network of post offices is concerned, the Government's interest and responsibilities relate to the network overall, and the Government considered the Post Office's proposals for the urban network where most of the controversy has arisen in this context.

The Government have frequently stated their recognition of the valuable role that post offices play in the economic and social life of this country. However, if the network of post offices is to continue to play such a role in the future it is vital that the Post Office, in running the network, should look to ways of improving its efficiency and effectiveness.

By its nature, the counters business is an operation that has high fixed costs, and the economics of running it depend heavily on the volume of business which is undertaken. I must stress that the Post Office is a commercial organisation, and it is under no illusions that it is owed a living. It recognises that there are effective competitive alternatives for many of the services available in post offices and is well aware that if the counters network is to retain existing business and win new business it must provide an efficient and cost-effective service at prices which customers are prepared to pay. The majority of the business undertaken at counters is, as the hon. Gentleman pointed out, work for Government Departments, public corporations and local authorities. They use the network because it provides a cost-effective way of meeting their requirements. It would be quite wrong to expect these agency customers to use the counters network irrespective of their costs, which are of course borne by their customers, taxpayers or ratepayers.

Since 1945, the Post Office has had a criterion of providing post offices in town areas at intervals of not less than one mile. This is not, and was never intended to be, a precise and inflexible standard. It represents what the Post Office has regarded as a reasonable balance between the service its customers would like and the costs involved.

[Mr. John Butcher]

The Post Office has not applied the criterion rigidly but has, over the years, made decisions about particular post offices in the light of local cirumstances. Up to the late 1960s the network grew as a result of new housing development population growth and growth in business. However, with some exceptions, closures were considered only when sub-postmasters resigned or retired and the distribution of population was not fully reflected in the provision of post offices. A review which the Post Office undertook in 1983 revealed an excess of about 2,000 offices against the general criterion. The excess of offices was particularly evident in the cities, especially the inner city areas.

The post office was, of course, aware that any proposals to tackle this excess of offices were bound to be unpopular and I think that it is to be commended in that it did not take the easy option of doing nothing but had the courage to draw up its proposals to reduce the number of post offices in urban areas.

The Post Office informed the Government about the outcome of the review and the proposals to reduce the size of the urban network. Our concern was to ensure that the proposals did not prejudice our commitment to the maintenance of a network adequate to enable the Post Office to fulfil its statutory duty as regards efficiency and economy and social needs. The Post Office's proposals included its intention to consult the National Federation of Sub-Postmasters, the Post Office trade unions and the Post Office Users National Council. It also confirmed that individual closure proposals would be subject to the existing code of procedure agreed with POUNC in 1981, and revised in January 1984 to include Crown offices, which provides for consultation with local interests before final decisions are made to close individual offices.

We were satisfied with the overall balance which the Post Office was seeking to strike between the needs of those whom it serves and the need for reasonable economy and efficiency, and that the proposals were not inconsistent with its statutory duty. That, however, is the extent of the Government's involvement. We are not involved in decisions which the Post office takes on particular offices, nor are we involved in the process of prior consultation.

That is the background. Perhaps I may now deal with some of the points which the hon. Gentleman made, although, for the reasons that I have given, my comments are of necessity general ones and not specific to the circumstances surrounding the Bolgoed decision. As I have said, the Government have to take the broader view and consider the network as a whole.

In undertaking the review of the urban counters network and in framing the subsequent proposals for reducing the size of the network, the Post Office's aim was to improve the efficiency and cost-effectiveness of the network. The Post Office is well aware that the closures are not popular, but it believes that the exercise is essential to secure the future of the network to the long-term benefit of the community. The Post Office has the Government's full support in that regard.

The hon. Gentleman expressed concern about the operation of the code of procedure setting out the process for the Post Office to consult local interests before closure decisions are made. That concern has been echoed by a number of hon. Members and I am bound to say that there may be disagreement about the interpretation of the code in some areas.

As I have said, the Post Office does not apply the 1-mile criterion rigidly and the code sets out the other factors which are taken into account. As well as the distance from other offices, it considers the amount of business done, the type of business and whether, for example, a lot of pensions are paid there, the difficulty customers would face in getting to another office—for example, whether there is a suitable bus service and whether there are steep hills—the ability of nearby offices to absorb additional work and the likely future development of the area.

The hon. Gentleman has gone through those factors and explained why he disagrees with the Post Office's assessment in the case of the Bolgoed road sub-post office. I am not in a position to make a judgment on whose view is the better one. Clearly any assessment is bound to be a mixture of fact and subjective judgment, but at the end of the day it is for the Post Office to make the decision. I am aware that the hon. Gentleman is not alone in his criticism of the consultation process, but a distinction has to be made between criticism of a decision and criticism of the route taken to reach the decision.

In more than 10 per cent. of cases the Post Office has withdrawn proposals to close offices following local consultation, so consultation has certainly not been a cosmetic exercise. I think that that is clear evidence that the approach is not rigid and inflexible and that the Post Office takes the consultation process, which is not a statutory requirement, very seriously. It listens to local views, and when it has been convinced by the arguments it has changed its mind. To describe the process as window dressing or a sham, as some hon. Members have suggested, is to do the Post Office a grave injustice.

With regard to powers to intervene, section 11(2) of the Post Office Act 1969 refers to directions of a general character to remedy a defect in the general plans or arrangements of the Post Office for the exercise of its powers. A particular closure decision clearly cannot be regarded as a general plan or arrangement.

The hon. Gentleman raised two or three other issues which, for the sake of further clarity, we may wish to pursue in further correspondence. I am grateful to him for raising an issue which has specific implications for his constituents but which is also a matter of general concern. I hope he will be reassured that we are aware of the issues and are anxious to respond in an appropriate manner.

Question put and agreed to.

Adjourned accordingly at fifteen minutes past Twelve o'clock.

House of Commons

Thursday 18 April 1985

The House met at half-past Two o'clock

The Clerk at the Table informed the House of the unavoidable absence, through illness, of MR. SPEAKER *from this day's sitting.*

Whereupon MR. HAROLD WALKER, THE CHAIRMAN OF WAYS AND MEANS, *proceeded to the Table and, after Prayers, took the Chair, as* DEPUTY SPEAKER, *pursuant to the Standing Order.*

PRIVATE BUSINESS

FELIXSTOWE DOCK AND RAILWAY BILL *(By Order)*

GREATER LONDON COUNCIL (GENERAL POWERS) BILL *(By Order)*

LINCOLN CITY COUNCIL BILL *(By Order)*

YORKSHIRE WATER AUTHORITY BILL *(By Order)*

Orders for Second Reading read.

To be read a Second time upon Thursday 25 April.

Oral Answers to Questions

AGRICULTURE, FISHERIES AND FOOD

Rosemaund Experimental Husbandry Farm

1. **Mr. John M. Taylor** asked the Minister of Agriculture, Fisheries and Food if he has any plans to pay an official visit to the Rosemaund experimental husbandry farm in the west midlands.

The Parliamentary Secretary to the Minister of Agriculture, Fisheries and Food (Mrs. Peggy Fenner): I have no plans at present to visit Rosemaund in the near future.

Mr. Taylor: Is my hon. Friend happy with the advice being given to farmers by ADAS on conservation generally and on the management of broadleaved woodlands on farms in particular?

Mrs. Fenner: Advice on forestry generally is a matter for the Forestry Commission. However, ADAS does give wide-ranging advice on conservation matters, including the management of woodlands, as part of the farm enterprise.

Agricultural Prices

2. **Mr. Strang** asked the Minister of Agriculture, Fisheries and Food what representations he has received about the 1985 agricultural price levels.

3. **Mr. Deakins** asked the Minister of Agriculture, Fisheries and Food what further consideration has been given by the European Economic Community Council to the Commission's agricultural price proposals.

The Minister of Agriculture, Fisheries and Food (Mr. Michael Jopling): My Department has received representations about the Commission's price proposals from the farmers unions in the United Kingdom, representatives of the food manufacturing industry, food retailers and consumers. The Agriculture Council discussed the proposals at its meetings on 25 and 27 March and on 1 and 2 April and discussions are expected to resume at the next meeting of the Council starting on 22 April.

Mr. Strang: Is the Minister aware that there is a desperate need to start to tackle the problem of high sale prices and the surpluses that they create, which is why both sides of the House supported the stand that he took in our debate on this issue? Will he give the House a cast-iron assurance that in no circumstances will he agree to a price-cut of anything less than the 3·6 per cent. put forward by the Commission?

Mr. Jopling: I agree that it is very important that the right signals are given about cereals right across the Community. We must bear in mind that when we arrive at this year's harvest we could find 15 million or 16 million tonnes of grain still hanging over from the previous harvest.

Mr. Deakins: What attitude will the Minister adopt in the Council if, as is likely, his colleagues from the other Common Market countries alter the Commission's price proposals to increase the total cost outside the scope of the financial guideline laid down by the Heads of Government and the Finance Council?

Mr. Jopling: The hon. Gentleman will remember the discussions that we held on the general principles on 18 March when we expressed our opinions. He will know that if it seems likely at any stage of the negotiations that the costs of the proposals will go above the agreed ceilings, there is provision for a Joint Council with Finance Ministers at a future date to thrash out the financial problems.

Mr. Maclean: Following the representations that my right hon. Friend has received, will he assure the House that he is strongly urging the European Commission on the abolition of the co-responsibility levy and also fighting to the utmost for the retention of the beef variable premium?

Mr. Jopling: My hon. Friend will recall that in the debate, in which he took part, I made it clear, in regard to the beef variable premium, that it was my intention to fight for the continuation of that measure, and there was broad agreement among hon. Members on that. He will also recall the proposal of the Commission to reduce the co-responsibility levy from 3 to 2 per cent. I have been greatly heartened by the discussions; in particular, by hearing the French representative say for the first time that he believed that we should be thinking in terms of phasing out the co-responsibility levy for milk — a sentiment which I strongly support.

Mr. Nicholson: In view of the protracted negotiations that are taking place in Brussels on the co-responsibility levy, will the right hon. Gentleman consider introducing an interim measure, to take effect from 1 April, to reduce the levy by 1·5 per cent.? That would at least provide some aid for the hard-pressed dairy farmers, who have suffered much in the last 12 months, and such a step would not in any way affect the price of milk to the consumer.

Mr. Jopling: The hon. Gentleman will be aware that because we were not able to reach agreement in the discussions the 1984-85 marketing year was extended to 28 April. Within that arrangement we already have a further 1 per cent. reduction in the milk quota. The Commission made it clear that there would be nothing to stop the backdating of the reduction of 1 per cent. in the co-responsibility levy to 1 April.

Mr. Body: In considering the representations, will my right hon. Friend bear in mind that agricultural price levels have been declining and that farmers' real incomes have been maintained only by increasing output? Is he aware that if restraints on output are imposed many thousands of farmers will face a great dilemma, unless there is a reversal of policy at home?

Mr. Jopling: I am naturally concerned about the impact of these measures on farm incomes. My hon. Friend will agree, however, bearing in mind the massive over-production and huge surpluses which overlay the Community market, that it is important to put our house in order now. Otherwise, it will be infintely more difficult to do so at a later stage.

Mr. Maclennan: What proposals does the Minister have with respect to livestock producers' incomes in the light of the representations that he has received?

Mr. Jopling: The hon. Gentleman was present when we debated that issue on 18 March. He will remember that I said—and I repeated it today—that it was important to maintain the beef variable premium scheme. He will also recall that part of the Commission's proposals was for a move to the second stage of the introduction of the carcase classification grid for beef. I made some remarks in the debate about sheepmeat and the importance of making sure that any alterations to the sheepmeat variable premium were compensated through the annual ewe premium, or the system would be discriminatory against the United Kingdom.

Mr. Heathcoat-Amory: Does my right hon. Friend agree that the cereals sector has not experienced the same income reductions as have been suffered by the livestock sector? Does he further agree that a cut in the price of cereals would help the livestock sector, as well as benefiting the consumer and helping to curb surpluses? What minimum cut in grain prices is he insisting on during the current negotiations?

Mr. Jopling: My hon. Friend will recall that in the debate on 18 March I made it clear that I did not believe that the proposed 3·6 per cent. cut in cereal prices made by the Commission was adequate and that the full cut of 5 per cent., stemming from the guarantee threshold, should be applied. I have therefore been telling the Council of Ministers that, for the reasons to which my hon. Friend rightly draws attention, a 5 per cent. cut would be the correct move to make.

Mr. Skinner: When the Minister has stripped all the jargonese from his remarks, will he explain whether the Government, in accordance with their philosophy, believe that market forces will apply to farms and that uneconomic farms will close? Alternatively, does he believe in continually subsidising farms, as is happening this year to the tune of about £20,000 per farm?

Mr. Jopling: I do not believe that the hon. Gentleman was present in the Chamber when we debated these matters on 18 March.

Mr. Skinner: I was.

Mr. Jopling: I am glad to hear that the hon. Gentleman was in his place. We do not usually forget his presence.

In France, for example, there is expected to be a major reduction in the number of uneconomic dairy farms. That demonstrates that market forces are operating much more effectively within the CAP and that the level of support is being reduced. The hon. Gentleman will remember that at the Stuttgart summit there was general agreement in the Community that we could not continue to subsidise enormous surpluses of food.

Mr. John: Will the right hon. Gentleman take into account the fact that, even if we achieve a full 5 per cent. cut in cereal prices, there is still a danger that the rake's progress of increased cereal production will continue?

Mr. Jopling: No one can tell, but the hon. Gentleman must remember that last year there was what amounted to a reduction in cereal prices. If we were to have another reduction, many of those who are growing what amount to surplus cereals on land which traditionally has not been used for that purpose will have to consider whether it is wise to continue to produce cereals.

Surplus Grain

4. **Mr. Wareing** asked the Minister of Agriculture, Fisheries and Food what new methods of disposal of surplus European Economic Community grain have recently been considered; and if he will make a statement.

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. John MacGregor): There is currently some discussion about finding new outlets for Community cereals, and the issue has been raised in this year's price fixing discussions. We would look positively at proposals into the development of any such outlets if they seemed likely to be economically viable. It remains to be seen whether this will be the case.

Mr. Wareing: Is the Minister aware that certain elements in the EEC have made the appalling proposal that surplus food should be converted into plastic material? Surely that is an appalling proposition at a time when millions of people in sub-Saharan Africa are in need. Will the Minister give an undertaking that the British Government will not support the proposal and will seek positive ways in which the surplus can be used to feed people, which is the purpose for which it was grown originally?

Mr. MacGregor: The hon. Gentleman will be aware that we are spending considerable sums in disposing of quite a large part of the cereal surplus as emergency food aid to the African drought countries. We intend to deliver 1·2 million tonnes from last year's harvest. However, there is still a surplus, and that is why other suggestions are being made. I have not heard the suggestion to which the hon. Gentleman referred, but there is no sense in spending vast sums to find alternative outlets. We must ensure that any such outlets are economically viable.

Mr. John : As opposed to what has been allocated by the EEC, how much of the surplus grain has been delivered to Ethiopia and the Sudan?

Mr. MacGregor: I do not have the exact figures immediately to hand. If the hon. Gentleman tables a question seeking that information, I shall answer it.

Privatisation

5. **Mr. Thurnham** asked the Minister of Agriculture, Fisheries and Food what are the estimated savings by his Department for 1984-85 as a result of privatisation schemes.

Mr. Jopling: No functions of my Department were privatised during 1984-85. However, new savings as a result of further contracting out of services are estimated at over £200,000 in a full year.

Mr. Thurnham: Will my right hon. Friend ensure that small firms are given sufficient opportunities to tender for these services?

Mr. Jopling: Yes. My hon. Friend may like to know that tenders are open to all-comers and that contracts have been placed with firms for cleaning, security guarding, press cutting, laundry, maintenance and a number of other services, including data preparation and graphic production.

Mr. Home Robertson: As there has been speculation about privatisation in other areas, will the Minister acknowledge that the agri-chemical and fertiliser industries would have a vested interest in becoming involved in any privatised advisory or research services and that, with the best will in the world, they would be unlikely to give advice which would reduce the sales of their own products? Therefore, does he accept the overwhelming environmental case in the public interest for retaining independent advisory and research services under the auspices of his Department?

Mr. Jopling: I have no plans for the privatisation of the functions of ADAS. I have accepted in principle that it is appropriate for those who benefit from the services of ADAS to contribute to the costs, and I am pursuing the practical implications of that. The hon. Gentleman makes a mistake if he thinks that farmers are gullible. They always look to see where the advice comes from before deciding what assessment to make of it.

Agricultural Prices

6. **Mr. Torney** asked the Minister for Agriculture, Fisheries and Food what consideration he is giving to the interests of consumers and taxpayers in the farm price review negotiations; and if he will make a statement.

Mr. Jopling: I have regard to all United Kingdom interests, including those of consumers and taxpayers, in the negotiations on CAP prices.

Mr. Torney: Is not the best way to dispose of Common Market and our own surpluses to lower their prices and make it possible for people to purchase them? Furthermore, with the accession of Spain and Portugal to the Common Market, will the right hon. Gentleman take steps to protect our taxpayers' interests, because enormous sums of money will be needed to bring the Spanish and Portuguese agriculture and fishing industries into line wih EC regulations? Will he make sure that we do not pay more than our fair whack?

Mr. Jopling: With respect to the hon. Gentleman, the accession of Spain and Portugal is rather wider than his question. The Government have consistently pressed for a more realistic pricing policy under the CAP. The right hon. Gentleman will remember that CAP prices were reduced in 1984 for the first time and that within the past six years consumers have had an infinitely better deal than they had under the Labour Government, when, in five years, food prices rose by 117 per cent.

Cereal Production

7. **Mr. Home Robertson** asked the Minister of Agriculture, Fisheries and Food if he will list the alternative means of restricting cereal production which are under consideration in his Department.

Mr. MacGregor: Decisions in that area are matters for the Community, but I accept the need to bring the cereals sector into a better balance. Restricting production directly could be one way of doing that. Others include developing new outlets, finding new ways of financing existing policies, or encouraging the greater operation of market forces through a restrictive price policy or by reducing the impact and coverage of support measures. I remain convinced that a sustained policy of price restraint is the best way of improving the balance of the cereals market.

Mr. Home Robertson: Earlier it was said that there was likely to be a 16 million tonne carry-over of cereal surpluses into next year. Does the Minister accept that a marginal price cut, be it 3·6 or 5 per cent., will lead to pressure to increase production? Does he further accept that the draconian price cuts necessary to have the effect of suppressing production would have a devastating effect on smaller producers? Will he now take our advice and consult about contingency plans for cereal quotas, or has he learnt nothing from the shambles of the hastily introduced milk quotas?

Mr. MacGregor: The hon. Gentleman underestimates the effect that a sustained policy of price restraint could have. We have obviously been engaged in contingency planning. Our analysis of the alternatives and awareness of the difficulties and disadvantages involved in them leads us to the view that price restraint is by far the best answer, if it can be achieved.

Mr. Harris: Will my hon. Friend ensure that those contingency plans are ready to be implemented quickly, because our experience over milk quotas tends to suggest that when the Council of Ministers makes a final decision we shall not want to be caught on the hop again?

Mr. MacGregor: It is important to recognise that in the current price-fixing negotiations the proposal on the table is for price restraint. That is what we are discussing. The position is rather different from that of milk last year. Therefore, it is important to try to obtain a realistic answer along those lines in the negotiations.

Common Agricultural Policy

8. **Mr. Kirkwood** asked the Minister of Agriculture, Fisheries and Food whether Her Majesty's Government are prepared to co-operate with the European Economic Community Commission to produce a rationalisation of the common agricultural policy.

Mr. Jopling: I am willing to co-operate with all concerned to ensure that the process of putting the CAP on to a more rational basis is continued.

Mr. Kirkwood: Does the Minister accept that if the rationalisation plans inevitably lead to reduced financial expenditure, especially in rural upland areas, the Government must have contingency plans to ensure that we do not return to the bad old days in the early 1960s of rural depopulation and unemployment?

Mr. Jopling: Certainly the Community is extremely worried about those matters. I have no doubt that within the areas which the Commission has identified such matters will be of concern. In particular, one of the groups proposed by the Commission is to study agriculture in society—that is, the position of agriculture in the rural economy.

Mr. Latham: Regarding rationalisation, does my right hon. Friend appreciate that those of his hon. Friends who heard both Lord Peart and the right hon. Member for Lewisham, Deptford (Mr. Silkin) separately introduce expansionist White Papers when they were Ministers of Agriculture, Fisheries and Food are looking to him soon to produce a general strategy document for agriculture in the light of the new restrictionist policy?

Mr. Jopling: At present, when so many uncertainties and matters are in the process of coming to fruition, it would not be appropriate to produce a White Paper of that sort. However, I do not rule that out. I have an open mind about it for the future.

Mr. Maclennan: What induced the Minister to stand on its head the expansionist policy of his predecessor?

Mr. Jopling: The answer is simple. In June 1983, within a few weeks of the general election, the European Council meeting in Stuttgart at last decided that the CAP should be brought back to reality and rationality. As a result of those sensible decisions, which should have been taken years earlier—if British advice had been followed they would have been taken years earlier — we have been able to return the CAP to a degree of realism.

Sir John Wells: Is my right hon. Friend aware that the British hops industry, which was strong for 60 years until two years ago, is currently in a state of great anxiety? Will he take steps to ensure that there is a greater degree of rationalisation throughout the European Community regarding hops? Will he pay a further visit to hop growers, as opposed to the Hops Marketing Board, this year?

Mr. Jopling: My hon. Friend may recall that last September, besides visiting the headquarters of the Hops Marketing Board, I visited hops farms and saw the harvesting and processing of hops. I am aware of the current position, which gives rise to many difficulties. As my hon. Friend knows, we have a problem of over-supply at present. I shall most certainly keep my eye on the matter.

Livestock Farming (Financial Resources)

9. **Sir Hector Monro** asked the Minister of Agriculture, Fisheries and Food what shift in financial resources he has been able to make from cereals to livestock for the year 1985-86.

Mr. MacGregor: Discussions are currently taking place on the Commission's proposals for the 1985-86 price fixing, which would reduce the CAP support price for cereals, leave unchanged the price of beef and pigmeat and make modest increases in the price support for milk and for sheepmeat from January 1986.

As my hon. Friend knows, we are committed to trying to achieve a better balance of support between the arable and livestock sectors, and we have indicated that we feel the Commission's proposals do not go far enough in reducing the price support for cereals.

Sir Hector Monro: Does my hon. Friend agree that much more needs to be done if lifestock farmers are to receive the same financial opportunities as cereal farmers? Can we expect an accelerating trend towards livestock farming in the coming year?

Mr. MacGregor: My hon. Friend will know that in view of the market position, for example, in beef, the Community beef management committee recently agreed to augment the existing programme of hindquarter intervention with a short period of private storage aids. I hope that that will help. I believe that our endeavours to retain the beef premium scheme—at present it costs £2 million to £3 million a week to help producers—will undoubtedly help. We are trying to restore the balance in all those directions. However, I also believe that the recent reduction in the breeding herd will help to restore the balance and will help livestock producers in the long run.

European Community (Portugal)

11. **Mr. Proctor** asked the Minister of Agriculture, Fisheries and Food what representations he has received from the National Farmers Union regarding the effect of Portugal's accession to the European Economic Community on British agriculture; and if he will make a statement.

Mr. Jopling: I am not aware of any aspect of the terms for Portugese accession which is of substantial concern to the National Farmers Union.

Mr. Proctor: What of the problems of the soft fruit farmers of the south of England?

Mr. Jopling: The arrangements that we have made regarding the cost of Portuguese accession to the Community budget, in view of the major uncertainties about developments between now and the end of the 10-year transitional period, should mean that the National Farmers Union need not have immediate and serious concern on this matter.

Mr. Forth: Is my right hon. Friend not worried about the potential effect on the balance of voting in the Council of Ministers of the EC when Portugal and Spain come in and add their weight to the votes of Greece, Italy and France to swing the emphasis of CAP money to southern products, to the detriment of our farming interests?

Mr. Jopling: My hon. Friend should consider the terms of the accession agreement, which awaits ratification and signature. With the transitional period that has been negotiated, I believe that British growers need not have serious worries.

Mr. Bill Walker: Does my right hon. Friend agree that one reason for supporting agriculture in the United Kingdom, especially in mountain areas, is the fact that, for strategic reasons, we have learnt that we must keep livestock there, and that this could be affected substantially by the enlargement of the Community?

Mr. Jopling: Regardless of the fact that it is proposed that Spain and Portugal should join the Community, it is unlikely that our support for the upland areas will be eroded.

Milk Quotas

15. **Mr. Penhaligon** asked the Minister of Agriculture, Fisheries and Food when he expects producers to be told of their positions as far as final milk production is concerned for the year 1985-86.

Mr. MacGregor: The Milk Marketing Board for England and Wales will be notifying producers of their 1985-86 quotas within the next few weeks.

Mr. Penhaligon: Obviously, that is an improvement on last year. Can the Minister say that the Government have finally decided not to pay farmers the full quota allocated to them through the claims made at the tribunals? Is that decision final, or will the Government rethink their position and inform the farmers at a later date that their quotas have been increased by extending the outgoers scheme so that the extra quota allocated can be paid in full?

Mr. MacGregor: I think that the hon. Gentleman has in mind farmers with development claims who are looking for secondary quota from the tribunals. As he knows, that comes out of the reserve that we held back from primary quotas. Since the tribunals awarded the amount that they did, it is necessary this year to cut the awards by about 35 per cent. We do not yet know what the final position will be for next year, but I do not expect it to be much different. As to the outgoers scheme, the hon. Gentleman will know that, as milk producers become accustomed to quotas, they are more anxious to stay in milk production. Therefore, there is still some capacity left in the outgoers scheme.

Mr. Ashdown: Does the Minister realise that the rough justice handed out in some cases by the quota tribunals, on their admission, as a result of the rules which they have had to operate, has meant much hardship for many farmers? Will he now confirm publicly what I understand he said privately: that he will sift through those cases to ensure that something can be done to assist such producers?

Mr. MacGregor: The tribunal process is a judicial one, and we made it clear from the outset that it would not be possible for us to intervene or interfere in the decisions about individual producers. That remains the case, but we knew from the outset that some difficult cases could not be covered by the regulations. We have made it clear that we are reviewing those cases, but without commitment, because it depends on having additional quota available to give to those whom we think deserve it.

Mr. Ralph Howell: Is my hon. Friend aware that a great many farmers believe that those countries in the EC which have no proper milk register are unable to operate a proper quota system? Will he tell the House which countries of the EEC have a proper overall milk register for quota system milk?

Mr. MacGregor: We made it very clear in the Council from the outset that the new system that has been introduced in the Community must be applied fairly and equally by all member states. We continue to insist on that, and that is why we took the decision that we did earlier about the payment of super levy. On the particular question my hon. Friend asked, I am endeavouring to get precise information on registers, but there is evidence that the vast majority of member states are now applying the quota system. It is quite significant that more than 20,000 dairy producers in France, for example, have come out of dairying in the past year.

Mr. Home Robertson: Will the Minister take this opportunity to accept the specific recommendation in the report of the Select Committee on Agriculture that Government compensation should be given to farm workers who lose their jobs as a consequence of these quota schemes? Can he give us any reason why this second search which is now taking place for outgoers to release quota for needy cases should be any more successful than the first one?

Mr. MacGregor: We shall obviously give our considered reply to the Select Committee's report, but, as we have made clear frequently in the House, the outgoers scheme is not a redundancy payments scheme and was never designed to be so. There are statutory redundancy payment arrangements, as the hon. Gentleman knows. On the hon. Gentleman's second point, it is important to recognise that we set ourselves, as the objective of the outgoers scheme, the yielding of enough quota to enable us to help all cases of exceptional hardship and all small milk producers to get back to 1983 production levels. I believe that the rate of progress we are making brings us very close to achieving that.

Beef Production

17. **Mr. Colin Shepherd** asked the Minister of Agriculture, Fisheries and Food if he is satisfied with the prospects for the beef sector of the agriculture industry.

Mr. MacGregor: There is at present a surplus of beef in the Community, partly due to the increased cow cullings following the introduction of milk quotas, and producers' returns are accordingly relatively low in relation to the Community's guide prices. In view of the market situation, the Community beef management committee recently agreed to augment the existing programme of hindquarter intervention with a short period of private storage aids. The need is to achieve a better balance between supply and demand in the Community.

Mr. Shepherd: I am grateful to my hon. Friend for that reply. Does he agree that the longer-term beef production cycle means that there has also to be commensurate longer-term confidence in the United Kingdom beef producing sector? Is he aware that his and his right hon. Friend's robust defence of the scheme is welcome, in that it does lead and will lead to the consumption of beef? Can he seek to sustain it on a longer-term basis instead of a year-by-year negotiation basis?

Mr. MacGregor: I entirely agree with my hon. Friend about the scheme, and if we had been able to achieve that we would obviously have gone for it. Unfortunately, we were not responsible for the arrangement, which meant that it was on a one-yearly basis. My hon. Friend is right in the point that he makes about consumption. We estimate that if we had not had the beef variable premium scheme last year beef consumption would have been 8 per cent.

or more lower than was the case. That would have led to considerable increases in intervention, which, of course, also creates considerable problems of physical storage.

Mr. Jim Spicer: Does my hon. Friend agree that, against the background of the figures which he has just given, the view of the Commission is so irrational as to border on the lunatic? Did he by any chance hear the representative of the Commission on the farming programme this morning declaring in no uncertain terms that it was going to see the end of the variable beef premium? Is that not absolute nonsense?

Mr. MacGregor: We have made it very clear, as my hon. Friend knows, that we shall use every endeavour to retain that scheme this year. One of the arguments is that we estimate that without the premium 75,000 to 80,000 tonnes of beef would have had to go into intervention last year to keep producer prices at roughly the same levels. It seems to me that, with the problems of physical storage, it is very much better to have the beef going on to consumers' plates than into intervention.

Mr. Cockeram: Does my hon. Friend accept that small, family-run farms are the backbone of the livestock industry, including the beef industry, and that in recent years the agricultural price reviews have tilted matters in favour of the large producer? This year, is it not time that the balance was tilted in favour of the small, family-run farm?

Mr. MacGregor: I think that it is clear from the debate that we had on the price review proposals, and from the Government's response, that we agree that it is important to get a better balance between cereals and livestock. That is our endeavour in negotiations.

Mr. Skinner: Is the Minister aware that we have reached Question 17, and that every Tory Member who has asked a question has called for more Government intervention, more subsidies of one kind or another——

Sir John Wells: On a point of order, Mr. Deputy Speaker, I did not.

Mr. Skinner: I have not finished yet. We have caught Tory Members at it. Every one of them wants more subsidies. Why does the Minister not——

Mr. Deputy Speaker: Order. We are talking about beef. Perhaps the Minister will try to reply to the question as far as it has gone.

Mr. Skinner: Where is the beef? Will the——

Mr. Deputy Speaker: Order. I have called the Minister to answer as far as the hon. Gentleman has gone.

Mr. Skinner: Will the Minister convey to his colleagues that if the Cabinet is prepared to intervene in the farming industry on a massive scale, to appease all these Tory Members——

Mr. Deputy Speaker: Order. I have reminded the hon. Gentleman that the question is about beef. So far he has not referred to beef. Perhaps the Minister will now reply.

Mr. MacGregor: Not for the first time, the hon. Gentleman has not been listening, either to what my hon. Friends have been asking or to what Ministers have been saying in reply.

Mr. Skinner: They have been calling for more money.

Mr. MacGregor: Perhaps the hon. Gentleman just does not understand.

Conservation Projects

19. **Mr. Chapman** asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the use of funds under the common agricultural policy for conservation projects.

Mr. Jopling: As I told the House on 13 March, the Commission has agreed to bring forward during 1985 proposals for a Community-funded scheme based on the new provision for grants to environmentally sensitive areas. This represents a very successful outcome to the initiative which I put forward last year. FEOGA funding is already available for conservation work undertaken as part of an agricultural improvement.

Mr. Chapman: I welcome the personal initiative of my right hon. Friend in this matter. What is the value of the funds, and what proportion of the total do they represent? For the benefit of the hon. Member for Bolsover (Mr. Skinner) I assure him that I am talking about the switching of funds and not about the increasing of funds.

Mr. Jopling: I am sorry to disappoint my hon. Friend, but it is not possible to isolate a figure to show how much FEOGA spends on the conservation element of agricultural improvements. It is too early to assess the cost of our new initiative. We shall be seeking primary legislation as soon as possible.

Mr. Campbell-Savours: Now that the Government have effectively banned the use of the pesticide dieldrin, why do they not use some of the European money for conservation purposes to ensure that that dieldrin that still remains in the supply chain within the United Kingdom is not used? Why do they not purchase it, take it off the market and protect the environment in so doing?

Mr. Jopling: That is rather wide of the question, but the hon. Gentleman will well know—I know that he is a member of the Standing Committee that is dealing with these matters—that the Government are taking positive steps to reduce any risks from the use of pesticides.

Mr. Mark Hughes: Can the Minister give us an assurance that there will be no reduction in United Kingdom funded aid for conservation when we get the money from the Community, so that we avoid the dreaded additionality problem?

Mr. Jopling: The hon. Gentleman should recall that the initiative agreed during March by the Council of Ministers is, at this stage, a nationally funded scheme. We hope that, at a later stage, we can persuade the Community to embrace the scheme as one funded by Community money. We have in progress an investigation of that possibility.

Mr. Adley: Will my right hon. Friend give the House an assurance that it is his policy, wherever possible, to conserve land for agricultural use? In view of the arguments that we hear in the House from time to time about north versus south, does he agree that it would be helpful if he and his ministerial colleagues would take on board the point that so long as we allow farming land to be eaten up for development in areas such as Dorset, we

are doing everything that we should not be doing if we wish to encourage growth in the less-favoured parts of the country?

Mr. Jopling: My hon. Friend will know that a great deal of the effort of my Ministry goes in giving advice about the quality of the land that is concerned in development. He will know that over the years the Government have had a policy of trying to prevent the very best land being taken by development.

Agricultural Prices

20. **Mr. Latham** asked the Minister of Agriculture, Fisheries and Food what is the lates position regarding the Common Market price fixing negotiations; and whether he will make a statement.

Mr. Jopling: I refer my hon. Friend to the reply I gave to the hon. Member for Edinburgh, East (Mr. Strang) and the hon. Member for Walthamstow (Mr. Deakins) earlier today.

Mr. Latham: Now that we have a regime of milk quotas, has not the milk co-responsibility levy lost all meaning? Surely my right hon. Friend ought to start negotiations in the Common Market to try to get rid of it?

Mr. Jopling: I agree very much with what my hon. Friend says. He will know that the Commission has proposed to adjust from 3 to 2 per cent. the milk co-responsibility levy. I have said consistently that if one is to try to help dairy farmers I would much rather it were done through reducing the co-responsibiliy levy than by increasing the price.

PRIME MINISTER

Engagements

Q1. **Mr. Brinton** asked the Prime Minister if she will list her official engagements for Thursday 18 April.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today. This evening I hope to attend a banquet given by President Banda.

Mr. Brinton: In thanking my right hon. Friend for that reply, may I ask her if she has yet had time to study the people in work figures published yesterday, which show that there were 340,000 more people in work last year? Will she also confirm that, at 65 per cent., the proportion of people in work in this country is among the highest in the major industrial nations and well above the European average?

The Prime Minister: I am grateful to my hon. Friend for raising the subject of the increasing number of people who found jobs in 1984. If one takes the period since March 1983, one sees that some 613,000 more jobs have been created. Had we said in March 1983 that it was our policy to create 600,000 more jobs by March 1985 we would not have been believed. In fact, they have been created. As my hon. Friend has said, the proportion of the population of working age in work is higher in this country than in West Germany, France or Italy, and equal to that in the United States.

Mr. Hattersley: Does the Prime Minister know that while she was away 39 shire counties were told that they were to receive less rate support grant than they had been promised? Does she know that the reduction in that rate support grant is the direct result of the Greater London council levying a lower rate than the Government anticipated? How does she justify penalising Kent, Lancashire and Essex because the GLC has not raised its rate as much as the Government anticipated?

The Prime Minister: As the right hon. Gentleman knows, it is customary to give an expected rate support grant and later to correct it. In this case it was corrected because the GLC decided to agree with my right hon. Friend the Secretary of State for the Environment. In fact, in spite of all its posturings it set a rate below the limit that he had specified.

Mr. Hattersley: That may be customary under the new system, but it is clearly absurd. I ask the Prime Minister again to explain why Lancashire should be penalised because the GLC set a lower rate than the Government anticipated. Does it not demonstrate that the present system of rate support grant is preposterous and should be abolished, and that the Secretary of State for the Environment should go with it?

The Prime Minister: No, Sir. The GLC has bent towards my right hon. Friend the Secretary of State for the Environment. As the right hon. Gentleman knows, the system used in this respect, the corrective system, was also used previously.

Mr. Hattersley *rose*——

Hon. Members: No.

Mr. Hattersley: As always, the Prime Minister has scored high marks for irrelevant stridency. But I ask again how she justifies Lancashire being penalised because the GLC has raised a lower rate than she anticipated.

The Prime Minister: Because that is the system that has applied not only under this Government but under previous Governments as well. There is — *[Interruption.]* It does no earthly good to get excited and hysterical about it. That is the fact. The right hon. Gentleman may not like it, but it is a fact.

Sir Hector Monro: Has my right hon. Friend had a chance to try to understand the shadow Cabinet's shambles of a policy on mortgage relief? Can she confirm that mortgage relief is safe under the Conservatives?

The Prime Minister: I note that it is now Labour policy to abolish tax relief on mortgages. It is Conservative policy to keep tax relief on mortgages, and will continue to be.

Dr. Owen: Has the Prime Minister seen the forecast, given by her former adviser, Sir John Hoskyns, of 10,000 job losses as a result of the national insurance changes in the Budget? Will she consider a reduction in the overall rate of the employers' contribution to offset the welcome effect of the restructuring at the lower end of national insurance?

The Prime Minister: No, Sir. The restructuring of employers' national insurance contributions, taken across the board, was slightly favourable towards employers. As the right hon. Gentleman will recall, if he looks at the figures in the Red Book, the restructuring was slightly

favourable overall towards employers because they received more relief at the lower end than imposition at the higher end. Of course, it will vary from employer to employer.

Q2. **Mr. Tom Cox** asked the Prime Minister if she will list her official engagements for Thursday 18 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Cox: Is the Prime Minister aware that today's statement that the Government are to get their act together in the inner city areas will be met with utter disbelief by those who live in them? Is she unaware of what her policies have meant for the inner cities? There is massive unemployment, inadequate housing and the people there have had to mount a continuous campaign to try to keep their hospitals and local social services. If she is unaware of the result of her policies, why does she not go to those inner city areas and meet not the local Tory party officials but those who live there? Why does she not do that? No amount of dressing up Tory policies will solve our problems unless the money is provided to do that.

The Prime Minister: A statement has been put out and task forces are to be set up in certain specific city areas. No matter what the hon. Gentleman says about hospitals and the Health Service, it remains a fact that after inflation has been taken into account 20 per cent. more has been spent on the NHS under this Government——

Mr. Cox: Rubbish.

The Prime Minister: That is a fact. If the hon. Gentleman wishes to challenge it, perhaps he should table a question. He will find that the answer to it is exactly the same as mine today.

Mr. Cox: Come to my constituency and see.

The Prime Minister: This Government have a far better record on the Health Service than the Labour Government ever had, and a far better record on building hospitals and on providing doctors and nurses than the Labour Government had. That is true, despite the hon. Gentleman's shouting and hysteria, which we have come to expect from him.

Viscount Cranborne: My right hon. Friend will no doubt be aware that the investigations into the social security system are viewed with considerable interest and that their results are also awaited with some interest. Will she give an undertaking that, when the results are considered, she and the Government will bear in mind the interaction between the social security and taxation systems, and that any reforms will be wide enough to consider including a basic income guarantee scheme, or a negative income tax scheme, or a variation thereof?

Mr. Deputy Speaker: Order. Questions are becoming far too long.

The Prime Minister: As my hon. Friend is aware, the results of the social security reviews are expected to be out within about two months. I think that it is better to wait until they come out before we make further comment. With regard to my hon. Friend's specific question about the interaction between social security and taxation, it was with that in mind that my right hon. Friend the Chancellor of the Exchequer reduced the employees' national insurance contributions at the lower end of the income scale.

Mr. Coleman: Now that the Prime Minister has returned from places where democracy and working people are not of much account, will she turn her attention to visiting places in this country — for instance, the Llandarcy refinery where 750 people who are shareholders of British Petroleum have been told that they are to lose their jobs? Will she, as the trustee of the nation's shareholding in BP, tell BP that this sacking must not take place, especially as it has been suggested that it would break European Community rules?

The Prime Minister: As the hon. Gentleman is very much aware, there is a surplus of refinery capacity over the world as a whole, as well as in this country. Nothing that either of us says can avoid that fact. I am afraid, therefore, that it is likely that corrective action will have to be taken.

Q3. **Mr. Simon Hughes** asked the Prime Minister if she will list her official engagements for 18 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Hughes: Will the Prime Minister accept that the reason her support is crumbling is not least because everybody, apparently — except the Cabinet — sees the country crumbling all around her? The setting up this morning of city action teams to co-ordinate con tricks, without one penny of extra money going to the inner city areas, conceals a real cut in money for inner city areas of £150 million in the next three years and displays nothing but a complacent and callous attitude.

The Prime Minister: The hon. Gentleman will be aware that when the Chancellor of the Exchequer announced his Budget he mentioned that public expenditure was increasing, unfortunately, despite everything that we have done. If the hon. Gentleman wants more money to be spent on the particular project he specified, can he say from whom he would take it away?

Mr. Yeo: Is my right hon. Friend aware that the abolition of domestic rates would be one of the most popular steps that this Government could take and that her proposals to this effect are eagerly awaited in South Suffolk and by ratepayers all over the country?

The Prime Minister: It will be some time before the detailed results of rating reform come out. When they do, they will be published for consultation and discussion in the House. I hope that they will be out in time for legislation before the next general election.

Mr. Michie: Will the Prime Minister find time today to consider whether she is serious about imprisoning, surcharging or making bankrupt local councillors whose only crime is that they carried out their mandate and the wishes of the local electorate?

The Prime Minister: Local councillors are subject to the law of the land, as is everybody else, and I hope that they will duly carry it out.

Mr. Baldry: Does my right hon. Friend agree that we need to use both blades of the scissors to cut unemployment? Is not any suggestion that a return to an all-party, simplistic, Keynesian solution would cut unemployment just as fraudulent as any suggestion that we might just leave it all to the market place?

The Prime Minister: There is no simplistic solution to unemployment. If there were, it would not be found all

over Europe. The solution lies in the creation of genuine jobs. I repeat that 613,000 more jobs have come into existence since March 1983, that the United Kingdom is the only major European country in which employment is currently increasing and that the proportion of the population of working age in work is higher in the United Kingdom than it is in West Germany, France and Italy.

Q4. **Mr. Campbell-Savours** asked the Prime Minister if she will list her official engagements for Thursday 18 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago and I thank him for giving me notice of the supplementary question that he wishes to ask.

Mr. Campbell-Savours: Is the Prime Minister aware of the great sense of outrage in the north-west of England at the decision of Scottish and Newcastle Breweries to launch a bid for Matthew Brown pubs and breweries in the north-west of England? Is she aware that Scottish and Newcastle has repeatedly refused to give undertakings about the future of jobs in the breweries in Blackburn, Carlisle and Workington or about the future of the low barrelage pubs? Will the Prime Minister now intervene personally and ask the Secretary of State for Trade and Industry to put the matter to the Monopolies and Merger Commission, because we object to the proposed merger, and it is for the Secretary of State to use his powers to obstruct it?

The Prime Minister: That was indeed the subject of which I was given notice, although the terms in which the question was asked were a little different. As the hon. Gentleman knows, this is not a matter for Cabinet decision. It is for my right hon. Friend the Secretary of State for Trade and Industry—in the light of the advice of the Director General of Fair Trading, who I understand the hon. Gentleman has met—to decide whether the proposed merger or takeover should be referred to the Monopolies and Mergers Commission. My right hon. Friend will take into account all representations, including those of the hon. Gentleman, and the decision will be made as soon as practicable.

Business of the House

3.30 pm

Mr. Roy Hattersley (Birmingham, Sparkbrook): Will the Leader of the House state the business for next week?

The Lord Privy Seal and Leader of the House of Commons (Mr. John Biffen): Yes, Sir. The business for next week will be as follows:

MONDAY 22 APRIL—Opposition Day (10th Allotted Day). There will be a debate on an Opposition motion entitled "The Dismantling of the Welfare State."

TUESDAY 23 APRIL—Opposition Day (3rd Allotted Day) (Second Part). Until seven o'clock there will be a debate on trade union ballots, on a motion in the names of the Liberal party and the Social Democratic party.

Second Reading of the Ports (Finance)Bill.

Motions on the Foreign Limitation Periods (Northern Ireland) Order and on the Water and Sewerage Services (Amendment) (Northern Ireland) Order.

WEDNESDAY 24 APRIL—There will be a debate on the White Paper on Financial Services in the United Kingdom, Cmnd. No. 9432, which will arise on a motion for the Adjournment of the House.

Remaining stages of the Insurance (Fees) Bill.

THURSDAY 25 APRIL—A debate on Foreign Affairs which will arise on a motion for the Adjournment of the House.

FRIDAY 26 APRIL—Private Members' Bills.

MONDAY 29 APRIL—Second Reading of the Finance Bill.

Mr. Hattersley: First, I welcome next Thursday's foreign affairs debate. I hope that the Leader of the House will agree to extend that debate beyond the usual time so that as many Members as possible can take part.

Secondly, the right hon. Gentleman will recall that it is now more than a year since a debate was first promised on the Government's Green Paper on the long-term prospects for public expenditure. I know that this is an increasingly embarrassing topic for the Government, but will they now fulfil that promise?

Finally, may we have a statement next week from the Paymaster General as to what his duties are? He said on the radio this morning that the Government had not prevented this year's GLC's elections from taking place. The House should have the opportunity to examine that statement — a statement which I fear cannot be adequately described within the rules of parliamentary language.

Mr. Biffen: I shall consider the right hon. Gentleman's point about the Paymaster General and convey to him the anxiety that he should make a statement in the House.

As for the request for a debate on long-term public expenditure, this is clearly a matter of great interest to the House and it is the subject of an investigation being undertaken by the Treasury and Civil Service Select Committee. It might be a courtesy to the Select Committee for the House to be in possession of its findings before such a debate, but I shall of course consider the matter further.

I welcome the importance that the right hon. Gentleman attaches to Thursday's debate on foreign affairs. I very much agree with him and think that there would be merit in extending the debate until midnight.

Mr. Rob Hayward (Kingswood): Will my right hon. Friend enable the House to debate rate increases some time next week or the week after as they have increased by 58 per cent. under Labour in Avon as opposed to 27 per cent. under the Tories in Somerset? Should we not give the Labour party an opportunity to explain the increase in Avon, as the Leader of the Opposition is unlikely to take it when the press put that question to him when he visits my constituency tomorrow?

Mr. Biffen: I appreciate that, in these delicate days ahead of 2 May, there will be a lively interest in these matters. I cannot at the moment provide what my hon. Friend asks in Government time, but I have great faith in his ability to make his case in his own way.

Mr. A. J. Beith (Berwick-upon-Tweed): May we have an early statement on the Government's drastically amended Trustee Savings Bank Bill which will not undermine the independence of the Trustee Savings Banks in Scotland or the protections afforded by another place to depositors throughout the United Kingdom? Now that the Leader of the House has announced an Opposition day in our name, will he confirm that useful discussions have taken place to ensure that a fair hearing is given to issues raised from this Bench? Will he welcome the use of that time to ensure that the House debates issues which the other two parties might not want to be debated?

Mr. Biffen: It is a matter of touching observation how the Liberal party now seeks solace in the behaviour of the other place, but I assure the hon. Gentleman that the appropriate place for this House to consider the Trustee Savings Bank Bill is this Chamber.

As for Opposition time and its distribution, I am happy to confirm that, on 13 November 1984, at the conclusion of the debate on the Loyal Address, it was said that there would be a chance to consider those arrangements. I hope that the House will have a chance fairly soon to consider revised Standing Orders. It will then be able to give its authority to what has been suggested.

Mr. Richard Holt (Langbaurgh): Is my right hon. Friend aware that we all welcome next Thursday's free-ranging debate on foreign affairs? Does he recall that the House has also called for a full and free-ranging debate on law and order? Is he aware that, until we are allowed such a debate rather than the narrow things that we have had this week, we shall go on asking as people are fed up with the state of law and order?

Mr. Biffen: I note that my hon. Friend intends to keep on asking.

Mr. Dave Nellist (Coventry, South-East): Is the Leader of the House aware that when, last Tuesday, the Prime Minister described next Thursday's national half day school strike as politically inspired, as the president of the campaign which has called that strike I agree with her? It was politically inspired and I am asking the right hon. Gentleman to change the order of business next Thursday because the inspiration for that national half day strike on 25 April has come from the Government's policies of using youth training schemes to massage the dole figures and to reduce young people's wages? We ought next Thursday to debate the youth trade union rights campaign demands that every youngster on a training scheme receives a minimum £55 a week—the trade union rate for the job—and is guaranteed a job at the end of the training scheme.

Mr. Biffen: The hon. Gentleman has had a good run and delivered the speech that he will be unable to make because I have no reason to think that there is a general desire in the House that the debate on foreign affairs promised for Thursday should be dropped from next week's business.

Sir Kenneth Lewis (Stamford and Spalding): In view of the massive Government majority last night on the BBC licence fee, may we have another debate on that issue so that we can learn the views of the Opposition? We do not know whether they want to increase it further or to have no licence at all. It is obvious that we should have a debate.

Mr. Biffen: The proceedings of this House rest upon a delicate desire not to intrude where it appears to be unseemly.

Mr. Tony Lloyd (Stretford): Does the Leader of the House recognise the need for a debate about the state of the National Health Service, especially in south Manchester where decisions are being taken today that could result in the closure of many wards and the redundancy of up to 100 nurses and 200 non-nursing personnel? Does not that issue demand time within Parliament to discuss the mismanagement of the NHS by the Government?

Mr. Biffen: I should have thought that Monday's debate on what is purported to be the dismantling of the welfare state would give the hon. Gentleman exactly the opportunity that he seeks.

Mrs. Ann Winterton (Congleton): Will my right hon. Friend, as an urgent priority, ensure that this House has an opportunity to discuss in full the implications of the Silberston report? Is he aware that the clothing and textile industry is the fourth largest employer in this country and that many of its employees are concerned at Silberston's prediction that if the report is accepted by the Government another 100,000 people will be made redundant?

Mr. Biffen: My hon. Friend will be aware that there were a number of demands and requests before the Easter recess to debate the textile industry. I said then that I hoped that such a debate could be arranged at some time, but I am afraid that I cannot see that happening in the near future.

Mr. Kevin Barron (Rother Valley): Will the Leader of the House rearrange next week's business and find time, perhaps on Wednesday, to debate the proposed closure of the special steels division at Tinsley park that will cost 1,000 jobs in an already decimated area? Is the right hon. Gentleman aware that a constituent of mine who works at that British Steel corporation plant has recently been awarded the British Empire medal for his work over the past 20 years? He is now facing the possible closure of that plant.

Mr. Biffen: The hon. Gentleman raises a very serious issue for the constituencies affected by the proposed closure. I cannot alter the business set down for next Wednesday, but I shall draw the hon. Gentleman's point to the attention of my right hon. Friend the Secretary of State for Trade and Industry.

Mr. David Madel (Bedfordshire, South-West): Can my right hon. Friend confirm that, after the Second Reading of the Finance Bill a week next Monday, no more controversial Government Bills will be introduced this Session? As a long period of tranquillity in legislation is needed, could the Government, for the remainder of this Parliament, manage on a three-day week, leaving the other two days to Back Benchers?

Mr. Biffen: My hon. Friend has been here long enough to realise that controversiality lies in the eye of the beholder. His proposals are interesting, and I shall no doubt bear them in mind for next Session, but they could not conceivably reflect upon this Session.

Mr. Michael Hancock (Portsmouth, South): Will the Leader of the House find time for a debate in a matter that is causing undoubted concern—the future of the Royal Navy, and especially the dockyards at Rosyth and Devonport, and the implications of the proposals for those two bases on the naval base in Portsmouth? Is he aware that there is an undoubted need for a wide-ranging debate on the Royal Navy and especially on the defence industries in the Portsmouth and Devonport areas?

Mr. Biffen: Siren voices below the Gangway draw my attention to the business for next Tuesday, but I would not be so cheap as to note that. No Government time can be found for the debate that the hon. Gentleman requests, but I shall draw his remarks to the attention of my right hon. Friend the Secretary of State for Defence.

Mr. Tony Marlow (Northampton, North): In view of the Government's commitment, arising out of their Green Paper, to introduce legislation on the control and welfare of dogs, and while the contents of the next Queen's Speech are currently being considered, will it be possible to have an early debate in the House about an issue that affects many of our constituents and about which they are very concerned?

Mr. Biffen: We are running into a rather delicate period of parliamentary life—May, June and especially July—and I would not wish to add to our postbag or to the general contentiousness by raising the issue of dogs, so dogs will, therefore, lie.

Mr. James Lamond (Oldham, Central and Royton): On the subject of the renewal of the multi-fibre arrangement, will the Leader of the House treat the matter with a little more urgency because some of us think that we detect a certain reluctance by the Government even to renew it? As has already been pointed out, that would mean disaster to the textile industry and the loss of up to 150,000 jobs.

Mr. Biffen: I do not think that the hon. Gentleman is entitled to that fear. There is no complacency on the part of the Government, but I must have regard to the fact that the House will shortly have to deal with the Finance Bill on the Floor of the House, and this consideration and others must make me a little cautious as to how I answer such requests.

Mr. Nicholas Winterton (Macclesfield): Will my right hon. Friend accept that many hon. Members on this side of the House will support the views expressed by the hon. Member for Workington (Mr. Campbell-Savours) about the proposed takeover of Matthew Brown by Scottish and Newcastle Breweries? Will he therefore request that the Secretary of State for Trade and Industry makes a statement next week on the issue and makes it clear that the matter will be referred to the Monopolies and Mergers Commission?

[Mr. Nicholas Winterton]

My right hon. Friend may find it surprising that I support the official Opposition spokesman, the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley), in requesting that the debate on foreign affairs next week should be extended beyond the normal hour of 10 o'clock to enable more hon. Members to take part.

Mr. Biffen: I have already conceded the last point that my hon. Friend makes, and there is nothing surprising about him supporting the Opposition. My answer to his question about the proposed brewery takeover is that the Prime Minister set out clearly and precisely the exact legal situation, and I suggest that the House would be well advised to pause before asking for ministerial intervention to set aside what would otherwise be an administrative process.

Mr. Frank Haynes (Ashfield): Will the Leader of the House arrange a debate urgently to discuss education, bearing in mind the present dispute? I do not want the right hon. Gentleman to reply simply by telling me that we debated education and the dispute not long ago. Is he aware that in a fresh debate we might find the answer to the problem and get the Government off the hook?

Mr. Biffen: I fully endorse the observation of the hon. Gentleman about the effect that the conflict is having on the education services of our counties and cities. I shall, of course, refer the point that he makes to the Secretary of State for Education and Science.

Mr. Gerrard Neale (Cornwall, North): Has my right hon. Friend any further news about the Government's intention to make an announcement about the decision by the Joint Committee of both Houses on the Okehampton bypass? If not, will he urge the Secretary of State for Transport to make an announcement to remove doubt on the matter? Will my right hon. Friend also consider the seriousness of the inadequacies of the current public inquiry system affecting major roads, reservoirs and power stations and provide time for a debate on the subject so that we may initiate a new system which will speed up decisions, while providing time for the public inquiry procedure so that all the issues can be heard?

Mr. Biffen: As my hon. Friend says, this is a matter of acute concern to the south-west. The issue is still under consideration by the Secretary of State for Transport, but I shall remind him of the point that my hon. Friend makes about the virtue of an early announcement of a Government decision in the matter.

Mr. Laurie Pavitt (Brent, South): Will the Leader of the House discuss with the Secretary of State for Social Services the best way in which the House can give consideration—either by way of a statement or a debate — to the important report of the Royal College of Nursing on the future of nursing education? Is he aware that that report estimates that by the end of this decade there will be a shortage of 12,000 nurses? Does he agree, therefore, that the House should give consideration to that possibility?

Mr. Biffen: I take at once the importance of the point to which the hon. Gentleman refers, and will bring it to the attention of the Secretary of State for Social Services. Meanwhile, I hope that the hon. Gentleman will feel it appropriate in Monday's debate to adduce arguments about the future of the nursing services.

Mr. Teddy Taylor (Southend, East): Will my right hon. Friend also accept my thanks for giving additional debating time to the alliance? Many of us are finding the greatest difficulty, especially during the current elections, in establishing exactly what the alliance's policies are on any subject. Will my right hon. Friend help the people of Southend by giving the alliance a little more time next week so that we can ascertain whether it is or is not in favour of retaining Southend's excellent grammar schools?

Mr. Biffen: It is not for me to anticipate how the Chair will interpret the width of the motion on Tuesday. The issue that my hon. Friend has raised might well have to be dealt with outside the Chamber. He may well find that as a result of Tuesday's debate he will be stranded in the centre by the rightward lurch of the alliance.

Mr. Martin Flannery (Sheffield, Hillsborough): I ask the Leader of the House with the utmost seriousness to approach the Prime Minister and the Secretary of State for Education and Science for the purpose of finding time for a full-scale debate on the problems facing the teaching profession and education. I have recently returned from the conference of the National Union of Teachers and I have never before seen such unity over the years that I have attended its conferences. It is clear that these moderate people will not back down easily.

Is the right hon. Gentleman aware that we are faced with long industrial action and that if we had a debate in which the grievances could be aired we could move possibly to a conclusion which would benefit education, the teachers, the parents and the children? That could well be the result if only the Government would take some action.

Mr. Biffen: I am sure that the hon. Gentleman will concur with the view that in all quarters of the House there is a strong awareness of the utmost importance of the education dispute and the factors that it embodies. I shall convey his request to my right hon. Friend the Prime Minister.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I shall try to call all those Members who have been rising in their places since the business statement was made, but it will be easier for me to do so if hon. Members ask brief questions.

Mr. Bill Walker (Tayside, North): Will my right hon. Friend confirm that during next Thursday's debate on foreign affairs it will be in order to raise matters concerning the space defence initiative—the so-called star wars programme, which is very much misnamed—matters affecting NATO and disarmament?

Mr. Biffen: The debate will take place on a motion for the Adjournment, which is the traditional pattern for foreign affairs debates. It is recognised that such debates range widely. I am sure that the House will wish to talk about East-West relations, arms control and the Geneva talks, which will cover the very issues that my hon. Friend has in mind.

Mr. Peter Pike (Burnley): Does the Leader of the House recognise the problems that have been caused to

local government by the changes that have been made to the rate support grant settlement after most councils have fixed their rates? Will he arrange time for this issue to be debated? Would it not be appropriate to debate it before polling day in the county elections?

Mr. Biffen: There are no immediate plans for such a debate, but I shall consult my right hon. Friend the Secretary of State for the Environment and convey to him the hon. Gentleman's request.

Mr. Roger King (Birmingham, Northfield): Does my right hon. Friend accept that there is growing concern for the future of the motor car industry, especially because of the delay in the announcement of the BL corporate plan? Will my right hon. Friend ask the Secretary of State for Transport to make a statement on the plan as soon as possible?

Mr. Biffen: I shall convey that request to my right hon. Friend.

Mr. Ronald Boyes (Houghton and Washington): Has the Leader of the House had an opportunity to read column 202 of yesterday's edition of *Hansard*, in which the Minister of State, Foreign and Commonwealth Office, says that

"the Community should revert to a more normal relationship with Turkey, starting with the unblocking of the outstanding aid"? —[*Official Report*, 17 April 1985, Vol. 77, c. 202.]

Is he aware that many peace activists in Turkey are in gaol in terrible conditions and that many other activists, including many thousands of trade unionists, are on trial? Will the Government not be losing an essential lever in persuading the Turkish Government to release these activists from gaol and to abandon the trials by urging the Community to revert to a more normal relationship with Turkey? Surely the Minister who is responsible should justify a policy change before the House instead of doing so by means of a written answer.

Mr. Biffen: I recognise that many hon. Members have taken a close interest over a long period in relations between Britain and Turkey and Turkey's domestic arrangements. I think that Thursday's debate will enable the hon. Gentleman's observations to be aired.

Mr. Michael Latham (Rutland and Melton): Is my right hon. Friend satisfied that Monday's debate will provide both the time and the inclination for Opposition spokesmen to tell the 4 million mortgage payers in Britain whether they will abolish their tax relief?

Mr. Biffen: Yes. That is why I think that it will be a standing-room-only occasion.

Mr. Doug Hoyle (Warrington, North): Will the right hon. Gentleman look at early-day motion 525 about the strike of cleaners at Exclusive Cleaning and Maintenance at the United Kingdom Atomic Energy Authority at Risley?

[That this House strongly condemns the action of Exclusive Cleaning and Maintenance at the United Kingdom Atomic Energy Authority, Risley, in reducing cleaners' earnings by 21p per hour which means that wages have been cut from £25 to £22·50 per week coupled with a reduction of holidays from four weeks to one week, and the use of blackleg labour in a sensitive area who have not received security clearance, despite this having previously been a condition of employment for cleaners; calls upon the United Kingdom Atomic Energy Authority to intervene to ensure that their sub-contractors pay trade union rates and provide decent conditions, particularly in view of the high profits announced by Exclusive Cleaning; and also calls upon the Government to set up an inquiry into the commercial cleaning industry in order to protect the workers and customers from exploitation by unscupulous profiteers.]

Will he ask his right hon. Friend the Secretary of State for the Environment to make a statement to the House on why Exclusive Cleaning, an anti-trade union company, has the contract for cleaning the Houses of Parliament, particularly as it is trying to reduce the wages of 132 women by 21p an hour to £22·50 a week which has resulted in a strike that has continued for nine weeks? Will he recommend to his right hon. Friend that he should terminate that company's contract forthwith?

Mr. Biffen: That is an interesting extension of the responsibilities that I am supposed to possess with regard to next week's business. I am advised that the contract between Exclusive Cleaning and the United Kingdom Atomic Energy Authority is consistent with Government guidelines on cleaning contracts, but I shall refer to the relevant Minister the points that have been made.

Mr. Harry Greenway (Ealing, North): Notwithstanding my right hon. Friend's announcement of a foreign affairs debate next Thursday, will he arrange for a statement to be made, before the dispatch by the Polish community of Ealing and beyond of its 100th 32-tonne truck full of food and medical aid to Poland next week, upon my right hon. and learned Friend the Foreign Secretary's most successful tour of iron curtain countries, particularly Poland, his excellent meeting with Cardinal Glemp, his most moving visit to the grave of Father Popieluwski and his talks with leaders of Solidarity? Those are most important and precious to the Polish community in Ealing and the rest of Britain.

Mr. Biffen: My hon. Friend has made generous and justified references to the recent visit of my right hon. and learned Friend the Foreign Secretary to eastern Europe, and I shall draw his attention to my hon. Friend's remarks.

Mr. Alfred Dubs (Battersea): Is the Leader of the House aware that, while the report on the Commission for Racial Equality on immigration control procedures may be gathering dust on Home Office shelves, many people in the House and in the country think that the issues that it raises require a debate, and pretty soon? Is the right hon. Gentleman yet in a position to say whether such a debate will ever take place, and, if so, when?

Mr. Biffen: I cannot really add to what I have said previously. I recognise the keen interest that there is that such a debate should take place. I am not yet in a position to provide Government time, but I shall bear in mind the interest.

Mr. Robert Adley (Christchurch): A moment ago my right hon. Friend refered to his role and powers. Is he aware that he rightly enjoys on both sides of the House a reputation for protecting the interests of Back Benchers and the House? In the light of that, will he share my concern that a statement has come from the Department of Transport to the effect that airports policy, in so far as it relates to current discussions over Stansted, Manchester, Heathrow and so forth, is to be decided, not in the light

[Mr. Robert Adley]

of the recent debates and decision in the House, but in private quarters within the Department of Transport, and thereafter, not even referred to the House for its approval?

Is not that a disgraceful situation which is a matter of concern that has nothing to do with party politics or even partisan feelings about one's constituency? In the light of what happened over the Maplin Bill 10 years ago, will my right hon. Friend do his duty as Leader of the House to ensure that the present position is reversed?

Mr. Biffen: My hon. Friend's preliminary and good-natured remarks were misplaced. I am a shameless boss's nark and always will be. Unless I were prepared to do the job on those terms, I would not be standing at this Dispatch Box.

My hon. Friend's second point raises a matter that I should like to look into. I shall therefore be in touch with him.

Mr. Roger Stott (Wigan): The Leader of the House, in announcing the business for next week, said that the Second Reading of the Ports (Finance) Bill would take place on Tuesday. I tried to obtain a copy of that Bill from the Vote Office but I was told that it was not there and it was not known when it was likely to be there. In view of the importance of that debate, will the right hon. Gentleman ensure that there is a copy of the Bill in the Vote Office in the next couple of hours?

Mr. Biffen: I shall look into that matter at once.

Mr. Peter Bruinvels (Leicester, East): Has my right hon. Friend seen today's press announcements about the provision by my right hon. Friend the Secretary of State for the Environment of city action teams, and the towns that have been selected? Will he advise the House when we can expect a statement from the Secretary of State so that cities such as Leicester can be pleaded for by people such as me? The scheme appears to be good, and the House would like other cities to be considered favourably.

Mr. Biffen: I understand my hon. Friend's anxiety that Leicester should also have the advantage of this recent provision, I shall call the attention of my right hon. Friend to what my hon. Friend has said.

Mr. Dennis Skinner (Bolsover): Will Tuesday's debate on trade union democracy on a motion tabled by Liberal and Social Democratic Members, be sufficiently wide for hon. Members to refer to the fact that a great deal of hypocrisy abounds from those two parties? The leader of the Liberal party refused to accept the decision of the Liberal party conference when it held a ballot about cruise missiles and said, "Stuff the ballot", and the leader of the SDP fought on one manifesto and changed sides in mid-stream but has not had the guts to tell his electorate in Plymouth that he had changed his mind and there should be a ballot to endorse his membership of this House. Will the debate be sufficiently wide for such matters to be raised?

Mr. Biffen: The width of the debate is properly a matter for the Chair. However, I have such boundless faith in the ingenuity of the hon. Gentleman that I know that he will open up an aperture through which many other hon. Members will follow.

Earnings-Related Pension Scheme

4.1 pm

Mr. Michael Meacher (Oldham, West): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 10, for the purpose of discussing a specific and important matter that should have urgent consideration, namely,

"the Government's plan, which has just been revealed, to axe the state earnings-related pension scheme."

The matter is specific because the clear and explicit intention of the Government is reported in the *Daily Telegraph* of today in an article which is clearly based on Government briefing. It states:

"The Government has decided to scrap the SERPS."

The decision is specific in another sense. It specifically contradicts the explicit and unequivocal pledge that was solemnly given by the Prime Minister, conveniently before the general election, in a letter of 20 May 1983 to my hon. Friend the Member for Pontypridd (Mr. John). She stated:

"Nor are there any plans to change the earnings-related component of the state pension."

The matter, also, specifically and in terms, contradicts the equally binding pledge given by the Secretary of State for Social Services to the House when he said:

"My aim in setting up an inquiry is not to call into question the fundamental pensions structure that was established in the 1970s with all-party agreement, and to which I was a party." —[*Official Report*, 23 November 1983; Vol. 49, c. 360.]

The matter is important and, indeed, vital because it will drastically worsen the standard of living of millions of pensioners. Only the SERPS, which the Labour Government introduced in 1975, will take 2 million of the poorest pensioners above the state means-tested poverty line. The Government's alternative of private pensions will never do that. The state earning-related scheme was introduced precisely because of the failure of the private sector to provide adequate pensions in the past.

The matter is also important because billions of pounds earmarked for future funding for pensioners is now to be clawed back by the Chancellor of the Exchequer to provide a further bonanza of tax handouts for the rich. The report states that the Government claim that the SERPS cannot be afforded. It is vitally important that the matter is fully debated, especially as that claim is directly contradicted by the Government Actuary and, as the Government's Social Security Advisory Committee recently stated:

"At this distance of time we do not think there can be solid grounds for altering the scheme now for fear of all the worst outcomes occurring steadily for 40 years."

It is important that the matter is fully explored to expose the inconsistency between the Chancellor's projection of future growth of 3 per cent.—when the Government wish to crow about economic success — and the projection for future growth of the Secretary of State for Social Services of 1·5 per cent.—when the Government want the nation to believe that decent pensions cannot be afforded.

The matter is urgent because this is the first unambiguous sign that the Government would carry through by far the most serious and damaging attack yet on pensioners in the radical dismantling of the welfare state, on which the Government are now hell-bent. The SERPS is a central arch of the welfare state. It would increasingly become the sole protector of millions of pensioners against poverty and the indignity of dependence on means tests. To destroy it now—the best

deal that pensioners have ever had—would be a sin against the British people and, therefore, I earnestly request a debate at the earliest possible opportunity.

Mr. Deputy Speaker (Mr. Harold Walker): The hon. Member for Oldham, West (Mr. Meacher) asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he thinks should have urgent consideration, namely,

"the Government's plan, which has just been revealed, to axe the state earnings-related pension scheme."

I listened carefully to what the hon. Gentleman said, but I do not consider that the matter is appropriate for discussion under Standing Order No. 10, and I cannot, therefore, submit his application to the House.

Mr. Michael Latham (Rutland and Melton): On a point of order, Mr. Deputy Speaker. Would you confirm that if you had ruled in favour of the Opposition's submission it would have required 40 or 50 Back-Bench Members to rise in their places, yet only 26 Labour Back-Bench Members are present?

Mr. Deputy Speaker: I do not wish to consider hypothetical questions.

BILL PRESENTED

PORTS (FINANCE)

Mr. Secretary Ridley, supported by Mr. Secretary Younger, Mr. Secretary Edwards, Mr. Secretary King, Mr. Peter Rees, Mr. John Moore, Mr. Peter Bottomley and Mr. David Mitchell, presented (under Standing Order No. 111 (Procedure upon Bills whose main object is to create a charge upon the public revenue)) a Bill to provide for grants to be made to the National Dock Labour Board; to increase the limit on the amount of financial assistance to the Port of London Authority and the Mersey Docks and Harbour Company; to make further provision relating to borrowing by and the audit of the accounts of certain harbour authorities; and to repeal section 9 of the Harbours Act 1964: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 129.]

Orders of the Day

Social Security Bill

As amended (in the Standing Committee), considered.

4.6 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): On a point of order, Mr. Deputy Speaker. I seek the recommittal to a Standing Committee of new clause 12. I understand that it is possible to recommit parts of a Bill for reconsideration by a Standing Committee.

I do not wish to detain the House, but the point is important, and we must not allow it to go by default. The Government have virtually hijacked the Social Security Bill in that they have introduced substantial parts of the Budget into it, especially into new clause 12. Forty-one Government amendments and new clauses have been selected for debate today, notwithstanding the others that were also tabled for debate. That is an abuse of our procedures. There is no objection to the Government tabling proposals that derive from Committee to be properly considered on Report. However, the practice of wholesale importation and insinuation of new and substantially different proposals is out of order and a piece of procedural chicanery. As a marker for the future, we should try to dissuade the Government from future procedural chicanery of that nature. We should tell the Government that, whenever they seek to do that, we shall seek to recommit at least some of the clauses in the Bill.

Mr. Deputy Speaker (Mr. Harold Walker): I am grateful to the hon. Gentleman for having given me prior notice that he might wish to raise this question with me. I have considered the matter and have decided, in pursuance of my powers of selection under Standing Order No. 34, that I should not be prepared to accept a motion for recommittal.

New clause 12

CALCULATION OF CONTRIBUTIONS

'(1) In subsection (1)*(b)* of section 4 of the Social Security Act 1975 (incidence of Class 1 contributions), the words "primary Class 1" shall be substituted for the word "such".

(2) The following subsections shall be substituted for subsection (6) of that section—

"(6) Subject to regulations under sections 128 to 132 below and to section 27 of the Pensions Act, the amount of a primary Class 1 contribution shall be the appropriate primary percentage of so much of the earnings paid in the week, in respect of the employment in question, as does not exceed the current upper earnings limit (or the prescribed equivalent in the case of earners paid otherwise than weekly).

(6A) The appropriate primary percentage is a percentage of the rate specified in subsection (6B) below as the appropriate rate for the primary earnings bracket (or the prescribed equivalent in the case of earners paid otherwise than weekly) into which the earner's earnings fall.

(6B) Subject to any order under this section or section 122 or 123A below, the primary earnings brackets and their appropriate percentage rates shall be—

	Weekly earnings	*Percentage rate*
Bracket 1:	current lower earnings limit to £54·99	5 per cent.
Bracket 2:	£55·00 to £89·99	7 per cent.
Bracket 3:	£90·00 or more	9 per cent.

(6C) Subject to regulations under subsection (7) or sections 128 to 132 below and to section 27 of the Pensions Act, the amount of a secondary Class 1 contribution shall be the appropriate secondary percentage of the earnings paid in the week in respect of the employment in question.

(6D) The appropriate secondary percentage is a percentage of the rate specified in subsection (6E) below as the appropriate rate for secondary earnings bracket (or the prescribed equivalent in the case of earners paid otherwise than weekly) into which the earner's earnings fall.

(6E) Subject to any order under this section or section 122 or 123A below, the secondary earnings brackets and their appropriate percentage rates shall be—

	Weekly earnings	*Percentage rate*
Bracket 1:	current lower earnings limit to £54·99	5 per cent.
Bracket 2:	£55·00 to £89·99	7 per cent.
Bracket 3:	£90·00 to £129·99	9 per cent.
Bracket 4:	£130·00 or more	10·45 per cent.

(6F) The Secretary of State may by order alter the number of primary or secondary earnings brackets below the highest bracket.

(6G) An order under this section may make such amendments of any enactment as appear to the Secretary of State to be necessary or expedient in consequence of any such alteration made by it

(6H) No order shall be made under this section unless a draft of the order has been laid before, and approved by, a resolution of each House of Parliament.

(6J) An order under this section shall be made so as to come into force—

(a) on a date in the tax year in which it received parliamentary approval; or

(b) on a date in the next tax year.

(6K) Such an order shall have effect for the remainder of the tax year in which it comes into force and for any subsequent tax year (subject to the effect of any subsequent order under this section); and for this purpose the order is to be taken as receiving parliamentary approval on the date on which the draft of it is approved by the second House to approve it.".

(3) In section 7(1) of that Act (weekly rate of Class 2 contributions), "£3·50" shall be substituted for "£4·75".

(4) In section 8(1) of that Act (amount of a Class 3 contribution), "£3·40" shall be substituted for "£4·65".

(5) The following section shall be inserted after section 123 of that Act—

"Further power to alter certain contributions.

123A.—(1) For the purposes of adjusting amounts payable by way of primary Class 1 contributions, the Secretary of State may at any time make an order amending section 4(6B) of this Act by altering any one or more of the following figures—

(a) the upper weekly earnings figure specified in respect of Bracket 1;

(b) the weekly earnings figures specified in respect of Brackets 2 and 3; and

(c) the percentage rates specified as the appropriate rates for Brackets 1 and 2.

(2) For the purposes of adjusting amounts payable by way of secondary Class 1 contributions, the Secretary of State may at any time make an order amending section 4(6E) of this Act by altering any one or more of the following figures—

(a) the upper weekly earnings figure specified in respect of Bracket 1;

(b) the weekly earnings figures specified in respect of Brackets 2 to 4; and

(c) the percentage rates specified as the appropriate rates for Brackets 1 to 3.

(3) No order shall be made under this section so as—

(a) to alter either of the percentage rates specified as the appropriate rates for Brackets 1 and 2 in section 4(6B) above to a rate higher than the percentage rate which at the time the order comes into force is specified as the appropriate rate for Bracket 3 in that subsection; or

(b) to alter any of the percentage rates specified as the appropriate rates for Brackets 1 to 3 in section 4(6E) above to a rate higher than the percentage rate which at the time the order comes into force is specified as the appropriate rate for Bracket 4.

(4) Without prejudice to section 120 or 122 of this Act, the Secretary of State may make such order—

(a) amending section 7(1) of this Act by altering the figure specified in that subsection as the weekly rate of Class 2 contributions;

(b) amending section 8(1) of this Act by altering the figure specified in that subsection as the amount of a Class 3 contribution,

as he thinks fit in consequence of the coming into force of an order made or proposed to be made under subsection (1) above.

(5) An order under this section may make such amendments of any enactment as appear to the Secretary of State to be necessary or expedient in consequence of any alteration made by it such as mentioned in subsection (1), (2) or (4) above.

(6) No order shall be made under this section unless a draft of the order has been laid before, and approved by, a resolution of each House of Parliament.

(7) An order under this section shall be made so as to come into force—

(a) on a date in the tax year in which it received Parliamentary approval; or

(b) on a date in the next tax year.

(8) Such an order shall have effect for the remainder of the tax year in which it comes into force and for any subsequent tax year (subject to the effect of any subsequent order under this section); and for this purpose the order is to be taken as receiving Parliamentary approval on the date on which the draft of it is approved by the second House to approve it.".'.—*[Mr. Newton.]*

Brought up, and read the First time.

The Minister for Social Security (Mr. Tony Newton): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following:

Amendment (a) to the new clause, in line 36, leave out 'or more' and insert '£481'.

Amendment (b) to the new clause, in line 63, at end insert

'and

(d) the weekly earnings figures specified in respect of Bracket 4.'.

New clause 22—*Upper Earnings Limit for Secondary Class I Contributions*—

'(1) At the end of section 4(1) of the Social Security Act 1975 (Class I contributions—incidence) and of section 1(1) of the Social Security Pensions Act 1975 (earnings limits) there shall be added the words "except that for the purpose only of determining the maximum amount of weekly earnings in respect of which secondary Class I contributions are payable the upper earnings limits shall be as follows:

(a) £265 from 6th April 1985 to 5th October 1985

(b) £285 from 6th October 1985 to 5th April 1986

(c) £335 from 6th April 1986 to 5th April 1987

(d) £385 from 6th April 1987 onwards"

(2) In regulation 7 of the Social Security (Contributions) Regulations 1979 for the words "the lower and upper earnings limit" there shall be substituted the words "the lower earnings and except for the purpose of determining the secondary Class I contributions payable the upper earnings limit".

(3) Where by virtue of subsections (1) and (2) above secondary Class I contributions are payable on an amount which exceeds the amount of the upper earnings limits for the purpose of primary Class I contributions the secondary contributions on that excess shall be the normal percentage as defined in subsection (2) of the Social Security Pensions Act 1975 (contracted-out rates of contributions and benefits) of that excess and in cases to which that section applies shall be payable in addition to the contributions specified in subsection (1) of that section.'.

New clause 23—*Changes in the Upper Earnings Limit During the Year*—

'After paragraph (5) of regulation 6A of the Social Security (Contributions) Regulations 1979 there shall be inserted the following paragraph—

"(6) Where:

(a) the upper earnings limit is changed in respect of secondary Class I contributions with effect from a date in the year ("the effective date") being a date other than 6th April, and

(b) the earnings periods for a person fall to be determined in accordance with the provisions of paragraphs (2) to (4) above

the earnings period in which the effective date would but for the provisions of this paragraph fall shall notwithstanding the provisions of paragraphs (2) and (4) above terminate on the day before the effective date and a new earnings period shall commence on the effective date.".'.

Government amendments Nos. 92, 93, 167, 94, 95, 96, 168, 170, 97, 98, 102 and 104.

Mr. Newton: I shall explain the Government's purpose in proposing the new clause and the amendments as succinctly as possible and then try to pick up as fully as possible points which hon. Members on both sides of the House may wish to make during the debate.

The purpose of the new clause and the associated amendments is to implement the changes announced in the Budget by my right hon. Friend the Chancellor of the Exchequer in respect of national insurance contributions. There are three main elements in the Government's proposal. First, there is a graduated system of contribution rates. At present, there are two uniform rates of contribution: 9 per cent. for employees and 10·5 per cent. for employers, payable on all earnings if they exceed the lower earnings limit, which at present is £35·50, up as far as the upper earnings limit, which at present is £265, above which no contributions are paid. From 6 October, we propose two brackets of lower contribution rates at 5 per cent. and 7 per cent. for employees with lower earnings, and three brackets of lower rates at 5 per cent., 7 per cent., and 9 per cent. for employers in respect of their lower-paid employees. The earnings levels at which those lower rates will operate are set out in the new clause, so I shall not elaborate them in my speech. They mean that, from October, employers will pay less in contributions on all earnings under £130 a week, and employees earning less than £90 a week will similarly pay less.

Secondly, we intend to abolish the upper earnings limit for employers' contributions. From 6 October, they will pay the 10·45 per cent. rate of contributions on all earnings that exceed £130.

Mr. Terence Higgins (Worthing): Does my hon. Friend accept that the point he has just made raises a major issue of principle with regard to the contribution arrangements? By introducing such matters in a new clause on Report, it makes it difficult for the House to give full consideration to all the implications of what is undoubtedly a complex proposal. Had they been contained in the Finance Bill, they would have been debated in Committee. But to introduce it at this stage, when the rules of debate are extremely restricted—one can speak only once, for example—means that it is difficult to give proper consideration to what the Government propose.

Mr. Newton: I respect the view of my right hon. Friend, but several new clauses and amendments directed towards the aspect of the Government's proposals to which he referred have been tabled, and I believe that the debate will provide a proper and adequate opportunity for anxieties such as those that may be felt by my right hon. Friend to be expressed. I shall certainly try to respond to those anxieties if they are expressed. As my right hon. Friend will understand, with his long experience and distinguished service as a Treasury Minister, it is impossible, as I understand the rules of procedure, to make amendments affecting national insurance by the medium of a Finance Bill. Indeed, it would have been necessary to introduce a separate Bill had we not had the opportunity of incorporating those proposals in this Bill.

I hope that my right hon. Friend the Member for Worthing (Mr. Higgins) and the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) will not overlook the fact that the proposals, which we hope to introduce in October — it will be a significant administrative task for the Department to implement them in that time—will be of significant benefit to many millions of lower-paid employees. The Government, having decided upon this policy, would have been open to considerable criticism had they not taken the earliest practicable opportunity to ensure that those proposals were implemented and the substantial benefits that they confer on millions of people put into practice.

Mr. Higgins: Of course, I accept the point of substance made by my hon. Friend, and I also accept his technical point about the difficulties of incorporating the proposals into the Finance Bill. In that case, the right course of action should be a separate Bill with a Committee stage, or the Bill should be recommitted so that the new clauses can be given detailed consideration.

Mr. Newton: I understand why my right hon. Friend and the hon. Member for Roxburgh and Berwickshire have raised the matter, but I believe that it is appropriate to proceed in this way. The debate this afternoon will provide an adequate opportunity for hon. Members to raise the points that they wish to raise about the upper earnings limit. I shall do my best to respond to any points that my right hon. Friend wishes to make.

4.15 pm

I had mentioned two aspects of the changes that we propose in contribution rates. The third is that, from 6 October, the class 2 flat rate contribution paid by the self-employed will be reduced by more than one quarter from £4·75 to £3·50 a week. There will be comparable reductions in the voluntary class 3 contributions available to those who, for a variety of reasons, wish to improve their contributions record.

Taken together, these are significant changes in the structure of national insurance contributions—possibly the most significant since the introduction of full earnings-related contributions. Despite the increased income from the abolition of the upper earnings limit on employers' contributions, the changes will have an overall cost in a full year of £450 million, made up of an £80 million net reduction in employers' contributions, a £270 million reduction in employees' contributions, and a £100 million reduction in contributions by the self-employed.

In proposing the changes, we are seeking to advance, and I believe we shall move successfully further towards, two important economic and social objectives. The first, which I mentioned in passing, is to foster the creation of new jobs as part of what my right hon. Friend the Chancellor rightly described as a Budget for jobs. As a direct result of the changes, the cost of employing about 8·5 million workers earning up to £130 a week will fall by up to £3 a week. For the lowest paid—those earning up to £55 a week—employers' contributions will be cut by more than half. That will make existing jobs more secure, and at the same time give important encouragement to create new jobs in this part of the job market, with special advantage to the job prospects for youngsters, to which great importance is rightly attached on both sides of the House.

The change will also reduce, for employers and employees, the distorting effect of the present lower earnings limit, which currently takes people from no national insurance contributions to national insurance contributions on their entire earnings if they pass the present £35·50 a week lower earnings limit. I accept, of course, that the proposed changes involve the acceptance of such edges at the margins between the new bands, but they are significantly less steep cliffs than the cliff edge involved in the present system. There is no doubt that the overall effect, taking account of the broad reduction in national insurance contributions as a whole, for this area of the labour market will leave us with a more sensible and rational system than the present one.

If one of the Government's objectives is to increase employment, the other — no less important — is to improve incentives by increasing the rewards of employment at modest earnings, and to give additional help to the lower paid. The proposed national insurance changes alone will mean increases in net income ranging from £1·10 to £2·18 a week for nearly 3·5 million workers earning less than £90 a week. The effect becomes even more significant when combined with the increase in tax allowances announced by my right hon. Friend the Chancellor in his Budget statement.

For a young person earning £50 a week the national insurance change alone will increase take-home pay by £2 a week, and there will be a further gain of £1·15 a week from lower income tax. That combined saving of £3·15 a week from tax and national insurance contribution changes is equivalent to an increase in take-home pay for that young person on £50 a week of 7·5 per cent. For a married man earning £80 a week there will be savings of £1·60 a week in national insurance contributions and £1·73 a week in income tax, giving a total gain of £3·33, or 5 per cent., in take-home pay. To give another example, which is especially striking in cash terms, although I do not pretend there will be many such examples, for a couple where the man earns £80 a week and the wife earns £50 a week, as a result of the national insurance and tax measures, their

combined take-home pay will increase by no less than £6·48 a week. I know most hon. Members in the House at the moment well enough to know that they will very much welcome the increased income which this provides to many of the low paid. It is a significant gain from these proposals.

Alongside these changes for those who are employed, self-employed class 2 contributions fall from £4·75 to £3·50 a week, with a total benefit to the self-employed as a whole of £100 million. In addition, there is another tax measure—namely, the introduction of tax relief on that half of the class 4 national insurance contributions of the self-employed which can be roughly equated to the employer aspect of national insurance contributions. That has been very widely welcomed in all parts of the political spectrum, and certainly by the self-employed. That is a recognition of the important role that the self-employed already play in our economy and of the important part that self-employment can play in job creation, and it shows the value that the Government place on the contribution of the self-employed to economic activity in Britain.

Lastly, I want to turn briefly to the collection of Government amendments associated with this new clause, most of which are technical or consequential on the major change, but some of which are concerned with the Government's proposals to ensure protection of the benefit rights of people which might otherwise have been affected by the changes in contributions which we are proposing.

We intend, where the annual total of contributions notified to the Department is low enough to indicate that reduced rate contributions have clearly been paid or, indeed, are likely to have been paid, to enhance the benefit entitlement flowing from those contributions by a varying formula, depending on the contributions recorded. That will be done by regulations under powers which already exist relating to earnings factors. We shall ensure, first, that the record for flat rate benefits will not suffer at all, and, secondly, that the record for earnings-related benefits will not suffer where earnings have been at a uniform rate. Thirdly, where earnings have fluctuated, low earners will be fully protected, though a few higher earners who have had short periods on low earnings may lose very small —I emphasise "very small"—amounts of earnings-related rights. The main point that I want to make is that no one will lose rights by comparison with the contributions that they have paid. In this respect, the enhancement can only add extra benefit rights whenever they apply.

The other very important point is that, even by comparison with earnings received, the extent to which earnings-related benefits will be enhanced will outweigh the extent of the very small losses that will occasionally be sustained by those who pay the reduced rates for short periods.

I hope that I have said enough to enable the House to form some view on the merits of the Government's proposals. The changes incorporated in this new clause and the associated amendments constitute a major plank in our programme to promote employment, not least for young people, and to focus additional help on the less-well-off in work. I hope that the House will give them a fair wind.

Mrs. Margaret Beckett (Derby, South): As is so often the case with this Government, the initial reaction to the proposal to change the national insurance contribution system was perhaps two cheers—certainly one cheer—since it has been a very regressive system and one which penalises the lower paid far more than the higher paid. Unfortunately, even though the time for debate and consideration of these changes has been extremely limited, it has become clear that there are more problems than might at first have been imagined.

One of the major problems is the extent to which the existing rather severe trap that is sprung when a person moves from one level of earnings to another has been replaced by several traps, perhaps slightly less severe in their effect but nevertheless just as real. It is the effect of these traps that is of particular concern to the Opposition.

Although the Minister dwelt very much in his remarks —as indeed did the Chancellor in his Budget statement —on the effects that it is hoped will flow from these changes in terms of increased employment, most commentators have made it plain that any such effect, should it take place at all, will be very marginal and that the major effect will be to add an extra incentive to keep wages down. The Minister touched on this in his remarks but laid very little emphasis on it.

This is a matter of very considerable concern to us because it is as dishonest as it is damaging to keep wages down at a time when there is a 12 per cent. increase in water rates owing to a Government-imposed tax, when gas and electricity bills are increasing because the Government have imposed charges on those industries, when national health prescriptions have gone up again and are, I think, 900 per cent. higher than they were when the Government came to power, and perhaps most of all when the Government are constantly talking in connection with every provision of the welfare state about people standing on their own feet, taking on themselves a greater part of the burden of their pensions, providing for themselves through more private education, more private health care, and so on.

The Minister referred particularly to the young employed and said how much benefit they would derive from the changes that are being made in this Bill. He drew attention to the fact that it might amount to a few pounds a week. For those young employed who are in families receiving housing benefit, that might be a very small return for the almost £9 which the Government decided to take off them last year in the non-dependent deduction. They will still be paying a very severe penalty for the privilege of being in work.

I note from the various comments on these proposals that the Institute of Directors is extremely concerned—and it appears to me that some of the amendments and other new clauses that have been tabled by hon. Members on the Government Benches also show concern—about the highest earners and the effect of these changes on them and their employers. We understand the point that they are making, but it always seems to me to be somewhat strange and certainly rather illogical that those in the Institute of Directors and hon. Members on the Tory side of the House feel so strongly that the higher earners must be allowed to earn more if they are to retain incentive, and talk about the disincentive to them of raising taxation, but believe that the lower earners must get lower wages—as will be the effect of these changes—if incentives are to be kept going. That is not an argument that I understand and it is one that the lower paid in this country find increasing difficulty in understanding.

[Mrs. Margaret Beckett]

The Minister also mentioned the effect of these changes on the self-employed. We recognise, of course, that these are welcome changes for that group. What greatly concerns us—particularly in the context of his and the Chancellor's speeches—is that it appears that the extent and nature of the changes for the self-employed go back to the myth, which the Government are always peddling, that that is the way to get new jobs. The present situation has nothing to do with the Government, nothing to do with the problems that the Government have created, and there is nothing that they can do to solve them. The best thing to do, it is said, is to have, like the Americans, lots more small businesses, and encourage people to become self-employed, because that is where employment will come from.

We often hear members of the Conservative party quoting the number of new jobs in small companies in, for example, the United States. What they do not quote, however, is the number of those companies and jobs that disappear within a year or two, or the net effect on job creation, which is extremely small. I seem to recall that in his Budget statement the Chancellor referred to the self-employed as

"a sector of the economy where an increasing proportion of the jobs of the future is likely to be found."—[*Official Report*, 19 March 1985; Vol. 75, c. 798.]

That may have more to do with where all the other jobs are going than with the net increase in the self-employed.

We are concerned that in giving this assistance to the self-employed the Chancellor has chosen to be extraordinarily generous to the better-off self-employed. If I understand correctly the changes that the Government are making—and that is no mean feat—it appears to me that even self-employed people, who are perhaps quite wealthy and certainly earn substantial sums, will pay only £3·50 a week to retain their entitlement to the basic pension. That is good value in anybody's terms and certainly a lot better value than is got by many people who are employed but earning substantially lower incomes. That means, as does this reduction, that to some extent the state is subsidising this improvement for the self-employed.

4.30 pm

I have one or two questions for the Minister about the proposed changes. One of the effects of these changes is that more people will be pushed into part-time employment, and perhaps into more than one part-time job. What will be the effect on them? At present, if both of those part-time jobs are below the lower earnings limit, the person does not have to pay any contribution. Will this apply in the future? What will happen if the sum of the earnings in the two jobs adds up to the level that brings them into a different contribution band? What will be the position of an individual with more than one job to which different contribution rates apply?

We looked with interest at amendments Nos. 94 and 95 and wondered what the Government had in mind. Both the Minister and the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) spoke about the difficulties in debating these things. The Minister then said casually that much of this will be done through regulations, so that the Government will have to come back to the House with the regulations, so that we can see what they have in mind. That is a bit of a cheek.

The Minister referred to the earnings factor. This was something on which I wanted to question him. I did not understand much more after his remarks. As I understand it, the theory is that entitlement to benefit is set by the earnings that occur between the existing lower and upper earnings limit and not by the rates of contribution that are paid. Entitlement also relates to earnings over the whole year. We recognise that there is not always a simple and clear relationship between contributions paid and earnings, but as a general rule the differences have been comparatively slight. With the new, much more complicated and wide-ranging changes, we wonder what the effect on benefit entitlement will be.

We suspect—and if the Government feel injured by this they have only themselves to blame because this is wholly characteristic of their behaviour—that amendment No. 95(b) which says:

"The Secretary of State may prescribe circumstances in which pensioners' earnings factors for any relevant year may be calculated in such manner as may be prescribed."

is the Department giving itself a get-out. It does not have the faintest idea how this will work and does not know what people's entitlement to benefit will be and how it will be assured. Which genius will devise a computer programme to work it all out and throw out the cases that do not look correct?

Someone could pay different rates of contribution during the year—the Minister referred to that possibility—for the same total level of earnings, or he could have different earnings during the year and still end up having paid the same rate of contribution. How will this work and what will it do to benefit entitlement? The Labour party is left with the unworthy feeling that a decision was taken in the Treasury to make a change in the basis of national insurance contributions because the Chancellor thought that it would look good in terms of job creation and particularly because he hoped that it would help to keep wages down. However, nobody thought through what the effect of the entitlement to benefits would be. The amendment has been drafted to catch up with the fact that later on somebody will have to work out what all this will mean for benefit entitlement.

The Minister suggested that there would be opportunities for enhancement and that nobody would really lose. We have heard these assurances from Ministers and the Department before, but things have not always worked out as they have suggested. Overall, we are looking at a complicated package of changes. The Labour party suspects that even the Government do not understand how it will work out or what problems it will cause. Most of all, we fear that the disadvantageous effects of these changes will keep wages down, whereas the job creation advantages that the Minister has sought to present will not materialise.

In the shadow Budget, the Opposition proposed that there was a need to look at the changes in the national insurance contribution system and we suggested a variety of ways in which such changes might be carried out. We did not go for any one particular formula because such changes need extremely careful working out, consideration and thorough debate. That is precisely what these changes are not having.

Mr. Roy Galley (Halifax): All Conservative Members will no doubt welcome the basic principles of new clause 12 and the fact that we are to have a more graduated system of national insurance contribution, with a considerable

reduction at the lower end of the scale which will ease unemployment problems for many people, particularly younger people. Therefore, it is exceedingly surprising that it should have had such a cool reception from the hon. Member for Derby, South (Mrs. Beckett). The Labour party is constantly bleating about unemployment, but when specific proposals to improve employment prospects are put forward it simply pours cold water on such constructive ideas. That is amazing.

I took particular exception to the hon. Lady's statements about the self-employed. She gave the impression that all the self-employed are rolling in money and do not make a great contribution to our society. She did not recognise the levy without benefit that was placed on them by the Labour Government in the late 1960s that we are seeking to mitigate. In many parts of Yorkshire and in my constituency, the self-employed are a vital part of our employment scene and of the growth and revival of new industries.

A number of problems on one or two specific matters arise out of new clause 12, and I should be grateful if my hon. Friend the Minister would give sympathetic consideration to them. The fact that there is no longer an upper earnings limit for employers' secondary contributions is one of them. Setting such a limit is the basic principle in amendment (a) tabled by my hon. Friend the Member for Northampton, South (Mr. Morris) and myself. It is causing growing concern to many sectors of industry. That concern has escalated in the past few days, when minds have been concentrated, so rapidly after the Budget statement, by the legislation that is to put it into effect. There will be an increased pay bill for certain types of firm, and no doubt other hon. Members who may catch your eye later, Mr. Deputy Speaker, will elaborate on different sectors of the economy where this will be a problem.

The problem will affect not only firms of highly paid solicitors, people in the City and so on, or high technology firms. It will affect many firms with a high proportion of skilled manual labour, with people who are earning now, even in the supposedly depressed north, more than £265 a week. A particular point of concern is that often part of those earnings is bonus and productivity payments. The fact that there is no upper earnings limit for employers makes such deals less attractive to the employer. There will be some problems, many of which could affect a certain number of firms across the board in the economy. Most other countries, particularly in western Europe, that have an insurance contribution system have an upper limit. In West Germany, which in Bismarck's day was the pioneer of the insurance system, has a limit of about £20,000 on employers' contributions.

Another concern is that the contributory system is such that benefits depend on the amount of national insurance contribution paid in the appropriate year, but there is a ceiling on the benefit paid. As I understand it, this applies to all contributory benefits. My hon. Friend may argue that that does not matter because the Government are retaining an upper earning limit for employees. However, employers will be paying substantially higher contributions and the employees to whom those contributions relate will receive no improvement benefit. That will add to the gradual erosion of the contributory principle that we have experienced in recent years. Increasingly there is less relationship between what one pays into the system and the benefit one receives from it.

It is to be welcomed that national insurance contributions are becoming a less regressive tax, but we are simply replacing a regressive employment tax with a progressive employment tax. It is becoming more and more an employment tax and little else.

Mr. Higgins: Unfortunately, because of the timing of the debate, it has not been possible for many hon. Members to see the evidence which the Chancellor of the Exchequer gave to the Select Committee on the Treasury and Civil Service on this very point or, indeed, the note that was provided by the Treasury on it. The fact is that the evidence given to the Select Committee suggests clearly that the employers' contribution will confer no benefit right whatsoever.

Mr. Galley: My right hon. Friend is right. The changes will make it more and more a taxation system. We perhaps should avoid the hypocrisy of saying that the contributory principle is important and must be retained because it has some relationship with benefits, because in this case it has not.

Mr. Frank Field (Birkenhead): Does the hon. Gentleman realise where his argument is leading him in regard to the whole principle of graduated contributions? The argument seems to be that, because we are abolishing the ceiling in respect of employers' contributions and giving no extra rights to employees, it is a bad system. One could argue equally that it is wrong to have graduated contributions because as one moves through the salary scale and pays a greater sum, although only the same percentage, in national insurance contributions, one is only getting the right to certain specific benefits. The much more interesting point is the one made by my hon. Friend the Member for Derby, South (Mrs. Beckett) about the right to benefit. The hon. Member for Halifax (Mr. Galley) is putting forward a totally misleading argument.

Mr. Galley: I do not accept the hon. Gentleman's point. It is still valid to say that this is becoming increasingly a tax which goes further from the contributory principle which has been held as important by Governments of all shades for many years.

Another important point relates to people who are contracted out of the state earnings-related pension scheme and who enjoy a rebate on their contributions between the lower earnings limit and the upper earnings limit because their occupational pensions will provide their earnings-related pension. There is an abatement for employees of 2·15 per cent. and for employers of 4·1 per cent. As I understand it, that abatement will cease for employees above the upper earnings limit. Employers will be paying more and employees will receive no additional benefit through contracting out.

When firms decided to provide their own scheme, it was a factor that there would be a rebate on employers' contributions. That may have been an important consideration in the financial equation that they had to consider. Surely it is fair that the rebate system should be extended to apply to all earnings, including those above the upper earnings limit, for contracted-out employees.

Mr. Frank Field: I support new clause 12, but for somewhat different reasons from those put forward by the Minister. His first reason for commending the clause to the House was that it would have an important effect on job creation. There is a real danger of hon. Members on both

[Mr. Frank Field]

sides of the House taking up unreal positions. Hon. Members on the Government side may say that certain costs are all-important in determining whether jobs are created, while Opposition Members may ignore those costs completely. I should be surprised if many jobs were created by these changes. The Minister was on somewhat safer ground when he said that the changes may protect jobs already in existence. That is the first, though not the major, point that I wish to make.

4.45 pm

I join the Minister in the other reason that he put forward for commending the new clause to the House. He said that it is an important reform for lower-paid workers. The reform will be paid for by lifting the ceiling on employers' contributions. As someone who has said for many years that the ceiling should be raised, it would be churlish of me not to welcome that change. Although I tried to pay careful attention to the arguments put forward by the hon. Member for Halifax (Mr. Galley), I do not think they carry much weight.

In opposition to this change some people have said that instead of having one poverty trap we shall have three poverty traps as a result of the change. We have to accept that, but we must remind those people who put this argument of two major changes that will be brought about by the Bill. Surely it is better to pay a 5 per cent. or a 7 per cent. contribution and then a 9 per cent. contribution rather than a 9 per cent. contribution from the beginning. It seems better, too, to have that tiered system at the higher income thresholds laid down by the Government.

I welcome the proposed changes. They are not perfect and there will be difficulties, but the new clause should be supported by the Opposition for two reasons. First, the new system will be better than the present one. It will reduce the contribution made to the national insurance scheme by lower-paid workers. Opposition Members have often called attention to the regressive nature of the national insurance scheme.

Secondly, it is terribly difficult to make major changes in the national insurance scheme because of the costs involved. My guess is that if a Labour Government were proposing changes, they would have come up with a similar scheme.

Mr. Neil Hamilton (Tatton): I wish to give qualified support to new clause 12. Of course, every hon. Member will applaud the reduction in the national insurance burden on the low-paid. Indeed, it was a matter to which I devoted some attention in a speech in the little debate that we had on 1 March on the tax and benefits system. It is rare that the Government are so swift to respond to suggestions made in debate. I am grateful to them for taking on board the points that I made and for transplanting them into legislative form.

However, certain difficulties will be created by the clause in its present form. It is for that reason that I have tabled two new clauses. New clause 22 proposes, instead of abolishing the upper earnings limit, to increase substantially the limit on the employers' contribution and to phase in that increase over three years. The effect would be that for the six months from 6 April 1985 the limit would be £265 per week or £13,780 per annum; from 6 October it would be £285 per week or about £15,000 per annum; from April next year it would be increased fairly substantially to £335 per week or £17,500 per annum; and, finally, from 6 April 1987 it would be increased to a maximum of £385 per week, which is equivalent to about £20,000 per annum.

There are several reasons for taking that approach rather than completely abolishing the limit, as the Government propose. It would seem that the limit is being abolished purely to pay for the reductions in the national insurance contributions at the lower end of the scale. Thus, the reason must be one of expediency. It is unfortunate that this way of doing things has been chosen, because a question of principle is involved. I naturally bear in mind what my right hon. Friend the Member for Worthing (Mr. Higgins) and my hon. Friend the Member for Halifax (Mr. Galley) have said about the lack of any benefit attaching to the employers' contribution. However fraudulent the system is—and it is a fraud, because it is a tax and it is not greatly related to the benefits that employees will ultimately derive—the fiction has been perpetuated by Governments over the years.

We are seeing a change of principle under the guise of expediency, but I think that the wrong way has been chosen for bringing about such changes in the social security system. Therefore, we must consider the scheme as a method of funding and discuss whether there are better ways of doing it. The beneficial effects of reducing the national insurance contributions at the lower end of the scale will, to some extent, be diminished by the disincentives to wealth creation that the abolition of the upper earnings limit will bring in its train. In the long term, I believe that some jobs may be sacrificed in order to increase the number of jobs at the lower end of the scale. Therefore, the net effect may not appear to be as great as the Government claim.

I understand that the national insurance burden overall is to be reduced by about £350 million through these changes. We all applaud that, and it is very good, but it disguises the massive redistribution of the national insurance burden among companies in different industries. Of course, some companies, such as those in the retail and textile trades, and those involved in local government will be better off and will welcome that. However, some firms will be much worse off as a result of the changes. Not all of them will be able to bear easily the burden placed upon them. Reference has already been made to high technology companies, and one could also mention North sea oil operators, those involved in financial services, and exporters as well as much of manufacturing industry.

I shall point out, in particular, the disproportionate effects that will be experienced by small companies with few employees who are, on the whole, well remunerated. Jobs will undoubtedly be lost in some areas. The London Business School has estimated that although 250,000 jobs will probably be gained at the bottom end of the scale —it differs from the hon. Member for Birkenhead (Mr. Field), who claims that the effect will be negligible— 100,000 jobs will be lost at the top end. That represents a significant diminution in the real value of the changes.

Large high technology companies must be tempted to cut the number of unskilled staff in order to pay for the extra cost of the national insurance contribution on skilled staff, whilst at the same time they must maintain their capital investment and research and development programmes to protect their profitability. That is to be deplored. Many small high technology companies probably do not employ any unskilled staff. As a result of

these changes, those companies may fail or face a great disincentive to continue in business. In many cases that disincentive will correspond to a 10 per cent. increase in the major part of one of their biggest costs, and could, at the margin, wipe out their profits altogether. In this rapidly growing area of the economy, salaries are competitive on a worldwide basis. Thus, we are also looking at salary scales and costs in the United States, Germany, Japan and in the countries of all our major competitors.

The abolition of the upper earnings limit will have a very deleterious effect as a result. Small North sea companies will be particularly hard hit, and that is to be deplored. Indeed, I believe that the abolition of the upper earnings limit represents a tax on business leadership. It reduces a company's ability to increase salaries at the top of the scale. Senior executives, who are in charge of hiring and firing and who know about the costs that arise in addition to salaries, are bound to know that, and to that extent it is bound to be demotivating in so far as they look to increased profitability to bring about increased remuneration for themselves.

Higher rate thresholds were increased in the Budget this year, but only by the rate of inflation. However, the increase in personal allowances went beyond the amount needed to account for inflation. Thus, although we may not be hitting those parts of the economy upon which we depend for increasing the national income and for wealth creation, we are not greatly benefiting them. We are also allowing a tax on exports. The cost of employing exporters has increased substantially during the past two years, because the phasing out of the 25 per cent. income tax deduction for days worked overseas contained in the Finance Act 1984, combined with the proposed national insurance changes, will increase the cost of employing an exporter by 20 per cent. if he spends a quarter of his year abroad and by 30 per cent. if he spends half of his year abroad. That cannot be ignored, and the Government should address themselves to that point.

The measure is also a tax on invisible exports, such as financial services and advertising. One thinks, perhaps, of Saatchi and Saatchi and of its incursions into the American market—to pluck just one example out of the air. But it makes things more difficult for those exporting such services. One agency that has come to my attention supplies British managers, consultants and engineers for United Kingdom and overseas projects. It calculates that it must increase its base charging rate to the client by more than £2 an hour, thereby making it uncompetitive with German and American companies. At present, the contracting industry is in the doldrums. Although United Kingdom engineers should be encouraged to earn some foreign exchange and to pick up know-how and experience abroad, they will not be led in that direction.

We are also seeing a tax on performance-related pay. The Government have rightly encouraged remuneration by way of share option and incentive schemes. That is an excellent development, but in some instances cash bonuses are the most appropriate incentives, either in conjunction with option schemes or on their own.

Some firms cannot offer incentives by means of option schemes. I think, for example, of unincorporated businesses and of non-profit-making bodies. Indeed, there is no more typical non-profit-making body than the Government. Why penalise these firms at the expense of those that can offer incentive schemes in other ways?

One of the most disturbing effects of the changes is that they will encourage remuneration through perks. In successive Finance Acts the Government have rightly set their face against benefits in kind. But the changes proposed will go against the whole trend of Government policy in that respect. The administrative costs of the Department and of businesses will be increased, although that is contrary to the Government's intentions as manifested in the recent paper entitled "Burdens on Business", which proposes major reductions in such burdens.

I wish to refer to the complications which will result from the change to the rules in October. Under the post-1975 system, there is no established procedure or precedent for making such a change, because the system is geared to the annual cycle of the tax year. It will create a major complication both for companies and for the Department. It will create particular hardship for companies which entered into contracts before Budget day and which will extend beyond 6 October 1985. Those companies cannot, for competitive reasons, readily change their prices at short notice, even if their contractual arrangements do not extend beyond 6 October. Contracts for high-paid personnel will be particularly adversely affected.

5 pm

My conclusion, therefore, is that, while the changes to the national insurance contributions rightly concentrate upon job creation, this method of bringing them about is calculated to damage the wealth-creating capacity of the economy. Although the overall net effect will be beneficial, I wish that other means could have been found to finance the changes so as to maximise rather than minimise their effect.

New clause 23 affects, in particular, company directors. This is a technical point rather than one which relates to general policy. Since 1983 the rules relating to company directors have provided that national insurance contributions should be levied on the first earnings of directors — first in a chronological sense — up to the annual maximum, which is 53 times the upper earnings limit. Consequently, no special provision is made for what happens when the upper earnings limit is changed with effect from a date during the tax year, because in the past this has never been contemplated by any Government. The abolition of the upper earnings limit could mean that if a director is on a monthly salary of twice the annual maximum, his national insurance contribution will be paid on the full £14,000 in the six months to 5 October and also on the full £14,000 in the remaining six months of the year. That will be a particularly penal provision.

Even if my hon. Friend the Minister is not minded to accept the more radical proposals contained in new clause 23, I hope that he will take on board the points that have been put to him in this respect. This new clause would override the relevant part of the existing regulations. Instead, it would provide for a new earnings period to commence on the effective date for the upper earnings limit change. Therefore, it divides the year into two, with the annual maximum apportioned pro rata to each period. If the upper earnings limit is abolished on 6 October, it will mean that the employers' national insurance contribution in the first earnings period to 5 October will be payable only on the earnings in that period up to half the annual maximum. I believe this to be an equitable solution. I

[Mr. Neil Hamilton]

cannot believe that the Government intended the inequitable way in which new clause 12, as drafted, will apply. Therefore, I hope that my hon. Friend will be able to provide some relief.

Mr. Charles Kennedy (Ross, Cromarty and Skye): I find myself in the uncharacteristic and curious position, after the extremely well-informed and well-argued speech of the hon. Member for Tatton (Mr. Hamilton), of giving, on behalf of my right hon. and hon. Friends and myself, a slightly greater welcome to this set of proposals than did he. The restructuring of the thresholds is a positive step forward, although, as my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood) and the hon. Member for Tatton have pointed out, it is not altogether ideal that something which is just as much a political as a practical issue should be tacked on to the front of a significant piece of legislation. However, I appreciate the reason for this, as was outlined by the Minister in his speech.

The Government's approach is surely right. They are trying to reduce the distortion and to ease the burden upon the encouragement of employment. Any step that will encourage new employment, including youth employment, is to be welcomed. However, to be fair, this must be set in context. Although the Chancellor made it clear that he is most concerned about the unskilled labour force and youth unemployment, there is no doubt that many of the changes that have been outlined will also encourage part-time employment. We do not wish to discourage part-time employment, but it is quite clear that the National Federation of Self-Employed and Small Businesses Ltd. would like more full-time employees to be recruited if only the economy, in terms of demand, were better, and if only some of the financial conditions under which they have to operate were more satisfactory. To introduce measures that will probably extend the scope of part-time employment cannot be a satisfactory or adequate response or solution to the problem. On this point I agree with the hon. Member for Birkenhead (Mr. Field). Therefore, the improvements, although welcome, are likely to be felt only at the margin. I echo what has been said by the Child Poverty Action Group. It welcomed the restructuring of contributions

"insofar as it reduces the burden of national insurance on the lowpaid without disenfranchising them from entitlement to national insurance benefits."

This has to be a key element in a change of this nature.

It is also significant that on the evening of Budget day the BBC television programme "Newsnight" visited a part of the country that is suffering some of the most severe problems caused by the recession and unemployment. On that programme a local business man who might have been expected to benefit from these changes said that it was unlikely that he would be able to create more full-time, long-term employment. He believed that the abolition of the upper earnings limit might discriminate against the profitability and competitiveness of his company. I believe that this is a genuine cause for concern.

The hon. Member for Tatton referred to North sea oil-related companies. Given the geographical location of Ross, Cromarty and Skye, hon. Members will appreciate that oil-related industries are a significant factor in their economy. Certain firms that are seeking to expand those activities and at the same time to encourage local employment may face difficulties at the top of the scale over their higher-paid employees.

All this, however, clearly falls within the Government's broader intention to move towards a more flexible and, certainly to some extent, more low-waged economy, with which I very much disagree. The Highlands and Islands Development Board recently commissioned a survey that showed that average earnings in its area were about 10 per cent. below the national average. Yet, for typical economic reasons, and for some cyclical reasons related to oil and tourism, unemployment is extremely high—well over 20 per cent., and more than 30 per cent. in some parts of my constituency. It is clear, therefore, that one cannot go too far in seeking to relate low wages to the encouragement of employment because, persistently and historically, the situation in my area has shown the opposite to be the case.

Mr. Frank Field: I agree that the Government are putting undue emphasis on the creation of low-paid jobs, but I am genuinely puzzled as to how anyone can interpret the proposals in new clause 12 as part of that policy. I do not see why raising the earnings threshold for national insurance contributions from £33 to £55 and then starting at 5 per cent. and tapering up to the full 9 per cent. at £90 per week will increase the number of low-paid jobs.

Mr. Kennedy: Curiouser and curiouser—I began by agreeing with a Conservative Member and a Labour Member is now defending the Government against me. We welcome the restructuring, but the changes must be seen in the context of the general approach outlined elsewhere in the Budget. I have grave doubts about the Government's broad approach. As the hon. Member for Birkenhead has said, the proposals before us are unlikely to have a resounding impact if they are set within that broad framework. I hope that the hon. Gentleman will agree that that is a fair point.

We are happy to welcome the changes, especially to the extent that they may herald moves towards full integration of the tax and benefit systems, which I believe would command broad support throughout the House. We congratulate the Government on their initiative in that respect, albeit tempered by qualifications arising from other aspects of their general economic policy.

Mr. John Watts (Slough): I welcome the restructuring of national insurance contributions especially warmly, not least because in the employment debate earlier this year I urged my right hon. Friend the Chancellor to deal with the problem of national insurance contributions at the lowest earning levels. I welcome the significant boost that the changes will give to the take-home pay of the lowest paid, the incentive for employers to offer relatively low-paid employment and the incentive for potential employees to accept such employment. I also welcome the scope for further modification to the brackets and to the rates, which I hope foreshadows more radical changes in the system of levying and collecting national insurance contributions, so that the system moves in stages, like the income tax system, rather than from one bracket to another.

Like my hon. Friends the Members for Halifax (Mr. Galley) and for Tatton (Mr. Hamilton), I have received representations from companies in my constituency about the removal of the upper earnings limit for employers'

contributions, the non-availability of contracted-out rebate above that limit and the non-cumulative basis on which employers' contributions are to be calculated and collected.

5.15 pm

Taking new clause 12 as a package, I believe that the importance of the benefits given at the bottom of the scale is so great that if the only way to fund it is to remove the upper earnings limit, companies employing predominantly higher-paid staff will have to live with that burden. Overall, there is a modest reduction of about £80 million in the total burden of employers' contributions, but the cost is redistributed according to the pay profile of the employees concerned. Naturally, I have sympathy for companies that will be hit especially hard by the removal of the upper earnings limit, but the value and impact of the benefits at the lower end of the scale in my view justify that burden.

As for the contracted-out rebate, I understand that there is a limit to the earnings taken into account for the accrual of earnings-related pension. That being so, it is logical that any rebate should apply only to that level of earnings which would otherwise qualify for the state earnings-related pension because the rebate is a recognition of the fact that by providing a scheme with benefits equal to or better than those of the state scheme the employer is relieving the public purse of certain costs. Therefore, although this is also a greater burden for companies operating contracted-out schemes, it is logical that rebate should not extend beyond the upper earnngs limit.

The non-cumulative basis on which employers' contributions are calculated and collected, however, presents real problems for companies operating incentive and bonus schemes. I hope that my hon. Friend the Minister will address his thoughts to that rather narrow point. A company operating a contracted-out pension scheme and incentive bonus schemes, where employees' normal earnings are below the upper earnings limit, will benefit from the contracted-out rebate, but if an incentive bonus is paid in one lump the earnings in that week or month may exceed the upper earnings limit for that period and push the employer's contribution up to the full 10·45 per cent. rate even though the employee's earnings over the year may still be below the £13,000 limit.

It would be sad if these imaginative restructuring proposals had the unintended side effect of discouraging employers from offering incentive bonus schemes. I hope that my hon. Friend will give further consideration to that problem and, if possible, seek a remedy that will remove the possible adverse impact on incentive schemes, as I am sure that all Conservative Members wholeheartedly support such schemes.

Mr. Kirkwood: We have always said that national insurance contributions constitute a tax that bears disproportionately on the poor, so we welcome the restructuring proposals. However, I hope that the Minister will pay attention to the circumstances that employers now find themselves in. High earners and their employers have enjoyed a slightly anomalous privilege as a result of the upper earnings limit, and they naturally resent losing it. I should have preferred more time to have been spent in consultation with industry about what will result from the change. Nevertheless, the change is necessary in the public interest.

There is a danger and a suspicion that high earners and their employers will get round the change and try to mitigate the impact of it by shifting the emphasis from salaries to perquisites. The Minister has an opportunity to say that, if companies and employers do that, the Government will seriously consider tightening the tax regime that applies to perquisites.

Employees' national insurance contributions should be integrated fully with income tax. That would involve applying the combined rate only above a personal allowance threshold—which threshold might have to be lowered to compensate for the loss of national insurance contributions currently levied—on all income from the first pound. We should like a move to be made towards the tax credit scheme that we have adumbrated for many a long year.

The Government could have approached the matter in other ways. I should have liked them to have considered the redistribution to low-paid employees in the form of employees' national insurance contributions throughout the earnings range above £35·50 a week being levied only on earnings above, say, £10 a week instead of on all earnings. That would have given some benefit to everyone rather than being directed entirely at low earners, and it would have been simpler to administer and have avoided the anomalies that we now have in many poverty traps.

We support the changes in the employees' national insurance contributions, but the House should recognise that the clause will introduce parts of the poverty trap in other ranges of income. The high marginal rates will be reduced by a few per cent., but at the expense of moving them still closer to the discontinuities introduced by new clause 12. I understand that some of the calculations that have been done show that, for a 1p increase in salary, sums of up to £1·77 can be lost. That must be a disincentive.

We fear that the encouragement of employers to take on more low-paid workers as a small contribution to reducing unemployment might be marred by a tendency to lock many people, especially women, into wages just below the £55 or £90 a week level, just as many part-timers are now locked into wages below £35·50 a week to avoid national insurance contribution liability. Except in that latter regard, these objections do not apply to the stepped structure for employers' national insurance contributions, which is generally welcome for its redistributive and job promotion effects.

I should like the Minister to give the Government's view about the emphasis being shifted from salary to perquisites.

Mr. Higgins: It is completely wrong that we should be debating new clause 12. When the Bill was given a Second Reading, such a clause was not generally envisaged. The important principles involved in the clause were therefore not considered at the stage at which it is normally appropriate to consider them.

These are highly complex matters which deserve detailed scrutiny such as can be given only in Committee. My hon. Friend the Member for Slough (Mr. Watts) mentioned the effect on employees who are contracted in and on those who are contracted out. That matter deserves detailed examination, preferably specific amendments, when hon. Members can speak more than once. On Report, an hon. Member can make his point only once, as has happened with my hon. Friend the Member for Slough. If he does not like the Minister's reply or if the

[Mr. Higgins]

Minister does not understand what the argument is about, there is no way in which my hon. Friend can come back, as he could in Committee. This clause should have been the subject of a separate Bill or, at least, it should have been recommitted so that it could receive the consideration and attention that it deserves.

These measures were clearly part of the Budget. I fully understood my hon. Friend the Minister's reply to my intervention, when he gave the technical reasons why these measures could not rightly be incorporated in the Finance Bill procedure. Nevertheless, the measures were clearly part of the Budget, and it is therefore right that the Treasury and Civil Service Select Committee should have given careful attention to them.

The Select Committee has taken evidence from Treasury officials, my right hon. Friend the Chancellor of the Exchequer, the Governor of the Bank of England, the Confederation of British Industry and the Trades Union Congress. We took evidence from the TUC and the CBI only last Monday. I understand that, fortunately, I am able to refer to that evidence as it was all taken in public and has been reported to the House. It would not be right for me to quote it because the official published report has not yet been corrected. The House has not had the opportunity to consider evidence which is directly related to what we are debating today before reaching a decision. That is extremely unsatisfactory.

The broad point about the changes in the lower end of the contributions scale and the effect that they will have on employment is a matter that the House is likely to welcome. I do not think that there is a division of opinion on that. However, that does not mean that the changes do not raise some difficult technical problems which ought to be discussed in detail. It is likely that we agree about the beneficial effect of the changes on employment.

Studies made by the Institute for Fiscal Studies suggest that, of the 270,000 people who are affected by the poverty trap, even at the 75 per cent. effective marginal rate of tax level, only 10,000 will be taken out of the poverty trap by my hon. Friends proposals.

We should spend a little time considering the implications of contributions on both employees and employers. We run immediately into the vexed question of the contributory principle. I was deeply worried about that principle when I made my maiden speech because official obeisance to it over the years had ruled out from any benefit as of right the people who were over a given age when the scheme was first introduced. That gave rise to great anomalies. I introduced a private Member's Bill on the matter and I am happy to say that the first thing that the previous Conservative Government did on coming into office was to put the matter right. The over-80s, as they were generally known, got that part of the national insurance pension which was not covered by contributions. Even on the employees' side, the contributory principle has to a large extent been pure myth. The problem is even more difficult on the employers' side.

We are substituting three separate scales for the poverty trap scale. That creates problems, especially in regard to overtime.

5.30 pm

I understand that I can refer to the evidence given to the Select Committee, but cannot directly quote from it—although when the words are published, they will be seen to be cogent. Last Monday we took evidence from Sir Terence Beckett on this very issue, and he made a number of specific points on removing the upper limit on employers' contributions. He mentioned the interesting point—and the CBI has evidence from those able to analyse the position carefully—that, because of the increased costs at the upper end of the scale, employment may be reduced at the lower end of the scale. That may not be the general case, but Sir Terence appears to have specific evidence on this matter.

Sir Terence made the important point that the effect of increasing the burden at the upper end of the scale would inevitably make many high technology industries less competitive both at home and in export markets. He said that we should be moving towards the bigger value added end of the production scale. In reality, the effect of the proposal will be to deter those who are contributing significantly to increasing the amount of value added either in competition with imports or for export markets.

In further evidence, Sir Terence spoke about the various anomalies likely to arise, especially with regard to overtime. I understand that the scheme is to work on the basis of the weekly pay packet. Apparently, a number of firms are concerned that the £1 that employees earn in overtime at particular parts of the scale may actually make them £3 worse off. That is nothing to do with the "why work?" syndrome or the poverty trap. It is a question whether people should work overtime when both the employer and the employee think it justified. Some people will work overtime under the scheme but be worse off, which is clearly absurd. If we were in Committee, we could be banging the issue back and forth, seeing the extent of the problem and trying to find a solution. Concern is being expressed about the effects of the removal of the upper limit for employers' contributions.

On the so-called contribution principle for employers, if it ever existed it most certainly will not exist if we agree to the new clause. In evidence to the Select Committee, the Treasury made it absolutely clear that if we accept the new clause there will be no link between the contributions paid by employers and any benefit that they or anyone else might recieve. In short, the scheme is a payroll tax, and let us have no doubt about that. Moreover, it is a graduated payroll tax with the adverse effect of working against the encouragement of high technology, not low technology, projects and against making us competitive in world markets.

In answer to questions about the employers' contribution, my right hon. Friend the Chancellor of the Exchequer accepted that a contributory principle was not really involved. I do not know whether my hon. Friend the Minister has had an opportunity to study the Chancellor's evidence. Perhaps he will tell us whether he has. It is relevant for the House to know the views of the Chancellor on this new clause. I regret that there is no Treasury Minister present to illuminate us further. It is sad that we should come to this. It is a straight payroll tax at the upper end of the scale. Although I welcome the amelioration at the lower end of the scale, we must be concerned about the effects of the ending of the upper limit.

Many of us campaigned for a long time for the abolition of the national insurance surcharge—a tax on jobs

imposed by the previous Labour Government. I am glad that it has now been abolished. However, for employers employing people at the upper end of the scale, the effect of that abolition will be offset by the proposals in the new clause. I hope that my hon. Friend will answer a specific question. At what level of income is the abolition of the national insurance surcharge wholly offset by the proposals?

I do not intend to oppose the new clause. It is a curate's egg. We can welcome its effects on the bottom end of the scale while having grave reservations about its effects on the upper end of the scale. If my hon. Friend is in his usual good debating form, he will no doubt legitimately say that if we do not want to agree to the change at the upper end of the scale, we must tell him how to raise the money to pay for that. We could have a long debate about the general economic situation, and I presume that that would be in order. We could debate general fiscal and monetary policies and so on, but I do not want to go that far. We must take for granted the fiscal stance that the Chancellor has put before us. However, I still think that there are better ways to save money than the proposals in the new clause that affect the upper end of the scale.

To be specific, I believe that it is a mistake to increase the own resources to the EEC. No case has been made to the House on why we should give more money to increase agricultural production, when we all know that there are obscene surpluses in many areas of agriculture. Therefore, I am happy to suggest that as an alternative to removing the upper limit.

We have had very little time to debate this matter; and we have had no time to bandy it back and forth. I hope that my hon. Friend will agree to drop at least the part of the new clause that relates to the upper end of the scale.

Mr. Tim Yeo (Suffolk, South): I wish to give the warmest possible welcome to new clause 12. Prior to the Budget I strongly advocated the changes that it incorporates and I am delighted to see that they have been included in the Bill. It is an important step towards improving the incentives for low-paid work. I do not share the reservations expressed by the hon. Member for Birkenhead (Mr. Field). At the very least, I believe that reducing the employers' contribution is a far better way to promote low-paid jobs than raising tax thresholds.

Reducing the employees' contribution has the further advantage of making it more attractive for employees to take low-paid work because of the increase in their take-home pay. The combination of those two measures will be beneficial in promoting prospects for youth employment.

I do not share the concern expressed about the abolition of the upper earnings limit. The money that we shall gain from that will be used on something much more worth while. However, I was glad to hear my right hon. Friend the Member for Worthing (Mr. Higgins) mention an alternative source of funding the £800 million that will be gained. I agree with his point about own resources. I should like that money to be saved in addition to the money saved in abolishing the upper limit.

I wish to make three brief points. The new clause drives a complete coach and horses through the idea that national insurance is any longer either an insurance or a contributory system. I happen to believe that that is very welcome. It is an overdue acknowledgement by the Government that the contributory basis is completely bogus.

I hope that we shall hear no more of that argument because it has been used to obstruct all sorts of reforms in the national insurance system over the years. We have seen contributions at the lower end reduced. As a result of the new clause, contributions at the higher end will be increased, but there has been no change in the benefit to which people are entitled. Thus, there is no insurance principle at stake here.

Mr. Frank Field: A number of hon. Members have said that a coach and horses has been driven through the national insurance system. Will the hon. Gentleman reflect on the position of our constituents when they come to claim benefit? Many of them are denied benefit on the basis of inadequate contributions. For them, therefore, the contribution principle remains intact.

Mr. Yeo: I appreciate the point that the hon. Gentleman makes as it affects those who have been paying in the past. I am simply pointing out that for those who think that they have been buying a benefit by their contributions and who are suddenly told that, because they are higher earners they must pay two, three or four times as much without any increase in benefit, there is no insurance principle, and the same applies at the bottom end of the scale.

I acknowledge that the perception of many people who have paid national insurance contributions has been that they have been buying an insured benefit. Let us disabuse them of that perception as quickly as possible. The new clause will help to do that.

The distortion will continue, though to a lesser extent because the rate of contribution is payable on total earnings. Thus, when one moves through the thresholds, one has a marginal rate of what I would call tax of well in excess of 100 per cent. That is unfortunate, but it is not as serious as it was, and we should continue to try to refine the system to avoid that disincentive effect, which will, to some extent, apply to employers as well as to employees.

I hope that the new clause is only the first step to the complete integration of national insurance contributions with income tax. Once we have recognised that we are no longer dealing with an insurance system, and once we have acknowledged that national insurance is, in effect, a tax, we are ready to integrate the two systems.

Employees' national insurance contributions could easily be merged with their income tax. We have the ironic consequence, as a result of the changes made by the new clause and last year with the abolition of the investment income surcharge, that investment income is now effectively taxed at a lower rate than earned income. I see no reason why that situation should continue.

If we merged employees' national insurance contributions with tax, there would be some disadvantage initially for pensioners, but that could be dealt with by raising the age allowance. Employers' national insurance contributions have always been a payroll tax, and they should be further reduced in future years.

The right hon. Member for Plymouth, Devonport (Dr. Owen), during Prime Minister's Question Time, raised a point which seemed to be critical of the changes that are now proposed. However, I was glad to hear his hon. Friend the Member for Ross, Cromarty and Skye (Mr. Kennedy) supporting the changes. It is a comfort to those of us who like to see familiar sights to have the SDP facing in opposite directions at the same time. I hope that that will

[Mr. Yeo]

not deter the Government from moving ahead eventually to the complete abolition of national insurance and its integration with tax, which would result in considerable administrative savings.

I do not always have cause to congratulate the Government on the effect of their fiscal and financial policies on the voluntary sector. However, since, on the whole, voluntary organisations have an above average proportion of low-paid workers, they will be substantial beneficiaries of the changes that are being made. The large charities, of which I have close personal knowledge, will experience a considerable saving in their wage bills as a result of this measure.

5.45 pm

Mr. Michael Morris (Northampton, South): I apologise to the House for being delayed, and I apologise in particular to the Minister for not being present to hear him move the new clause.

I recognise the broad strategy behind the new clause, and I support it. However, I wonder, in relation to its implementation and bearing in mind the removal of the employers' upper limit, whether the Government have understood the full implications of what they are doing. My right hon. Friend the Member for Worthing (Mr. Higgins) did the House a service in referring to some areas that were troubling him. I agree that as detailed a new clause as this warrants the careful attention of hon. Members.

The House will note amendments (a) and (b) to the new clause which stand in my name and that of my hon. Friend the Member for Halifax (Mr. Galley). My hon. Friend represents a northern seat and I represent an industrial seat in the midlands. The reason for our choice of £25,000 in respect of amendment (a) was that it seemed logical to have an upper limit. After all, while our European partners do not have identical schemes, they are similar; for example, the French have had an upper limit for many years. It is a variable limit—depending on whether the contributions are for pension, unemployment, health or sickness—of about £11,000 depending on the pound-franc exchange rate. West Germany, which is perhaps the closest analogy to the United Kingdom, has an upper limit of £20,000. Therefore, before we rush away from the idea of having an upper limit, we should think of our relative competitiveness with out continental partners. That was one of our motivations in tabling that upper limit.

Our second purpose was to try to have some relationship with the other guides that we have in Britain, and the one that my hon. Friend the Member for Halifax and I chose was that at which people no longer get tax relief when they are made redundant. If one is unfortunate enough to be made redundant and one has a tax benefit payment, it is tax-free up to £25,000, and beyond that it is taxable. That was the logic behind the figure that we chose.

In choosing that figure, we were not aware of the question that had been tabled by my hon. Friend the Member for Croydon, South (Sir W. Clark) on 15 April, in which he asked for the cost of what we propose. It was made clear in the answer, at column 40 of the *Official Report* for that date, that the cost would be the substantial sum of £275 million. However, I was cheered as I journeyed south this afternoon to hear that the outturn from the public sector borrowing requirement was a good deal better than the Chancellor had forecast at the time of the Budget. In other words, that £275 million has probably been saved.

Amendment (b) may appeal to the Minister. It would allow him, should he wish to do so at a future date, to put on a top limit—that is, if he is not persuaded today that £25,000 would be the right figure. In other words, it would give him a degree of flexibility to meet many of the points that have been made today. I look forward with interest to hearing his reply on that point. It is true that the days have gone when a limited contribution produced a limited benefit. I take the point of the hon. Member for Birkenhead (Mr. Field) that it is conceivable that a man or woman who is short of contributions at a certain stage may make good, make an enormous contribution to the national insurance fund, and still be ineligible for the basic pension because of an insufficiency of contributions. That is an anomaly to which my hon. Friend the Minister for Social Security should address himself. Those who find themselves in that position will feel aggrieved, and rightly so.

Only four weeks have passed since the Budget but calculations have been made by four companies in Northampton which show that, if the proposed levels of contribution are implemented, a medium-sized company that tends to operate in the high-tech area will pay more than it will save from the national insurance surcharge. That seems to be the wrong approach. I suspect that we shall find that many medium-sized companies are adversely affected. It is the growing, medium-sized company that we want to prosper, and such companies should be given every encouragement.

It is a fact that national insurance contributions are paid for up to 52 weeks for an employee who is working overseas. When that rule was introduced it was the norm for employees to go abroad for 18 months or two years. That was the normal tour. That was reduced to about 15 months. However, there has been a further change and the bulk of expatriate Britons in the middle east or far east, where my right hon. Friend the Member for Worthing has been recently, are abroad for nine months. As the cost of living abroad is higher than it is here—that is usually the position — salaries have to be enhanced and employers will find themselves having to pay enhanced national insurance contributions. That will produce an additional on-cost for those whom we want to be more competitive in the market.

My right hon. Friend the Chancellor of the Exchequer and his ministerial colleagues have rightly placed great emphasis on share incentive schemes over the past few years. This is to be applauded, but we must recognise that such schemes are likely to be attractive to middle management and top management. If someone is on the shop floor or is a member of lower management and he receives an annual bonus, which in many ways is comparable to a share option scheme, which will attract medium and top management, he will find himself in the top bracket for contributions if the bonus is paid in any one week. That is an unnecessary disincentive. It will not encourage better employer-employee relationships and it will negate the benefit of having good involvement between men and management.

Sir Brandon Rhys Williams (Kensington): I support my right hon. Friend the Member for Worthing (Mr.

Higgins) in his complaints about the introduction of the clause at this stage in the Bill's passage through the House. It is clear that we have an important new clause before us, but the Bill was intended originally to be much smaller in scope. It was not envisaged that it would involve the enormous implications that will undoubtedly flow from the new clause.

It is sad when a Department uses a Bill which is a minor measure when set against the provisions contained in the new clause as a vehicle for placing additional legislation on the statute book quickly without giving Parliament the opportunity of a proper Second Reading debate or the opportunity fully to examine in Committee the measures proposed in the new clause.

It is wrong that this new clause should have been presented in this way. The provisions contained in it should have appeared before us in a separate Bill. Parliament has a duty to consider what the Executive are proposing for the taxation of individuals. The new clause will apply to virtually the entire population at one time or another; and yet we shall let it pass after an hour or two's debate without any proper consideration of the implications.

We have had a number of interesting Second Reading speeches and some hon. Members have attempted to do the work that they would have done if they had had the opportunity of considering the Bill in Committee. The introduction of the new clause at this stage is an abuse of parliamentary procedure. If we allow this to happen and Departments learn that they can treat the House in this way, they will do it again. We shall all suffer as a result, but the nation will suffer most of all. As a consequence, Parliament will be treated increasingly by Departments as a dead letter or a rubber stamp. I support my right hon. Friend the Member for Worthing in his complaints, speaking as he did with the authority of being Chairman of the Select Committee on the Treasury and Civil Service. When the Minister for Social Security replies, I hope that he will give us an assurance that this is an experiment which his Department does not intend to repeat.

We all accept that national insurance contributions had to be related to earnings and a number of years have passed since the earnings-related system was introduced. There is no good reason for keeping the national insurance contribution separate from income tax, especially as it is collected through the pay-as-you-earn mechanism. The identification of national insurance contributions as something separate from income tax is a survival of a bureaucratic notion which should be brought to an end.

I accept that it is right to carry the contributions to the national insurance system up to the top ranges of earnings, but what justification then remains for keeping higher-rate tax at the same time? That retention becomes increasingly dubious. I appreciate that many of my right hon. and hon. Friends would not join me in this approach, but a few weeks ago I turned up the reports of the debates in Committee during the consideration of the Finance Bill of 1971. I looked them up for another purpose but I found that at that time I recommended strongly that we should bring to an end the higher rate of tax as it did no one any good. I only regret that I have not said it more often since then. The economy would be in much better heart now if we did not have a system which attacks those who earn the most and who contribute most to the creation of wealth.

In moving towards higher rate contributions to the national insurance scheme we are, if anything, accentuating the evil effects of retaining the higher-rate tax. The House should ask itself who gains from discouraging the enterprise of those with the greatest earning potential. Secondly, who would lose if higher-rate tax were abolished? I believe that in a short time revenue would actually increase if it were abolished. When Sir Stafford Cripps halved the duty on wine, he doubled the yield in a very short time. If we did not have the higher-rate tax, taxpayers would pay much more within a short time in national insurance contributions and income tax at the standard rate. Much less effort and ingenuity would be wasted on tax avoidance, which is a major national industry.

We would help also to end the senseless distortion of salary structures. The sharp increases in salary that are sometimes received by senior management, especially in the private sector, are seen by some sections of public opinion as offensive; but the net effect of these increases still does not bring British levels of earnings within the range that is considered normal for top people in other countries.

Equally, we would take the unwanted burdens from companies of retaining the people that they need for the continuation of their business regardless of the enormous expense of paying the tax which goes along with paying the necessary gross salaries. If, in the enterprise economy, we ended discrimination against the most energetic and creative elements, everyone would gain and no one would lose. I hope that I shall have the opportunity to say the same thing again, because it is a point which needs to be made, if not by anyone else, then by the hon. Member for Kensington.

We have now had earnings-related contributions for a number of years. We still have no explicable relationship between contributions and benefits in national insurance. Employers' contributions should have a specific purpose and a definable, calculable end result. The recommendation that I would like my hon. Friend to consider is that the employer's contribution to the national insurance system should become a form of deferred pay which would go straight into a personal money-purchase scheme for each employee. The employer's contribution ought not simply to be lost in the fund, but should be retained as a personal entitlement of the employee in respect of whom it is paid. It should be allowed to accumulate on money-purchase principles to provide for his retirement as a form of deferred pay.

I do not like the employer's contribution going into what is, in effect, a final salary scheme. Final salary schemes have a redistributive or money transfer effect from the low to the higher paid and from early leavers to long stayers. That last point may not be a fair criticism of the state earnings-related pension scheme arrangements, but I support those who think that the state earnings-related pension system should be wound up as soon as possible. I should like the employers' earnings-related contribution to be retained and identified as the property of the individual employee, and for it to go towards the provision of his retirement income.

If employers made a 10 per cent. pension contribution, it would not be enough to give everybody all that they hope for in retirement, but it would certainly be the basis of a satisfactory retirement income and it would be possible to calculate how it had been arrived at.

[Sir Brandon Rhys Williams]

I accept that employees' contributions cannot purchase specific benefits if the payments into the scheme are earnings-related but the benefits are flat rate. Equally, the benefits which people have learnt to expect from national insurance are related to their families' circumstances but there is no reflection of family circumstances on the contribution side. That is another anomaly.

I accept that there is inevitably a redistribution of income where employees' contributions are concerned, but that really has the effect of making national insurance contributions into a citizenship entitlement. It is not an insurance scheme in any acceptable sense of the term and the proposal before the House today takes us no further in clarifying the underlying relationships between contributions and benefits in the national insurance system.

National insurance is a citizenship entitlement with unacceptable gaps, as hon. Members have pointed out. Because of deficiencies in the contribution records which are held to exist in certain cases, some people are not entitled to claim against national insurance when they fall into need, and we then have to have a supplementary benefit system instead which gives them virtually the same entitlements. But that alternative simply clouds the moral basis for the redistribution of income and at the same time creates tremendous administrative difficulties.

In the years of the decline of the Holy Roman Empire, it was said that they legalised anarchy and called a constitution. The redistribution of income in Britain is in the last stages of decline and must be abolished and reconstructed in one way or another. This Bill legalises the extension of income tax and calls it a contribution. It is not really a joking matter; it is a system which urgently needs to be revised. I hope that my right hon. and hon. Friends are thinking seriously of what comes after the Bill. We know that studies are being made on the reform of the redistribution of income; but are they sufficiently radical to do away with the problems that have beset national insurance since it went over to an earnings-related contribution basis?

There is a strong element of hyprocrisy and muddle in this Bill. It has no place in the redistribution of income in a fair society and is a heavy brake on enterprise. We are entitled to expect from my right hon. Friends the Secretary of State and the Chancellor a rational, comprehensible and transparently moral system for the redistribution of income. The new clause is not enough.

Mr. Newton: I find myself in the strange position of having had the least equivocal welcome for the new clause from the hon. Members for Birkenhead (Mr. Field), for Ross, Cromarty and Skye (Mr. Kennedy) and for Roxburgh and Berwickshire (Mr. Kirkwood), with whom I might, if I dare, couple my hon. Friend the Member for Suffolk, South (Mr. Yeo) and, very nearly, my hon. Friend the Member for Slough (Mr. Watts). I hope that they will not think that I am doing too much damage by adding them to the company in which they have found themselves this afternoon. Having said that, and recognising that several cautionary remarks have been made and questions asked by many other of my hon. Friends, I want to thank them for the balanced and constructive way in which they put their points.

I agree with the hon. Member for Birkenhead that it is nonsense to put forward the proposition that the new clause is directed towards promoting low-paid employment at the expense of other forms. The Government's proposition is that there has been an unduly heavy additional Government burden of tax and national insurance contributions in that part of the labour market which has inhibited employment there. That is not at all the same as saying that it is part of a deliberate plan to stimulate low-paid employment. The hon. Member for Birkenhead made that point particularly well in an intervention.

The hon. Member for Derby, South (Mrs. Beckett) asked me about the position of people with two part-time jobs. They will each be dealt with separately to determine the initial liability, but when all annual contributions are received in Newcastle the enhancement which we intend as part of the other arrangements to which I referred will be applied if appropriate. I can assure the hon. Lady that people with two or more jobs will not be in any way disadvantaged in comparison with those earning the same amount in a single job.

The hon. Lady asked about earnings factors. As I hope I said, we intend to use a formula to boost earnings which will ensure that the earnings factor broadly reflects actual earnings. If it errs at all, it is likely to err on the side of generosity to the beneficiary. The only people who might lose a small amount of additional component will be those with a few weeks of lower rate contributions where their normal earnings were generally considerably higher. Even they would receive additional component commensurate with the contributions paid. I hope that that gives her some reassurance on the points that were causing her concern.

My hon. Friend the Member for Tatton (Mr. Hamilton) referred to his new clause 23 and the consequences of the changes in the limits in the middle of the year. As he explained, his new clause is aimed at company directors whose annual earnings period would straddle any change in contribution liability arising from a mid-year change in the employers' upper earnings limits. Because of that, the actual contributions required from them could be significantly affected by the precise method chosen for applying a mid-year change in liability. We are not yet in a position to say what that method will be, although I know that directors and others similarly placed will want to know soon how they will be placed personally. The Institute of Directors, as is well known to those who read newspapers, wrote to my right hon. Friend the Secretary of State last week. He has agreed to meet the institute to discuss this and wider points arising from the Budget changes in national insurance contributions. I hope that my right hon. and hon. Friends will be encouraged generally that that meeting it to take place and at which some of the points they raised will be discussed.

I assure my hon. Friend the Member for Tatton that it will not be necessary to amend the Bill to implement whatever solution is reached in consultation with those affected on the issue that is the subject of new clause 23. There are already sufficient powers to make the necessary changes to regulations, both in the existing primary legislation and in the transitional provisions in the Bill. I hope that that response to his constructive remarks will reassure him.

Much has been said about the contributory system. My hon. Friend the Member for Halifax (Mr. Galley) raised the matter first, and it was echoed by my right hon. Friend the Member for Worthing (Mr. Higgins) and my hon.

Friends the Members for Northampton, South (Mr. Morris) and for Kensington (Sir B. Rhys Williams), who dealt with the matter in his own inimitable wide-ranging style. Many of the issues raised about the contributory system, especially by my hon. Friend the Member for Kensington, such as the inter-relationship with taxation and the future of the social security benefit and taxation systems, range too wide for me to hope to respond to them in such a debate. Indeed, it would not be appropriate for me to seek to respond to them while the Government are considering the conclusions of the social security review, and as my right hon. Friend the Chancellor of the Exchequer announced in his Budget speech proposals to introduce a Green Paper on personal taxation. However, I shall ensure that my right hon. Friends the Secretary of State and the Chancellor have their attention drawn to the remarks made during the debate.

Exaggeration was displayed in suggestions that the changes in the new clause would result in a dramatic erosion of the contributory system and suddenly change the world overnight. My right hon. Friend the Chancellor made it clear in the Budget that the essential features of the contributory principle would be preserved. We have certainly sought to do that regarding people's benefit rights through our amendments and my assurances to the hon. Member for Derby, South.

Mr. Higgins: What are the essential features of the contributory system?

Mr. Newton: I am thinking of the fact that people acquire benefit rights by the payment of contributions, especially employees' contributions. I have read what my right hon. Friend the Chancellor said to the Treasury Select Committee when he gave evidence to it about this matter. I would not want to pretend that the argument can be presented completely in black and white. However, the present system already involves redistribution from the better paid to the lower paid, for example, by giving 100 per cent. pension return on earnings up to the lower earnings limit, but only 25 per cent. pension return on earnings between the lower and upper earnings limits. Our proposal merely extends the redistribution which already takes place within the national insurance system.

My right hon. and hon. Friends may not regard that as good, and that is a matter for argument. I think that the move is sensible as part of our package. However, it is straining the point to suggest that there has been a dramatic change compared with the structure of the national insurance system which has existed since the move to earnings-related contributions nearly 10 years ago which suddenly calls into question the basis of the contributory principle in an entirely new way. I hope that my right hon. and hon. Friends will reflect a little on that before they suggest that the change is as great as they implied in their speeches.

Mr. Higgins: I am sorry to interrupt again, but my hon. Friend has not answered my question. What are the essential features of the contributory principle for employers' contributions?

6.15 pm

Mr. Newton: I hoped that I had at least answered my right hon. Friend's question by implication, but I shall now seek to answer it more explicitly. There has been no clear contributory principle for employers' contributions for a considerable time. I do not believe that the proposals in the new clause dramatically change that. I have the greatest respect for my right hon. Friend and hope that he will not think that I seek to dodge his question. I am not sure whether he has said before — many of my hon. Friends on many previous occasions have done — that the contributory principle is now virtually meaningless. If they hold that view, I hope that they will accept that the proposals make no great difference.

The nature and extent of the contributory principle, the weight placed on it in the past, and the extent to which it was changed in the mid-1970s are matters of argument. However, as a matter of record, I wish to state that the Government did not propose, and do not see these changes as marking, a dramatic departure from previous principles.

Mr. Michael Morris: I am listening carefully and understanding my hon. Friend, but does he accept that this is the first time that an upper limit has been removed, and that that is a significant change? We are the only member of the European Community to have removed an upper limit. That is surely a significant change.

Mr. Newton: I do not wish to make heavy weather of this matter. I am not suggesting that this is not a significant change. The Government have placed a proposal before the House, which is significant for various reasons, including those that I made clear in my initial speech. However, I question whether it is a significant change in the basic principles of the national insurance system as it has been operating since the move to earnings-related contributions nearly 10 years ago. I assure my hon. Friend the Member for Halifax that contracting-out rebates will remain as at present, that is, 2·15 per cent. of earnings between the lower and upper earnings limits for employees, and 4·1 per cent. for employers. To have extended the rebates above the upper earnings limit would have been to change the contracting-out agreement when the present pension scheme was put in place.

I am anxious not to delay the House unnecessarily but to deal with as many specific points as I can. I assure my hon. Friend the Member for Tatton that the amount of additional administrative burden for employers will not be as significant as he suggests because we shall provide them with tables designed to make their task little or no more difficult than the existing system.

Some of my hon. Friends expressed reservations about the effects on higher paid employment. I echo the comments of my hon. Friend the Member for Slough (Mr. Watts) in explicitly recognising that this is a package. My right hon. and hon. Friends would rightly think me foolish if I were to attempt to meet all their points by dismissing them or pretending that they had no validity. Obviously there will be problems about some aspects of the new margins between the different bands of earnings. However, they must be considered against the significant problems of the existing huge cliff edge that arises at the existing lower earnings limit.

Some firms with heavy concentrations of highly paid employees may not be happy and may suffer some difficult consequences from the rise in national insurance contributions. However, I am certain that many more firms which employ millions more people and must also compete in foreign markets — often in even more competitive markets where sheer skill and ability are not as much part of the sales package — will gain a

[Mr. Newton]

significant advantage through reductions in labour costs as part of the package. I do not run away from saying that there are disadvantages, but they must be weighed against the advantages in the package as a whole.

Within that perspective, the measures deserve the support of the House. They will help to create new employment, especially in areas where opportunities have been most difficult to find, and they will improve the health and strength of the British economy while at the same time bringing important additional social help to those in lower-paid employment who have an especially strong claim on our help. I hope that we shall have the support of the House in carrying through the proposals.

Question put and agreed to.

Clause read a Second time.

Question proposed, That the clause be added to the Bill.

Mr. Higgins: I must express some doubts as to whether we should take the step that the Question suggests. Before we decide to add the clause to the Bill, may I ask my hon. Friend, in relation to his statement that tables will be provided to show that the changes in this new clause will be easy to administer, whether that will take account of the point about people working overtime. How will the tables cope with that?

Another point about which I have grave doubts relates to the position of employers who are contracted in or contracted out of the scheme. Is it the case that those who have been contracted out will effectively be paying at the contracted-in rate? If that is so, what will my hon. Friend do about it?

Mr. Newton: It is entirely right that my right hon. Friend should have pressed me about the tables, since I acknowledged in my remarks that there was some validity in his comments about the effect of having several cliff edges at points on the incomes scale, which I believe is what he has in mind when referring to overtime. I thought I had acknowledged that I do not dismiss the point, but that it must be put in the context of the substantial disadvantages of the existing lower earnings limit, with the especially acute cliff-edge effect that it has on people earning small amounts of additional money.

The tables with which we shall provide employers to operate the new proposals will be related, as the existing tables are, to what employers should pay on the given amount of earnings in one week. That will necessarily be the amount of contributions due on the total earnings, including overtime. That is how the present system works. The employer looks at the tables to determine from the earnings of his employee in any week what the contribution should be, and I envisage no change in the method of operation.

Mr. Higgins: I am grateful to my hon. Friend for clarifying that point. Is it true, as has been asserted in evidence and elsewhere, that those who work overtime may discover that, under this scheme, they receive less as a result of working overtime than if they do not?

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. I hope that the Minister will reply briefly, because in no way must this be an extension of the debate on the Question, That the clause be read a Second time. We are talking about adding the clause to the Bill; we must not discuss the principle of the new clause.

Mr. Newton: I should be grateful for your indulgence for a moment or two, Mr. Deputy Speaker, because I would not wish to end the debate in a way that denied my right hon. Friend the opportunity to press me on the points that he wished to raise. I must acknowledge—I thought I had already done so twice—that I do not dismiss my right hon. Friend's point, but I wish to place it in context. Just as it is acutely the case, in relation to the present lower earnings limit, that a small increase in earnings can precipitate a large increase in deductions, so to a lesser extent that must necessarily be the case with the other steps being introduced into the system. But at each of those steps, the effect will be less than it is at the existing lower earnings limit. Therefore, to some extent, it will have the effect that my right hon. Friend mentioned. Clearly, that cannot be denied, and I have no intention of trying to deny it.

Nevertheless, taking account of the large anomaly in the present system, what we are doing to reduce that anomaly, together with the other advantages of the broad reduction in national insurance contributions for the lower paid in the package as a whole, means that the disadvantage to which my right hon. Friend drew attention is worth having. It will also be true that, whatever may be the effect at those margins, the national insurance contributions being paid will still be lower than those which would be paid at the same levels of earnings at present because of the overall reduction in national insurance contributions.

I hope that I have answered my right hon. Friend's query on that point, but whether I have satisfied him is another matter altogether.

Mr. Frank Field *rose*——

Mr. Deputy Speaker: Order. What I feared is about to happen, and we are having an extension of the debate on the Second Reading of the clause.

Mr. Newton: It sounds as though I have exhausted your indulgence, Mr. Deputy Speaker. I am grateful for it, in that it helped me to assist my right hon. Friend. I continue to believe, as I have said on several occasions, that, taking the advantages and disadvantages together, there is a strong case for what the Government propose in the new clause, and I hope that the House will accept it.

Question put and agreed to.

Clause added to the Bill.

New clause 7

MEDICAL EVIDENCE

"In section 17 of the Social Security and Housing Benefits Act 1982 (provision of information: general) — the following subsection shall be inserted after subsection (2),

"(2A) The Secretary of State may by regulations direct

(a) that medical information required under subsection (2) above shall, in such cases as may be prescribed, be provided in a prescribed form;

(b) that an employee shall not be required under subsection (2) above to provide medical information in respect of such days as may be prescribed in a period of incapacity for work.".'.—*[Mr. Newton.]*

Brought up, and read the First time.

Mr. Newton: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendment No. 22.

Mr. Newton: The purpose of this clause is to introduce a new subsection into section 17 of the Social Security and Housing Benefits Act 1982 so that rules can be made about medical evidence for statutory sick pay purposes.

To be entitled to statutory sick pay an employee has to be incapable of doing work which he can be reasonably expected to do under his contract of service by reason of illness or disablement. This requirement is similar in many respects to the incapacity condition which applies to state benefits such as invalidity benefit and severe disablement allowance. To establish entitlement to these state benefits the sick person is required by regulations made under the Social Security Act 1975 to produce medical evidence of incapacity for work. A standard form of doctor's statement is specified by regulations for use by general medical practitioners and rules about its completion are set down.

There are at present no parallel provisions applying to statutory sick pay. An employer is required to decide whether an employee is entitled to receive statutory sick pay and can ask him to provide any reasonable evidence in support of that entitlement. The nature of that evidence is not specified. The employer can decide what evidence he will accept. This is only proper in relation to a scheme which employers have the prime responsibility for administering.

In practice, many employers ask an employee who is ill and away from work for any length of time to provide medical evidence. The Department supplies doctors with a standard form of statement, known in the trade as form Med 3, to issue free of charge for social security and statutory sick pay purposes. The clause is intended to enable the form's use for statutory sick pay purposes to be based on prescribed enforceable rules instead of the informal administrative arrangements that have existed until now.

We intend that the regulations to be made under the powers being sought in the clause will be similar to the regulations about medical evidence for social security benefit purposes. We have consulted the British Medical Association about our proposal and we have its concurrence.

Amendment No. 22 is simply a technical amendment providing that this provision and the statutory sick pay entitlement provisions will come into force together on 6 April 1986.

6.30 pm

Mrs. Beckett: In the light of the extension of statutory sick pay, about which, as the Minister knows, we have expressed some reservations, it seems logical that, instead of employers just deciding ad lib what evidence they require, there should be some standard procedure and forms. In that sense, we are prepared to accept this clause.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 7

POWER TO EXTEND PNEUMOCONIOSIS ETC. (WORKER'S COMPENSATION) ACT 1979

'In the Pneumoconiosis etc. (Workers' Compensation) Act 1979—

(a) in section 1—

(i) at the end of subsection (3) there shall be added the words "and any other disease which is specified by the Secretary of State for the purposes of this Act by order made by statutory instrument"; and

(ii) the following subsection shall be added after subsection (4)—

"(5) No order shall be made under this section unless a draft of the order has been laid before, and approved by a resolution of, each House of Parliament."; and

(b) in section 4(4)—

(i) the words "other than a disease specified in an order under section 1 above," shall be inserted after "applies," in paragraphs (*a*) and (*b*); and

(ii) the following paragraphs shall be added after paragraph (*b*)—

"*(c)* in the case of a person disabled by a disease specified in an order under section 1 above, means the date on which disablement benefit first became payable to him in respect of the disease or the date of the coming into force of the order, whichever is the later;

(d) in the case of the dependant of a person who, immediately before he died, was disabled by a disease specified in an order under section 1 above, means the date of the deceased's death or the date of the coming into force of the order, whichever is the later.".'—*[Mr. Peter Bottomley.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Employment (Mr. Peter Bottomley): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 139 and 107.

Mr. Bottomley: We seek to be able to extend, by order, the list of diseases in the Pneumoconiosis etc. (Workers' Compensation) Act 1979.

In March 1984 the Secretary of State for Social Services accepted a recommendation of the Industrial Injuries Advisory Council that two additional asbestos-related diseases should be covered by the industrial injuries scheme.

We acknowledge that the Pneumoconiosis etc. (Workers' Compensation) Act 1979 should also be extended. The Act does not at present provide for adding to the list of diseases. The purpose of this amendment is to put that right.

The amendment will not itself add these two further diseases to the list given in the Act. It will enable the Secretary of State to extend the list by making an order under the Act after it has been laid in draft and approved by a resolution of each House of Parliament.

I commend the new clause to the House.

Mrs. Beckett: We do indeed welcome the provision that the Government are making. It seems sensible to allow additions of this kind to be made as medical reactions change.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 8

HOUSING BENEFITS—SUBSIDY

'(1) In section 32 of the Social Security and Housing Benefits Act 1982 (subsidy)—

(a) the following paragraphs shall be substituted for paragraphs *(a)* and *(b)* of subsection (2)—

"*(a)* in the case of an authority granting rebates or allowances under the statutory scheme during that year or any part of it, the rebates or allowances so granted, subject to any prescribed deductions;

(b) in the case of an authority granting rebates or allowances under a local scheme during that year or any part of it, the rebates or allowances which, if the local scheme had not been in force, would have been granted by the authority under the statutory scheme during that year or that part of it, subject to any prescribed deductions; and";

(b) at the end of that subsection there shall be added (but not as part of paragraph *(c)* the words 'but shall be subject, in so far as it falls to be calculated in accordance with paragraph *(a)* or *(b)* above, to deduction of any amount which the Secretary of State considers it unreasonable to meet out of money provided by way of subsidy under subsection (1) above'; and

(c) at the end of subsection (3) there shall be added (but not as part of paragraph *(c)*) the words "after any deduction has been made by virtue of subsection (2) above or an order under that subsection".

(2)The amendments made by subsection (1)*(b)* and *(c)* above shall be deemed to have come into force on 1st April 1985.'. —*[Mr. Whitney.]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. Ray Whitney): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 138.

Mr. Whitney: The reason for this new clause is very simple: the Secretary of State needs the power to prevent exploitation of the arrangements for and the legislation governing the housing benefit subsidy scheme. It is, of course, regrettable that we should find it necessary to introduce this new clause.

A concerted effort has been made by one local authority, Sheffield, to increase its revenue at the expense of the housing benefit subsidy system. I will not delay the House with the sorry details of the various schemes which the council has devised or the steps the Department has taken to prevent this abuse. But the House will recall from its consideration of the 1984 subsidy order and the subsequent amendment that we had to make to it that Sheffield's various schemes have involved charging higher rents to tenants on housing benefit than are charged to tenants not receiving the benefit. The subsidy implications are obvious. I do not want to comment further on Sheffield's current scheme, because my Department's refusal under the terms of the 1984 subsidy order to pay the additional subsidy claimed by the council is now the subject of legal proceedings.

However, we made it clear when last year's subsidy order was discussed that we are not prepared to tolerate this kind of ploy. I am afraid that the efforts that Sheffield has continued to make to exploit the subsidy system have forced us to conclude that the Secretary of State needs the power to refuse to pay part of a subsidy claim in these circumstances. We really cannot put up with a time-wasting cat-and-mouse game in which an authority tries to find loopholes in the subsidy arrangements in order to exploit them. Nor do we intend to waste the House's time in making and amending subsidy provisions to close each possible loophole.

The new clause will not alter the existing arrangements whereby the Secretary of State will pay benefit subsidy on the basis of rebates and allowances granted by authorities under the housing benefit scheme. We shall continue to list the items that will always be excluded from benefit subsidy—such as rent-free weeks awarded to tenants—in the subsidy order, so that authorities know where they stand. We have, in fact, taken the opportunity to enable the subsidy order to be drafted in a much more straightforward way, so far as these exclusions are concerned, than at present. Although the new power to make an order will have exactly the same effect as the existing power, it should mean that the subsidy order will be more comprehensible. That is certainly to be hoped. However, the amendment will also give the Secretary of State a new power to exclude items which it is clearly not reasonable to meet out of the money voted by Parliament for the housing benefit scheme. I assure the House that this power will not be used lightly, but it will be used to prevent blatant attempts at exploitation of the subsidy arrangements from succeeding.

Amendment No. 138 is consequential.

Mrs. Beckett: I listened with interest to what the Minister had to say. We recognise that the Government have been upset by the activities of, in particular, Sheffield. If one wanted to be unkind, one could say that, as in the previous debate, part of what the Minister was suggesting was that it was convenient to be able to do things without the inconvenience of having to keep bringing orders and Bills before the House of Commons.

Although the Minister identified correctly the fact that there has been a need over the past couple of years to make changes in subsidy orders because of changes which local authorities have made in their schemes, there was, if I heard his remarks correctly, one important omission, and I hope that it was an inadvertent one.

At present, because the changes to which the Minister referred have to be made by subsidy order, the Government are under a statutory duty to consult local authority associations about the ways in which they propose to meet any changes that they might decide needed to be made. But this does not always operate in quite the way that we might hope, to put it mildly.

To take one recent example, when the Housing Benefits Amendment (No. 4) Regulations were brought before the House, the local authority associations were given five days to respond to the regulations without even being sent a draft of them, which might be thought to have made the situation even more difficult. Indeed, they have taken the Government to court about the matter. It is an interesting comparison that the Government were given seven days by the court to respond to the complaint and were unable to do so within that time. Indeed, I understand that they have not responded to it so far and have on a number of occasions sought to have the matter adjourned on the ground that they cannot possibly respond within less than a few weeks to the sort of arguments that they expect local authority associations to respond to within five days.

The point I am making is that, even with the statutory duty to consult the local authority associations written into the legislation, the Government manage to honour it more in the breach than in the observance. If it is the case—as it appears to be from this new clause—that, because we are no longer discussing orders but powers which the Secretary of State will have in perpetuity, the associations will not have the benefit even of that statutory duty, ineffective though it may be, that is a matter of very considerable concern to those associations and indeed to the Opposition.

I therefore ask the Minister to give an assurance that it was an inadvertent error on the part of the Government that they omitted from the Bill the statutory duty to consult local authority associations, and that they will seek to amend it at a later stage.

Mr. Whitney: The hon. Lady has sought to take the debate a good deal further than it should go. Of course we have followed and will always follow the provisions laid down in the housing benefits regulations and other appropriate regulations relating to consultation with local authorities. I shall certainly not be drawn into the issues that the hon. Lady has sought to raise regarding the Housing Benefits Amendment (No. 4) Regulations, which as she says, have been the subject of judicial action. I emphasise the essential requirement of this measure and I hope that the hon. Lady will feel able to agree that it is in the interest of the House that the housing benefits regulations, as agreed by the House, should not be the subject of the sort of time-wasting cat-and-mouse game which has been inflicted on the taxpayer by the Sheffield council.

I commend the new clause to the House.

Mrs. Beckett: With the leave of the House Mr. Deputy Speaker, I may say that this is completely unsatisfactory, and I am quite certain that the local authority associations will not only be dissatisfied but will not let the matter rest there. It would have served the Minister better if he had been prepared to acknowledge that the local authority associations should be consulted about these matters. If consultations were not necessary, we should not be debating the 50 sets of Government amendments and new clauses that we are debating today.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 9

PENSIONS AND GRATUITIES FOR MEMBERS OF CERTAIN BOARDS

'(1) The following subsection shall be inserted after subsection (3) of section 12 of the Betting, Gaming and Lotteries Act 1963 (Horserace Totalisator Board)—

"(3A) The Board may pay such pension or gratuity to or in respect of any member of the Board as the Board may, with the approval of the Secretary of State, determine.".

(2) The following subsection shall be inserted after subsection (6) of section 24 of that Act (Horserace Betting Levy Board)—

"(6A) The Levy Board may pay such pension or gratuity as the Board may, with the approval of the Secretary of State, determine, to or in respect of the chairman and any other members appointed by the Secretary of State.".

(3) The following paragraph shall be inserted after paragraph 5 of Schedule 1 to the Gaming Act 1968 (provisions as to Gaming Board for Great Britain)—

"5A. The Secretary of State may pay such pension or gratuity to or in respect of any member of the Board as the Secretary of State may, with the consent of the Treasury, determine.".'—*[Mr. Whitney.]*

Brought up, and read the First time.

Mr. Whitney: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this, it will be convenient to take Government amendments Nos. 140 and 108.

Mr. Whitney: The Bill makes important improvements in various aspects of the pensions provisions. The purpose of the new clause is to fulfil a clear commitment to provide occupational pensions for the chairmen of three boards — the Horserace Betting Levy Board, the Horserace Totalisator Board and the Gaming Board for Great Britain — for which my right hon. and learned Friend the Home Secretary is accountable. Successive Governments, since at least 1978, have agreed that it is unfair to ask people to take on the chairmanship of these boards without any prospect of receiving a pension. The Bill provides an opportunity to put this straight. I hope that the House will agree that the opportunity should be taken, and will approve the new clause.

The position at present is that the relevant statutes—the Betting, Gaming and Lotteries Act 1963 and the Gaming Act 1968—provide for the members of the tote board, the levy board and the gaming board to receive remuneration, but they say nothing about pensions for members. The same statutes provide for employees of these boards to receive pay and pensions. We believe—and I do not think there can be much quibble about this—that the important obligations which are attached to the chairmanship of these boards, together with the heavy commitment of time which these jobs demand, make it inappropriate for the legislation to preclude the payment of a pension. The task of running the tote's pool betting and bookmaker business demands a full-time commitment. The chairmanship of the levy board and of the gaming board each calls for three days a week.

Another consideration which points to the unfairness of the present position is the long service which the office holders are likely to give. All three posts require a close knowledge of the way betting or gaming operates on the ground in this country. So experience is particularly valuable, and tends to lead to people being asked to continue in office for more than one term of appointment. The present chairmen of these boards have already served a total of about 20 years. I hope that the House will agree that with posts calling for this sort of commitment, it is only reasonable that the post should be pensionable. I should perhaps make it clear that, although the new clause provides for the possibility of pensions being paid to board members other than chairmen, it is not envisaged at present that pensions would be paid to other board members, as their commitment is far less than that required of the chairmen.

Under the new clause, the arrangements for determining the pension, and paying for it, would be the same as apply now for the salaries of the members of the boards concerned. It will be for the tote and levy boards to determine what, if any, pension they believe is appropriate for the chairmen of the respective boards, but their determination must be approved by the Secretary of State. There will be no call upon the public purse because the funds will be found, as with all the other expenses

[Mr. Whitney]

connected with these boards, from the boards' own resources. With the chairmanship of the gaming board, it will be for the Secretary of State, with Treasury consent, to decide upon pension, and public funds would be involved in the payment of any pension appropriate for this post.

We believe that these provisions remove an unfair and inapt restriction on the terms and conditions of the chairmen of three significant boards while retaining an appropriate mechanism of control, and I ask the House to support the new clause.

Mrs. Beckett: This is an extraordinary clause to find in a Bill of this nature, and it is perhaps a little offensive. I understand from the Minister of State, Home Office, that he, rather than the Under-Secretary, is to blame for this being included in the Bill, and that any strictures that we wish to hear should be heaped upon his head. I think that they should be so heaped.

At a later stage—I do not wish to go out of order but it is appropriate to mention this—we shall be depriving 1,100 people with invalidity pensions of £7·50 a week because of the changes that the Government are making which will affect some people who are receiving the maximum amount of invalidity allowance. For the Government to choose, with a remarkable sense of priorities, in the same Bill to give pensions to these three gentleman is astonishing. The three gentlemen are respectively Lord Allen, a former permanent secretary at the Home Office, Sir Ian Trethowan, whose name may be familiar to the House, and Sir Woodrow Wyatt, who is no doubt receving a pension for his services to the Labour party.

6.45 pm

It is extraordinary that the Government should bother to introduce this provision. It is wholly inconsistent with the many remarks that the Prime Minister has made recently about how people should be encouraged to make their own provision for pensions. I assume that Lord Allen has some pension provision as a former permanent secretary at the Home Office, and that Sir Ian Trethowan has a pension from his public service. Sir Woodrow Wyatt was never short of a penny or two, even before he started to write columns in the newspapers. All these gentlemen can more than afford to provide a pension for their retirement.

The Minister said that some of these gentlemen had been in the service for nearly 20 years. Will this clause have any retrospective effect, and is it therefore intended to provide a more substantial pension on top of those that two at least already enjoy? It has been suggested in the press today that the Government intend to abolish the state earnings-related pension scheme, thereby setting people free to provide their own pension. Providing pensions for these three persons is extraordinary timing by the Government.

Mr. Whitney: I repeat that this measure has been agreed for some time, and certainly from 1978, when the Labour Government were in office. This measure will make significant improvements in many pensions. Therefore, it is not totally inappropriate that the new clause should be part of this Bill. The details and arrangements for the pensions will be the responsibility of the boards.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 10

MANAGERS OF SCHEMES

'(1) The Secretary of State may by regulations provide who is to be treated as a manager of an occupational pension scheme for any of the purposes—

(a) of the Social Security Acts 1975 to 1985; or

(b) of the Social Security Act 1973.

(2) Section 166 of the Social Security Act 1975 shall apply to the power to make regulations under subsection (1) above as it applies to powers to make regulations under that Act.

(3) Regulations made under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) In this section "occupational pension scheme" has the meaning assigned to it by section 66 of the Social Security Pensions Act 1975.'.—*[Mr. Whitney.]*

Brought up, and read the First time.

Mr. Whitney: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 100 and 101.

Mr. Whitney: This is essentially a technical and clarifying clause that gives power to prescribe who the managers are in a pension scheme which is not set up under trust law. Various duties under this Bill and earlier Acts fall to the trustees of a pension scheme or, in the case of a scheme not set up under trust and therefore having no trusteeism, to its managers. Almost all private sector schemes are set up as trusts—they need to do so to gain tax approved status — but the statutory schemes for public service employees, and a few others, are not. In these cases, it will not always be clear who should be treated as the manager and this would be particularly important if, for example, such a scheme did not comply with requirements to disclose information to its members and the members wished to enforce these requirements.

The amendments are consequential on the new clause.

Mr. Michael Stern (Bristol, North-West): I accept what my hon. Friend says, but there has been a proliferation of pension schemes, and many are written under somewhat odd trustees, particularly smaller schemes. Many of us hope that that proliferation of schemes will be greatly increased by legislation to be introduced at a later date. Therefore, should not my hon. Friend take the power, at the same time as he is taking the power to define who are managers of these schemes, to define who are the trustees of these schemes? Sometimes this is not entirely clear. No amendment is called for at this stage, but I hope that my hon. Friend will bear this point in mind in case an amendment needs to be introduced at a later date.

Mr. Whitney: I shall consider carefully my hon. Friend's point, because I know that he has great knowledge of these matters. My instinctive reaction is to go carefully. As he will recognise, while we need appropriate safeguards, we also need to avoid over-burdening schemes and pension trusts unnecessarily.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 11

MISCELLANEOUS AMENDMENTS RELATING TO STATUTORY SICK PAY

'The enactments specified in Schedule *[Miscellaneous amendments relating to statutory sick pay]* shall have effect subject to the amendments there specified.'.—*[Mr. Whitney.]*

Brought up, and read the First time.

Mr. Whitney: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this new clause it will be convenient to discuss Government amendments Nos. 24, 105 and 106.

Mr. Whitney: This new clause gives effect to the new schedule on miscellaneous amendments relating to statutory sick pay. If it is for the convenience of the House, I will refer briefly to the proposals in the new schedule, but, if the House wishes, I will go into more detail. The proposals are no more than a tidying-up operation to correct defects or ambiguities which have been identified in the existing legislation.

Paragraph 1 of the proposed schedule provides for an amendment to be made to the Attachment of Earnings Act 1971 so that payments of statutory sick pay are treated as earnings for the purpose of that Act. Paragraph 2 closes a technical loophole whereby we might have been unable properly to determine the date of maternity allowance claims. Paragraph 3 brings severe disablement allowance into line with contributory sickness and invalidity benefit by providing that the allowance cannot be paid at the same time as statutory sick pay.

Paragraph 4 relates to a possible ambiguity in section 3(6) of the Social Security and Housing Benefits Act 1982 relating to the linking period. As presently drafted, it creates the possibility of uncertainty about the liability of a new employer to pay for any period of sickness before the effective date of employment. Our proposal puts beyond doubt that in these circumstances the period of entitlement begins with the first day of incapacity in the currency of that employment contract.

Paragraph 5 relates to the repeal of provisions regarding overpayments. When we introduced the statutory sick pay scheme it was intended that regulations would be laid to enable overpaid state incapacity benefits to be recovered from statutory sick pay, and vice versa, if payments under one scheme were erroneously paid because entitlement was properly due under the other scheme. However, legislating for that concept proved too complicated and in the event it was decided that employers would be responsible for recovering the statutory sick pay they had overpaid, and that the Department would apply existing rights of recovery of state benefits if incapacity benefit had been paid when statutory sick pay was payable instead. The provisions in the 1982 Act have, therefore, been made redundant and it is desirable that they should be repealed.

Paragraph 6 relates to the definition of an employer. One consequence of the present definition is that it has brought into SSP people who come to work in Great Britain but who technically remain non-residents either in Great Britain or in a member state of the EC. There is no liability for national insurance contributions by or in respect of such employees for the first 52 weeks of their stay in Britain. It was never intended that such people would be entitled to SSP. Amendment No. 24 will restore what was intended.

The other two amendments are consequential. As I have said, this is a tidying-up operation to correct defects and ambiguities in the current legislation.

Mrs. Beckett: I wish to make only one brief comment since we recognise that these are technical and tidying-up amendments. I note with interest that the Minister is dealing with the recovery of overpayment of statutory sick pay, but I note with sorrow that it has still not proved possible for the Government to do anything about people whose SSP has been underpaid and who have to take their own cases to court if they want to get the money.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 13

ENTITLEMENT OF MARRIED WOMEN TO CATEGORY A RETIREMENT PENSIONS

'(1) Paragraph 11 of Schedule 1 to the Social Security Act 1979 (by virtue of which the additional conditions for the entitlement of a married woman to a Category A retirement pension imposed by section 28(2) of the Social Security Act 1975 continue to apply in relation to any woman who attained pensionable age before 6th April 1979, notwithstanding the repeal of that subsection) is hereby repealed.

Subsection (1) above shall be deemed to have come into force on 22nd December 1984.'.—*[Mr. Newton.]*

Brought up, and read the First time.

Mr. Newton: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this new clause it will be convenient to discuss Government amendments Nos. 21, 99 and 103.

Mr. Newton: I hope we can take it that the strictures of the hon. Member for Derby, South (Mrs. Beckett) about an earlier clause, whose purpose was to extend pension rights to certain individuals, will not be repeated in relation to this new clause which extends pension rights to an estimated 25,000 married women who were previously disadvantaged by the residual effects of something, which I shall not attempt to explain in too much detail, known as the married women's half test — namely, an additional contribution condition which married women had to fulfil over and above the normal national insurance conditions before they could enjoy a pension in their own right. That additional condition entailed them having paid the relevant amount of national insurance contribution, or having received the relevant amount of credits, for half the years between the time at which they were married and the time at which they reached age 60.

To a significant extent that rule was abolished in 1979 for all women reaching age 60 after 6 April 1979, but it has continued, and will continue, to apply, unless the amendments are passed, to women who reached age 60 before that date. In practice, the vast majority of such women will not now be suffering any financial disadvantage, because they will have picked up what are known as category B retirement pensions on their husbands' insurance when their husbands retired, but there are still some who may be disadvantaged. Most of them, because their husbands have not yet reached age 65, can receive neither a pension on his insurance nor the pension to which they would otherwise be entitled on their own insurance.

[Mr. Newton]

As I said, we estimate that there are 25,000 women in that category, together with some minor categories that I shall not attempt to cover in detail. Having reviewed the matter, and considered again the European Community's equal treatment directive and its possible application, we have decided that it is proper to seek to abolish the half test for all those women to whom it still applies, with effect from the date on which the directive came into effect —22 December 1984.

As soon as the legislation is passed, we shall undertake an exercise to identify and contact all the married women who might gain, with a view to inviting claims from them and paying to them the pension to which they would be entitled. We estimate that in benefit terms that exercise will cost about £25 million in the current financial year, but the cost should fall to nil by the end of the decade.

I hope that the House will regard this as unequivocally good news. I merely ask that those who have any influence in these matters should seek to encourage the married women who think they may gain not to contact us in a flood, but to rest on the assurance that we shall be getting in touch with them as soon as we can under the proposals that I am putting forward. If they all write to us, it will make it even more difficult to deal with this in an orderly fashion and to get the pensions into payment as soon as possible.

With those relatively few words, I warmly commend the proposals to the House in the happy spirit of a Minister for Social Security who, for once, is able to stand at the Dispatch Box and propose something which everyone in the House will regard as well deserved and generous.

Ms. Jo Richardson (Barking): I warmly welcome the acceptance by the Government of the need to make this change in the legislation. It is right for the Minister to smile and to feel self-congratulatory. However—and I am not being niggardly—the 25,000 women who have been on the half test, many of whom have contacted hon. Members on both sides of the House with great resentment over the years, may feel that it is a little tardy. Nevertheless, the change will be most welcome. I take this as further evidence that the Government are complying, generally speaking, with all the conditions, implicit and explicit, in the EC directive on equal treatment of both sexes in regard to social security.

I shall try to ensure that people in my area do not all pound the Minister's door down at the same time, although it will be difficult to stop them. I am not sure whether I heard the Minister aright, but I think he said that he would be advertising or making it known that this change would be made. I hope that he will ensure, for example, that citizens advice bureaux as well as DHSS offices have ample supplies of leaflets. I have had many queries on this subject from CABs, and I know that they would welcome that. It might help if the Minister explained to them that they should ask women to wait until they are contacted. I only hope that it is not too long before they get the money.

7 pm

Mrs. Edwina Currie (Derbyshire, South): I speak briefly as I have raised one or two of these cases for my constituents. I warmly welcome the comments of my hon. Friend the Minister.

The abolition of the half test is extremely welcome. It caused great misunderstanding and resentment on the part of older women who are married to slightly younger men. They could not see why they should not be able to claim pensions in their own right, much as their sisters and sisters-in-law have done. Only married women were affected, and women were discriminated against. Indeed, I think that hon. Members on both sides of the House now feel quite strongly about that. But married women were discriminated against, since I understand that the test did not apply if the lady was living with a man and was not married to him. I doubt whether many ladies of that generation went in for that sort of thing, but it still was not right or fair.

Abolition, presumably at the cost of a comparatively small amount, will not show up much in the social security accounts where we shall spend some £40 billion this year. I warmly welcome the measure, and I look forward to similar statements on other parts of the Bill on other discriminatory elements involving married women.

Mr. Galley: My hon. Friend the Minister is to be warmly congratulated on getting rid of an injustice that has lasted for some time. It must be a unique experience for him, as the Minister for Social Security in this Government, to be congratulated by the Opposition. I should like to raise one point. If I am well off beam my hon. Friend the Minister will no doubt put me right in his normal polite fashion.

Having dealt with the half test anomaly, it seems appropriate to mention the difficulties that are now coming to the fore of the one quarter test whereby on a putative working life of 44 years so many women must have paid contributions for a quarter of their working lives. I understand that in many cases married women worked perhaps during the war years and paid a full stamp, and then married and worked only sporadically thereafter, paying half a stamp. I understand that they will not be helped by these proposals, and that the financial effects of helping those caught in the one quarter test are considerably greater. But, as things stand, there are injustices about the operation of the one quarter test.

Mr. Kirkwood: For the sake of completeness, and as I do not wish to be left out, I wish to speak briefly on what must be a unique occasion, because the Minister has introduced a welcome proposal. We also give our support and congratulations to the Minister—*[Interruption.]* I speak for the alliance, and have not forgotten my hon. Friend the Member for Ross, Cromarty and Skye (Mr. Kennedy).

The half test was a pernicious piece of legislation which we have been labouring under for a long time. We will be well rid of it, and I congratulate the Government on the step that they have taken.

Mr. Newton: What can I say except "Thank you very much." However, I should like to resist the idea that this is a unique occasion and that it is the first time that I have done any good work. Nevertheless, I am grateful to hon. Members on both sides of the House, even if I suspect that some of them have half an eye on the women's vote. I certainly do not want to draw a dividing line between the two halves of the alliance in their appeal. Nor do I want to give my hon. Friend the Member for Derbyshire, South (Mrs. Currie) the impression that I have been frightened

into action by my desire not to discriminate against her. I have certainly taken note of her representations in the past, and I thank her for her remarks.

Before coming to the more serious point raised by the hon. Member for Barking (Ms. Richardson), I should say that I will consider further the point raised by my hon. Friend the Member for Halifax (Mr. Galley) about the so-called quarter test. The point is that a minimum pension is 25 per cent., and anything less than that does not qualify. But with home responsibilities protection being available to married women in certain circumstances, 25 per cent. does not seem to be too unreasonable. However, I shall consider my hon. Friend's remarks.

On the question of publicity, I should point out to the hon. Member for Barking that I have a feeling that the mere announcement has done a good deal. This morning my officials told me that the first inquiry came in seven minutes after I had answered a parliamentary question on Tuesday. We have already had inquiries from citizens' advice bureaux and other quarters. This morning I did an interview, which I presume will be used, with the BBC's "Money Box" programme. It will no doubt give more publicity to that point. We shall be writing to all those —it will be most of them—whom we can identify from the computers. I do not want to promise a very elaborate publicity campaign beyond that at this stage, but we shall want to engage in further general publicity once we have contacted all those whom we can identify, with a view then to contacting those whom we have not been able to identify.

We shall certainly do everything possible to ensure that those who can claim successfully under the new clause are made aware of their entitlement, and that they are dealt with as soon as possible.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 17

Dock Workers

'(1) In section 4(7) of the Social Security Act 1975 (power to make regulations providing for reducing secondary Class 1 contributions in respect of persons to whom section 81 (redundancy payments) of the Employment Protection (Consolidation) Act 1978 does not apply) after the word "reducing" there shall be inserted the words "primary or".

(2) In regulation 133 of the Social Security (Contributions) Regulations 1979 (reduction of primary Class 1 contributions of dock workers) for "0·35" there shall be substituted "0·25".

(3) Subsection (2) above shall be deemed to have come

Mr. Whitney: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Paul Dean): With this, it will be convenient to take Government amendment No. 136.

Mr. Whitney: New clause 17 takes us into rather different territory and brings us to the question of contributions by dock workers. The new clause repairs a recently discovered defect in the powers of my right hon. Friend the Secretary of State to vary by regulation the special rate of national insurance contributions paid by registered dock workers.

Both mariners and dock workers have their own redundancy schemes. The mariners in question pay a special rate of national insurance contributions because it is abated by that amount which other earners pay through their national insurance contributions into the state redundancy scheme. We have recently discovered that the detailed powers to alter the contributions paid by mariners and dock workers are not the same. I shall not go into the details unless the House wishes me to do so. However, subsection (1) of the new clause repairs the defect, and subsections (2) and (3) make the necessary changes to the existing regulations to reflect what has happened since April 1984, with dock workers paying the same rate as similarly placed mariners.

As I have said, the new clause, while repairing a defect in the law by removing a discrepancy in the legal provisions affecting similarly placed mariners and dock workers, will not in practice affect the amounts now being paid by dock workers; nor will it require any action by their employers.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 18

Special Hardship Allowance

'In section 60 of the Social Security Act 1975 (increase of disablement benefit for special hardship)—

(a) the following subsection shall be inserted after subsection (1)—

"(1A) The Secretary of State may by regulations provide that in prescribed circumstances employed earner's employment in which a claimant was engaged when the relevant accident took place but which was not his regular occupation is to be treated as if it had been his regular occupation.";

(b) in subection (2)*(a)*, for the words "of his" there shall be substituted the words ", except to the extent that it falls to be treated as including such an occupation by virtue of regulations under subsection (1A) above,";

(c) in subsection (6)—

(i) after the word "above", in the first place where it occurs, there shall be inserted the words "and to subsection (6A) below,"; and

(ii) for the words "his regular occupation within the meaning of subsection (1) above" there shall be substituted the words "the relevant occupation"; and

(d) the following subsections shall be inserted after that subsection—

"(6A) A person who is entitled to an increase of pension under this section by virtue of regulations under subsection (1A) above shall not be paid such an increase for any period during which he would not normally be engaged in full-time employed earner's employment.

(6B) In subsection (6) above "the relevant occupation" means—

(a) in relation to a person who is entitled to an increase of pension under this section by virtue of regulations under subsection (1A) above, the occupation in which he was engaged when the relevant accident took place; and

(b) in relation to any other person who is entitled to an increase of pension under this section, his regular occupation within the meaning of subsection (1) above.".'.—*[Mr. Newton.]*

Brought up, and read the First time.

Mr. Newton: I beg to move, That the clause be read a Second time.

I hope that this new clause will be regarded as my second bit of good work for the evening. However, the real

[Mr. Newton]

credit for it belongs to the hon. Member for Derby, South (Mrs. Beckett). I hope that she will get her reward, and that this new clause will become known as the Beckett amendment. It arises from some correspondence that I have had with the hon. Lady. I am afraid that it was accompanied by one or two hiccups, but I am glad to say that it has had a happy outcome in the appearance of this new clause.

The hon. Lady drew my attention, over a particular case, to the undesirable consequence of one aspect of the provisions governing the payment of special hardship allowance. That allowance compensates people who have suffered a reduction in earnings as a result of an accident at work. The rate of the allowance is based on the difference between present earnings and earnings in the claimant's regular occupation before the accident. An unfortunate effect of that condition is that people without a regular occupation, such as students doing vacation work, cannot qualify for the allowance.

The new clause allows us to make regulations that will enable certain types of pre-accident work to be prescribed and treated as though they had been regular occupations. Part-time and vacation jobs done by students or school children are examples of what we intend to cover.

The result will be an increase in benefit of up to £23·36 a week for the small number of disabled people who were injured at work before they had a chance to establish themselves in regular occupation. We shall be concerned primarily with those in full-time work, whatever occupation it may be.

I am very grateful to the hon. Lady for raising the matter. It is great credit to her that she pursued it in the way that she did. I hope that she is pleased that the Government have been able to respond in this way.

Mrs. Beckett: I feel that I ought almost to declare an interest in this new clause. I am extremely grateful to the Minister, in particlar for what he has done for the young man to whose case I drew his attention. I also thank him for his kind observations on the case. Fortunately, it is the kind of case which happens infrequently. In this case a schoolboy was properly working on a farm. When he left school he intended to be a full-time farmworker and the farmer had every intention of employing him. That was agreed at his appeal by the commissioner. Only the phraseology of the legislation prevented him from being given what everybody agreed was the compensation that he deserved for an unforeseen accident.

I am extremely grateful to the Minister for making this change. I am also sure that the young man involved, whose name is Timothy Pallister, will be grateful. So, indeed, will my union, the Transport and General Workers Union. To receive its thanks may be an even more rare event for the Minister.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 19

AMENDMENTS RELATING TO PROTECTION OF PENSIONS

'(1) In subsection (1) of section 41A of the Social Security Pensions Act 1975 (protection of earners' pensions), the following words shall be substituted for the words from "than" to the end—

"(i) in a case where by virtue of paragraph 9(2)*(b)* of Schedule 16 to the Social Security Act 1973 a pension is provided by way of complete substitute for short service benefit, than the weekly rate of that pension; and

(ii) in other case, than the relevant aggregate.".

(2) The following subsection shall be inserted after subsection (1B) of that section—

"(1C) In subsection (1) above "the relevant aggregate" means the aggregate of the following—

(a) the relevant sum;

(b) the excess mentioned in subsection (1)*(c)* above; and

(c) any amount which is an appropriate addition at the time in question.".

(3) In subsection (1) of section 41B of that Act (protection of widows' pensions), the following words shall be substituted for the words from "than" to the end—

"(i) in a case where by virtue of paragraph 9(2)*(b)* of Schedule 16 to the Social Security Act 1973 a pension is provided by way of complete substitute for a widow's pension, than the weekly rate of the pension so provided; and

(ii) in any other case, than the relevant aggregate.".

(4) The following subsection shall be inserted after that subsection—

"(1A) In subsection (1) above "the relevant aggregate" means the aggregate of the following—

(a) the relevant sum;

(b) the excess mentioned in subsection (1)*(c)* above; and

(c) any amount which is an appropriate addition at the time in question.".

(5) In subsection (3) of that section, for the words "assumption specified in subsection (4) below" there shall be substituted the words "prescribed assumptions".

(6) Regulations under that subsection may be framed so as to have effect as from 1st January 1985.'.—*[Mr. Whitney.]*

Brought up, and read the First time.

Mr. Whitney: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 129, 130, 131, 134 and 135.

Mr. Whitney: With this new clause we enter the mysterious world of franking. Anybody who takes a regular interest in occupational pension matters will recall just how complicated these provisions were in the legislation that was passed in 1984. We found that there were certain defects in the provisions. This caused us to try to remedy those defects. Inevitably they are of a technical and complicated nature, but I shall be as brief and clear as possible about what is inevitably a very complex subject.

Sections 41A to E of the Social Security Pensions Act 1975 were inserted by last year's Health and Social Security Act. That legislation overrode scheme rules, which means that it had a direct effect upon schemes. Certain scheme rules were not overridden. These are known as protected provisions. Included in these was the rule that early leavers could be provided with an alternative to what is described as short-term benefit, by which is meant the preserved pension entitlement due to the early leaver under section 9(2) of the 1973 Act.

The intention was that in these cases schemes would give the alternative and not have to provide any extra anti-franking benefit at state pension age. Beneficiaries would be able to ensure that any increased value in their benefit rights was reflected in the alternative, because generally these alternatives can be given only with the member's consent. We now find that where the alternative is a pension in the same scheme — for example, a smaller pension paid earlier — there is still a requirement to provide at state pension age an anti-franking increase. That was never our intention.

The new clause will ensure that in these cases no anti-franking increase need be paid when the member reaches state pensionable age. Our intention is that the increased value required to give protection against franking should be reflected in the amount of pension put into payment in the first place.

Further minor problems are dealt with in the new clause. Section 41B of the 1975 Act requires the schemes to make an assumption to enable them to calculate the amount of widow's pension due, but it is drafted in a restrictive manner to prevent other assumptions being made. The new proposal allows for a relaxation of that restriction so that other assumptions can be made in the calculation of the benefit. I commend the new clause to the House.

7.15 pm

Mrs. Beckett: I am afraid that we are back to our usual slightly less charitable mood. I noted with interest the Minister's remarks that those who follow our debates will get regular doses of anti-franking. That is not quite how he put it, but that is what is involved.

These proposals were first discussed in Committee on the Health and Social Security Bill of 1984. They were amended on Report. They were amended during the proceedings in Committee on the present Social Security Bill. They are being amended again on Report, and no doubt they will be amended again in another place as the Government seek to get their legislation right. However, we are becoming inured to the fact that these proposals are perpetually to be found in Social Security Bills.

I make only one other observation. If I understand correctly the clause and the amendments that go with it, the Government are at least being consistent about their proposals for personal portable pensions in removing the protection of a guaranteed minimum pension and encouraging people to stand on their own feet. The alternative formula gives them freedom, but it conveys the idea that they are being given the freedom to lose rather than to gain benefits. However, it is obviously quite consistent for this to be part of the anti-franking measures. From that point of view, we do not question it.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 20

ENTITLEMENT TO BENEFIT DEPENDENT ON CLAIM

'The following section shall be inserted immediately before section 166 of the Social Security Act 1975—

"General provision as to necessity of claim for entitlement to benefit

165A.—(1) Except in such cases as may be prescribed, no person shall be entitled to any benefit unless, in addition to any other conditions relating to that benefit being satisfied—

(a) he makes a claim for it—

(i) in the prescribed manner; and

(ii) subject to subsection (2) below, within the prescribed time; or

(b) by virtue of a provision of Chapter VI of Part II of this Act or of regulations made under such a provision he is treated as making a claim for it.

(2) Regulations shall provide for extending, subject to any prescribed conditions, the time within which a claim may be made in cases where it is not made within the prescribed time but good cause is shown for the delay.

(3) Notwithstanding any regulations made under this section, no person shall be entitled—

(a) to a maternity grant in respect of a confinement occurring more than 12 months before the date on which the claim is made;

(b) to a death grant in respect of a death occurring more than 12 months before the date on which the claim is made;

(c) to any other benefit (except disablement benefit or industrial death benefit) in respect of any period more than 12 months before the date on which the claim is made.".'.—*[Mr. Newton.]*

Brought up, and read the First time.

Mr. Newton: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 161, 162, 163, 164, 165 and 166.

Mr. Newton: This new clause and the associated amendments amend various provisions of the 1975 Act to provide that, generally speaking, a person shall not be regarded as entitled to benefit unless a claim has been made within the prescribed time limit. Until a recent judgment of the House of Lords on 22 November 1984, it had always been our understanding—not simply that of the present Government but that of all Governments for many years past—that that was precisely what the law meant. But in the case in question which concerned a claim for non-contributory invalidity pension from a Miss Margaret McCaffrey, their Lordships held that entitlement to benefit would exist even where no claim had in fact been made.

Although the McCaffrey judgment referred specifically to non-contributory invalidity pension, the decision has wider social security implications. The object of this new clause is therefore to restore the law on entitlement to what we always thought it to be before their Lordships' judgment—an understanding which, as I have already said, had existed among Administrations of both complexions at least back to the start of the national insurance scheme in 1948.

Mrs. Beckett: I noted everything that the Minister said about the McCaffrey judgment, but am I not right in thinking that in putting forward this new clause the Government have taken the opportunity to reduce from 18 to 12 months the period during which death grant can be claimed?

Mr. Newton: Certainly that was not done intentionally or as an act of ministerial decision. The hon. Lady, with her characteristic scalpel-like precision, has asked me a question that I had not even thought of. Unless inspiration comes quickly—I see that my officials are looking just as mystified as I am—all I can say is that, if by chance the Government have inadvertently brought about the effect suggested by the hon. Lady, I shall consider what can be done about it. I have now been told what I had already guessed — that my officials need to check.

[Mr. Newton]

However, if by inadvertence we have brought about the effect suggested by the hon. Lady, I shall metaphorically take my hat off to her and see what can be done about it. I cannot say anything else to help the hon. Lady now and I hope that she will not hold up the proceedings for too long on the acute point that she has made.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 21

OTHER REGULATIONS

'(1) Section 141(2) of the Social Security Act 1975 (reference of regulations to Industrial Injuries Advisory Council) and section 10(1) of the Social Security Act 1980 (reference of regulations to Social Security Advisory Committee) shall not apply—

(a) to regulations made under any of sections 45(2A), 45A(3), 46(4), 47(1A), 49 and 66(3) and (4) of the Social Security Act 1975 before the expiry of the period of 6 months beginning with the commencement of section 7 above;

(b) subject to subsection (5) below, to regulations made under section 84(4) of that Act, before the expiry of the period of six months beginning with the passing of this Act; or

(c) to regulations made under section 16 below before the expiry of the period of 6 months beginning with the commencement of any relevant provision of this Act.

(2) The reference in subsection (1)*(a)* above to the commencement of section 7 above is a reference, in relation to any regulations, to the commencement of that section so far as it relates to the provision under which the regulations are made.

(3) Section 167(3) of the Social Security Act 1975 (negative procedure for regulations) shall not apply to the first regulations under any of the provisions of that Act mentioned in subsection (1)*(a)* above.

(4) The Secretary of State shall not make any such regulations unless a draft of the regulations has been laid before and approved by a resolution of each House of Parliament.

(5) Subsection (1)*(b)* above does not apply to regulations made under section 84(4) of the Social Security Act 1975 which could have been made if that subsection had not been amended by section 7 above.

(6) The reference in subsection (1)*(c)* above to a relevant provision of this Act is a reference to a provision of this Act which the statutory instrument containing the regulations states is a provision—

(a) in connection with the coming into force of which the Secretary of State considers it necessary or expedient to make the regulations; or

(b) which repeals or amends an enactment in connection with the operation of which the Secretary of State considers it necessary or expedient to make the regulations.

(7) Section 141(2) of the Social Security Act 1975 shall not apply to regulations—

(a) made under section 60(1A) of the Social Security Act 1975 before the expiry of the period of six months beginning with the commencement of section *[Special hardship allowance]* above; or

(b) made under any enactment before the expiry of the period of six months beginning with the commencement of section *[Special hardship allowance]* above and contained in a statutory instrument which states that it contains only provisions consequential on that section or such provisions and regulations made under section 60(1A) of the Social Security Act 1975.

(8) Section 10(1) of the Social Security Act 1980 shall not apply to regulations—

(a) made under section 4(6A) or (6D) or 13(5A) of the Social Security Act 1975 or section 6(5A) of the Social Security Pensions Act 1975 before the expiry of the period of six months beginning with the commencement of section *[Calculation of contributions]* above;

(b) made under any enactment before the expiry of the period of six months beginning with the commencement of section *[Calculation of contributions]* above and contained in a statutory instrument which states that it contains only provisions consequential on that section or such provisions and regulations made under section 4(6A) or (6D) or 13(5A) of the Social Security Act 1975 or section 6(5A) of the Social Security Pensions Act 1975;

(c) made under section 15A of the Social Security Act 1975 or section 2(3A) or 3(4A) of the Social Security and Housing Benefits Act 1982 before the expiry of the period of six months beginning with the commencement of section 9 above;

(d) made under any enactment before the expiry of the period of six months beginning with the commencement of section 9 above and contained in a statutory instrument which states that it contains only provisions consequential on that section or such provisions and regulations made under any provision inserted by it in the Social Security Act 1975 or the Social Security and Housing Benefits Act 1982;

(e) made under section 9(1A) of the Social Security and Housing Benefits Act 1982 before the expiry of the period of six months beginning with the commencement of section 10 above;

(f) made under any enactment before the expiry of the period of six months beginning with the commencement of section 10 above and contained in a statutory instrument which states that it contains only provisions consequential on subsection (1) of that section or such provisions and regulations made under section 9(1A) of the Social Security and Housing Benefits Act 1982;

(g) made under section 22(8) of the Social Security Act 1975 before the expiry of the period of six months beginning with the commencement of paragraph 2 of Schedule *[Miscellaneous amendments relating to statutory sick pay]* to this Act;

(h) made under any enactment before the expiry of the period of six months beginning with the commencement of paragraph 2 of Schedule *[Miscellaneous amendments relating to statutory sick pay]* to this Act and contained in a statutory instrument which states that it contains only provisions consequential on the exercise of the power conferred by virtue of that paragraph or such provisions and regulations made under section 22(8) of the Social Security Act 1975;

(j) made under section 165A(1) of the Social Security Act 1975 before the expiry of the period of six months beginning with the commencement of section *[Entitlement to benefit dependent on claim]* above;

(k) made under any enactment before the expiry of the period of six months beginning with the commencement of section *[Entitled to benefit dependent on claim]* above and contained in a statutory instrument which states that it contains only provisions consequential on that section or such provisions and regulations made under section 165A(1) of the Social Security Act 1975;

(l) made under section 17(2A) of the Social Security and Housing Benefits Act 1982 before the expiry of the period of six months beginning with the commencement of section *[Medical evidence]* above;

(m) made under any enactment before the expiry of the period of six months beginning with the commencement of section *[Medical evidence]* above and contained in a statutory instrument which states that it contains only provisions consequential on the exercise of the power conferred by virtue of that section or such provisions and regulations made under section 17(2A) of the Social Security and Housing Benefits Act 1982.' — *[Mr. Newton.]*

Brought up, and read the First time.

Mr. Newton: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 142.

Mr. Newton: The new clause simply provides that regulations made under powers taken in the Bill are not to be referred to the Social Security Advisory Committee or to the Industrial Injuries Advisory Council if made within six months of Royal Assent or of the operative date of the relevant clause. If that sounds in any way disturbing, I should point out that, as I am sure the hon. Member for Birkenhead (Mr. Field) is aware, this is normal procedure when the basic purposes of the proposals are set out in the primary legislation and discussed by the House. In those circumstances, it is normal for the subsequent regulations not to be referred to the SSAC or the IIAC.

I should state specifically, however, that the first set of regulations about dependency increases will be subject to the affirmative resolution procedure. In the ordinary way they would be subject to the negative procedure, but as the House has not had the opportunity to discuss the details in this instance it will have that opportunity to do so when we bring forward the proposals.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New clause 1

DEFINITION OF THE TERM 'PRESCRIBED'

'Where in any provision of this Act (including provisions amending other Acts) the Secretary of State is empowered to prescribe any thing he shall do so by regulations made by statutory instrument; and no such instrument may be made unless a draft of it has been laid before, and approved by resolution of, both Houses of Parliament.'.—*[Sir Brandon Rhys Williams.]*

Brought up, and read the First time.

Sir Brandon Rhys Williams: I beg to move, That the clause be read a Second time.

I have already made a number of fairly strong observations about the way in which the Bill is being handled by the Department and I need not repeat them now. We alluded several times in Committee to the complexity of the matters covered by the Bill and to the wide-ranging effects of many of the provisions in the Bill or clearly in prospect.

In this complex field, it would be quite wrong for the House to abdicate responsibility for supervising what the Department is doing, especially in relation to occupational pensions. I have campaigned for many years for reform of the law in this area, but the Department has not made any strong response to the arguments advanced by me and by others far better qualified to do so. That being so, I am not satisfied that the Department's intentions and the pace of reform are in line with public opinion. I therefore regret that throughout the Bill powers are taken to allow the Department to take charge of the legislation when, in practical terms, Parliament will have withdrawn from the scene.

The newspapers today confidently predict that the state earnings-related pensions scheme is to be abolished. I do not disagree with such a policy, but if the state scheme is abolished private sector schemes will bear the whole burden of earnings-related provision. In those circumstances, it is even more important that the law relating to such schemes should be thoroughly satisfactory. I do not believe that the law will be satisfactory unless Parliament — or at any rate those Members who are seriously interested in the subject, which may not be very many—has the opportunity to scrutinise and comment upon the Department's activities in this respect.

The present state of the law is most unsatisfactory. Many contributors pay good money in over a lifetime of work but get bad money out because of currency depreciation. Pension funds could protect contributors to a far greater extent, but they are not called upon to do so and the Department has shown itself to be quite satisfied with that very disappointing situation. In many cases, early leavers are obliged to sacrifice a large part of their entitlement because the rules of the scheme of their employer in the first instance have not been amended. The fact that early leavers do not get a fair deal under present legislation has been talked about for years, but nothing of substance has been done to put things right and the Bill only begins to deal with it with effect from the present year.

On the other hand, the people who remain in occupational schemes are obliged very often to participate in final salary schemes which have the effect of transferring resources from lower-paid to higher-paid members of the scheme. That is intrinsically wrong and should not be countenanced by Parliament. I appreciate that in many schemes, and in public sector schemes, the employer's contribution is so generous that the employees have no cause for complaint, whether the calculations are made on a final salary basis or on the personal build-up of entitlement; but in far too many schemes the low paid subsidise the higher paid, and that should not be allowed to continue.

If the Bill goes through as drafted, I am not confident that all the references it contains to the Department having power to take responsibility will lead to any significant improvement in the near future.

Our economy rests on the belief that saving is worthwhile. Parliament must not allow a general belief to grow up to the effect that there is no point in saving because one either loses one's resources through depreciation or people who are cleverer than oneself will use them to suit themselves and not give one a fair deal. It is quite wrong for Parliament to allow such an inadequate and unfair situation to continue.

I should not like it to be thought that I regard all occupational pension schemes as inadequate and unfair. Many employers make handsome contributions to their employees' retirement pensions. Nevertheless, a very large number of schemes are entirely inadequate and the rules protecting the rights of employees are utterly insufficient. Somebody must protest if Parliament is asked to hand over power to deal with that situation to a Department which lacks the drive and the energy to put matters right. Parliament must not leave such matters to the Department without having a proper opportunity to supervise and discuss what the Department has it in mind to do.

Mr. Newton: I hope that my hon. Friend the Member for Kensington (Sir B. Rhys Williams) will not take it amiss if I say that I am in some difficulty as to whether to reply to what the new clause says or to the rather broader thrust of his arguments about occupational pensions generally. I hope that you, Mr. Deputy Speaker, will forgive me if I comment briefly on the broader issue. I think that it is a little unfair to accuse the Department of being essentially inert and not to take account of the substantial changes that have taken place in occupational pensions legislation—not least those in the Bill—many

[Mr. Newton]

of which are in the direction urged by my hon. Friend for some time and reflect considerable credit on his effort and application in this area over many years.

It is not for me to predict in this debate, any more than in earlier debates, the outcome of the Government's current review of social security provision and financial provision for retirement generally, but my hon. Friend may rest assured that his views do not go unremarked in our consideration of these matters. I hope that he will understand if I cannot say much more about the general issues.

The new clause essentially concerns whether the regulations required to implement the proposals in the Bill — the primary legislation — should be subject to the affirmative rather than the negative resolution procedure. Knowing my hon. Friend's views on this and having listened carefully to him in Committee, I considered the possibilities open to us to move in that direction on Report, and it is with some reluctance that I find myself unable to move towards him—not because I believe that he has made an overwhelming case, but because my natural inclination is to try to please him, and indeed all hon. Members, if I possibly can. I regret, however, that in this instance I cannot do so.

I have before me several passages reproduced from the report of the Joint Committee on Delegated Legislation in the 1972-73 Session. I shall not weary the House by reading them out, unless I am pressed further, but those passages, with other precedents that I have examined, persuade me that we are acting entirely properly and in line with precedents over a long period in proposing that the regulations should be subject to the negative rather than to the affirmative procedure and that my hon. Friend the Member for Kensington is being somewhat unfair in suggesting that this in some way overrides the normal way in which the Government should deal with Parliament. Nevertheless, in acknowledgement of my hon. Friend's strength of feeling, I should like to tell him that, whenever I am able to meet him on this issue, I shall try to do so. I am afraid that I cannot do that today for a variety of reasons, most of which are practical.

Sir Brandon Rhys Williams: I thank my hon. Friend for his reply. He was conciliatory and, because I am confident that his mind is moving in the right direction in regard to occupational pensions, I do not wish to say more. I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 4

POWER OF SECRETARY OF STATE TO AWARD INCREMENTS TO SMALL FIRMS

The Secretary of State may award additional adjustable payments to firms with less than 20 employees for the purpose of financing their statutory sick pay schemes. — *[Mr. Kennedy.]*

Brought up, and read the First time.

7.30 pm

Mr. Kennedy: I beg to move, That the clause be read a Second time.

Although this issue is not insignificant, I appreciate the practical limitations within which Ministers must work and I merely wish to draw attention to a problem which was highlighted by a recent report entitled "Burdens on Business." Any relief from the administrative complexities facing small businesses is welcome.

The Secretary of State's original announcement came as a bolt from the blue for many small business men and the National Federation of Self Employed and Small Businesses. It was proposed to extend statutory sick pay to 28 days. Having had discussions with those affected, the Secretary of State was able to announce relief from national insurance contributions for 12 months from the passing of this legislation. That was in recognition of the extra burdens—*[Interruption.]* I do not know whether the ringing of Division bells indicates a split in the alliance. I do not know whether the bell tolls for me or for the Minister. We shall see. It is a more musical accompaniment than we are used to.

The relief that the Government announced was welcome. I am now seeking additional relief for small businesses. I am the first to admit that my definition is arbitrary.

In January 1984, my hon. Friend the Member for Gordon (Mr. Bruce) wrote to the then Minister for Social Security inquiring whether the Government planned to extend statutory sick pay from eight weeks to 13 weeks. The Minister replied that he could give an assurance that there were no plans to extend the period covered. I realise that one Minister cannot bind another, but when my hon. Friend the Member for Orkney and Shetland (Mr. Wallace) wrote to the Parliamentary Under-Secretary of State for Trade and Industry in February this year about the extension which had by then been announced and which ran contrary to what the Government said one year earlier, the Minister replied:

"the DHSS maintain that the extension has several advantages. They consider that it will further reduce the overlap of some employers' contributory sick pay schemes with State sickness benefit; further reduce the effect of the anomaly whereby State sickness benefit is not taxable; and finally, produce valuable public expenditure savings together with some savings in DHSS staff. As you will know, a major element of our economic strategy is to control the size of the public sector in order to free resources to the private sector."

The difficulty for small businesses, especially self-employed small businesses, is that the statutory sick pay scheme involves considerable extra paperwork. I have in mind the type of business which is prevalent in my constituency. The absence of a member of staff can leave just one person with all the additional work and the administrative work for statutory sick pay. The arrangements can create a bad cash flow in winter, there can be bureaucratic complications, and they can work against the interests of the chronically sick.

I am aware that the Minister might not be able to accept the wording of my new clause. As I said, I would not go to the wall about the level being set at 20 employees. I am merely raising a genuine problem and trying to decrease the administrative burden on small businesses. I suggest reimbursement for the paperwork involved as more than 90 per cent. of small businesses probably have 10 or fewer employees and are run by self-employed employers. Such people would benefit from the new clause.

Two other means of highlighting the problem were suggested to me. One was to draw up bands of exemptions for those who would not have to do the administrative work. Such a system immediately creates anomalies. The other was to exempt all self-employed employers from the

statutory sick pay scheme. There are problems with both suggestions, and I do not pretend that mine is perfect. I hope that the Minister will be constructive and express his thinking on this matter.

Mr. Whitney: I listened with interest to the hon. Member for Ross, Cromarty and Skye (Mr. Kennedy), not least through the problems of the bell. As he asked the question, I remind him:

"never send to know for whom the bell tolls; it tolls for thee."

I cannot accept the new clause. The Government are deeply conscious of the importance of not putting extra and unnecessary burdens and controls on employers. The hon. Gentleman was kind enough to refer to the report which has recently been published entitled "Burdens on Business," which makes several important recommendations about removing burdens on businesses, especially small businesses.

This is an area that has been pursued with great vigour by the Government—a campaign in the charge of my right hon. and noble Friend the Minister without Portfolio, who is leading a co-ordinated initiative that the Government will follow up. That examination will include the operation of the SSP scheme. No decisions have been taken at this stage, but I assure the hon. Gentleman that we shall be consulting employers' representatives and others in due course on the matters affecting SSP in that report.

I hope that the House will understand, therefore, that we are not unsympathetic to the case that the hon. Gentleman has advanced. However, some problems arise from the hon. Gentleman's proposition. He set the limit at those firms with fewer than 20 employees. That would cover 80 per cent. of employers, which would be a burden.

Mr. Kennedy: They are voters.

Mr. Whitney: The hon. Gentleman may need votes, but our intention is to take a sensible decision about lightening the burden on businesses and getting the balance right.

An employer's major expenditure on SSP is, of course, the amount that he actually pays out. But, as the hon. Gentleman knows, the whole of that is recoverable. The employer simply deducts any SSP he has paid from the total payment of national insurance contributions, or, if necessary, PAYE tax, which he makes to the collector of taxes each month. It is a very simple system, which I believe has worked extremely well.

I founded a small business and operated it before I joined the Government. Therefore, I can confirm that the scheme did not cause anything like the problems that we expected. I believe that that has been the reaction of most businesses, large and small, throughout the country.

We believe that the impact of the extension from eight to 28 weeks will not be anything like as great as some people have suggested. Almost 90 per cent. of all sickness spells last for less than eight weeks and are already covered by the present scheme. The average amount of sickness per employee is only about 10 days per year, so the additional work for most employers will not be extensive.

However, in recognition of the extension of the burden on employers we propose to compensate them for the cost of the secondary insurance contributions that they pay on SSP. That will apply not only to the extended part of SSP, but to the whole period for which SSP is paid. The calculation is that that will be worth up to £60 million a year to employers. That is a very significant concession, and we do not believe that there is a justification for making additional payments to selected employers, depending on their size, who may or may not experience some extra cost as a result of the extension. The proposal is that the compensation payment will operate retrospectively from this month — a full year ahead of the extension. That will help all employers with their costs and it is the fairest course to take.

We believe that the burden has not been as great as was originally feared. The majority of employers have got down to operating the SSP scheme and have found it a great deal simpler than they expected.

While sharing the spirit in which the hon. Gentleman moved his new clause—that we must do all we can to maintain the lightest possible burden on employers, great and small, for the employment benefits of which we are all conscious — I do not believe that there is any justification for going further than the Government have proposed.

Mr. Kennedy: I thank the Minister for his constructive response. I was interested to learn that he started out as a small business man who is now in very big business.

In view of his comments and assurances about the Government recognising the burdens on small businesses and the administrative and financial burdens that can result from operating the SSP scheme, I am happy to beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 5

EXCEPTIONALLY SEVERE WEATHER PAYMENTS

'(1) The Supplementary Benefit Commission, in exercise of their power under section 3(1) of the Supplementary Benefits Act 1976, shall pay single payments to meet the fuel costs of any assessment unit where they are greater than the amount which has been put aside to pay for them because a period of exceptionally severe weather has resulted in consumption greater than normal; having regard to any available information in previous levels of consumption.

(2) The amount payable under subsection (1) above shall be the cost of the amount of excess over normal consumption.

(3) Single payments paid under subsection (1) above shall be calculated for all regions of England, Scotland and Wales on a common trigger-point established with reference to the data compiled by the meteorological office for the weather station at Plymouth.—*[Mr. Kirkwood.]*

Brought up, and read the First time.

Mr. Kirkwood: I beg to move, That the clause be read a Second time.

7.45 pm

The Minister, having studied the new clause for two or three months, will realise that some of the points of the clause have disappeared since the weather has changed. Indeed, in politics we are often accused of changing our policies with the weather. I understood that the Bill would be reported to the House some weeks ago. Indeed, I expected it to be reported just at the time when there was the stramash about the trigger point being reached in the southern and western parts of the country for exceptionally severe weather payments.

I tabled the new clause because I wish to draw attention to the absurdity that has caused a tremendous amount of heartache and distress in the northern reaches of the country about the perceived injustice of certain parts of the

[Mr. Kirkwood]

country being paid different levels of grant and having different trigger points for exceptionally severe weather payments, depending on the ambient temperatures.

People in the north and in Scotland felt that the fact that they were expected to endure much lower consistent annual ambient temperatures than people in the south was entirely unfair. The Minister knows that that has been referred to frequently in the House in Adjournment debates, questions to the Prime Minister and questions to the Minister who is to reply to this debate. I wish to take this opportunity to reinforce the antipathy that was expressed when the trigger points for exceptionally severe weather payments were reached. I accept that there are deficiencies in the new clause, and I shall be happy to ask leave to withdraw it when I have heard the Minister's reply.

The position has been compounded by the Prime Minister saying that the Government are spending more than ever on heating additions. Many figures have been bandied about. People in the north and in Scotland are well aware that more money has been spent on heating additions, but the reason for that has been that more people than ever before have qualified for them. That has put salt in the wound.

In addition, some weeks ago it became clear that the electricity and gas industries, because of the external financing limit policy being imposed by the Government, were paying more than necessary for the energy required to heat homes. That produced a great deal of bad feeling in the north and in Scotland. I hope that the Government recognise that and will take the opportunity this evening to say so.

I recognise that there are many difficulties in trying to achieve a sensible and equitable exceptionally severe weather payment scheme — such as humidities, wind forces and seaboard as opposed to inland locations. I am certain that that is fiendishly difficult. However, I hope that the Minister will accept the principle that low temperatures are low temperatures wherever they are. If the scheme is to continue, it must recognise that.

I hope that the Minister will say a few words about the position when such schemes as this are buried not only in the detail of secondary legislation but in the S manual procedures. When I began to study what was happening with these payments, I found myself among the pages of the S manual. It is difficult when primary legislation produces secondary legislation which spawns regulations buried in the S manual. I hope that there will be no need in future schemes for anything of that sort.

Will the Minister say, albeit retrospectively, how the exceptionally severe weather payments scheme has worked in practice? He may not be able to say how much was given in, say, the west country and the home counties and how many applicants overall received payments, but it would be helpful to have information of that type so as to know whether the scheme could be salvaged.

I am sure that the Minister will have studied the terms of the Social Security (Cold Climate Allowance) Bill, introduced by the hon. Member for Dundee, East (Mr. Wilson). I was happy to be a sponsor of that measure, which was designed to deal with the cold climate situation in the north and in Scotland.

The new clause was designed to highlight a discrepancy that existed at the time when I thought Report and Third Reading would take place, before the Chancellor of the Exchequer put the Bill in cold storage, so to speak, until he could include the national insurance contributions aspect. Nevertheless, it has been useful to rehearse some of the arguments on the subject. I hope that the Minister will comment on any proposals he may have to change the arrangements for the exceptionally severe weather payments scheme.

Mr. Kennedy: Given the geographical location of my constituency, I cannot allow this opportunity to pass without speaking in full support of the remarks of my hon. Friend the Member for Roxburgh and Berwickshire (Mr. Kirkwood).

I agree with my hon. Friend that if the Government were not aware of the fact when they embarked on the scheme of trigger payments, it must have come home to them by now that few issues could have caused such massive nationalistic—I use the word in its best sense rather than in any political way—sentiment across the political spectrum in Scotland. The odd exception may have been the moving of football matches at short notice, but that is not this Minister's problem.

It has been nothing short of scandalous the way in which severe weather payments have been made available in some parts of the country and not in others. A Conservative Member, who had better remain nameless, told me of a classic case that occurred in his constituency, which is also towards the north of Scotland. An elderly lady went to the south of England to spend a few weeks with her married daughter. Her pension was transferred so that she could collect it during the weeks of her holidays on the south-east coast of England.

When the weather turned severe, she arrived at the post office to collect her pension, and was also given a severe weather allowance. She was given that allowance in the south of England, where it was about 10 degrees warmer than in her home town, where—had she been there—she would not have received a penny. That was crazy. The Government have accepted that it was a bizarre situation and needs review.

I endorse what my hon. Friend said about the scheme's review. We hope that in trying to improve it, the rumours that have been circulating—one suspects at the behest of the Treasury—to the effect that a change will merely mean the scheme being scrapped or suffering a considerable clawback will prove to be unfounded. I hope that our fears about that can be allayed.

The Minister has said on several occasions that there is a difference between an exceptionally severe weather payment and a cold climate allowance. As my hon. Friend and I have been sponsors of the Social Security (Cold Climate Allowance) Bill on the two occasions when it has been introduced—I was also a member of the delegation which saw the Minister on the subject—I hope that, while I appreciate that a distinction exists, the Minister will have some encouraging words to say tonight.

The fact that the meteorological office for the weather station at Plymouth has been chosen for this proposal is, I am sure, pure coincidence and is not an example of organised politics at work.

Mrs. Beckett: We, too, are concerned about the many problems that exist for people who need recompense for their heating bills. The operation of the exceptionally

severe weather payments scheme has been the most recent, most inexplicable and perhaps most scandalous example of such problems.

It is clear that more and more people are having difficulty meeting their fuel bills. As the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) pointed out, the problem has been exacerbated by the deliberate policy, both before and since the last election, of forcing up gas and electricity charges, despite Conservative assurances that that would not happen.

Reference has been made to the anger that has been caused, particularly in areas such as Scotland, by the operation of the severe weather allowance. The hon. Members for Roxburgh and Berwickshire and for Ross, Cromarty and Skye (Mr. Kennedy) will agree that just as much anger has been felt by pensioners over the operation of the available scale margin deduction, under which many pensioners became entitled to heating allowance, only to discover that, having managed to satisfy the conditions to receive allowance, some of it was removed from them.

In recent weeks there has been a reduction in the standing charge concession which had been given to pensioners and small users of gas and electricity. Wherever we look we seem to see a retrenchment, rather than an expansion, in the help that people are given to meet their heating costs at times when their needs increase.

I echo the hope of the hon. Member for Ross, Cromarty and Skye that rumours that the social security review will simplify the procedure essentially by abolishing most of the help that has been available will prove to be unfounded and that, when the review is published, we shall be able to welcome the action that the Government are taking.

Mr. Whitney: I note with interest that this is one occasion when hon. Members speaking on behalf of the Liberal party and the SDP are in agreement, and on this issue they are in agreement with the hon. Member for Derby, South (Mrs. Beckett), speaking for the Labour party.

I agree with the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) that this has been a matter of great concern in Scotland. It would be an insensitive Sassenach — certainly an insensitive Minister in my Department — who was not aware of that. I am glad, therefore, to put yet again the facts of the case, and I hope that they will be noted, especially by the people of Scotland.

The first point to get into perspective is that the major help for those on low incomes to cover their day-to-day expenses, including fuel expenses, is given through the supplementary benefits system. I remind the House that the scale rates for that benefit increased in real terms by about 6 per cent. between November 1978 and November 1984. In other words, for pensioners and others on supplementary benefit, there has been that increase, of which the Government are justifiably proud.

The hon. Member for Ross, Cromarty and Skye (Mr. Kennedy) spoke of the heating addition. We take pride in the fact that there have been increases in the heating addition payments. Those payments have reached £400 million a year, representing an increase in real terms of £140 million above that spent in the last year of the Labour Administration, of which the hon. Member for Derby, South was a member.

Reference has been made to fuel charges. I agree that they have increased, but those increases pale into insignificance compared with the increases in fuel charges that we suffered under the last Labour Government. Against the increases in fuel prices that have taken place during the period of this Government, increases in heating additions in real terms have amounted to 20 per cent. It is important to set the exceptionally severe weather payment system against the background of the important and real increases in support to low-income families that the Government have provided.

8 pm

The exceptionally severe weather payment system was an attempt to even out the exceptional budget problems of those on low incomes and tight budgets and was not related directly to actual temperatures. That was the objective system that we sought to establish. Earlier systems had been subjective and complicated and it was thought that something that established objective criteria would be more easily understood and more easily accepted. Of course there are differences in average ambient outside temperatures throughout the country. I believe that I am right in saying that for the purposes of the exceptionally severe weather payment system Birmingham or Suffolk has to be colder than Glasgow. There is no victimisation against Scotland. We have attempted to use objectively the scientific data available.

The Government have accepted that the system has not been understood and we accept that it is not satisfactory. As I said to the House on 12 March, we have decided that changes should be made before next winter. It is too early for me to say what those changes will be, but I repeat that assurance to the House.

Mr. Kirkwood: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 14

INVALID CARE ALLOWANCE FOR MARRIED WOMEN

"In the Social Security Act 1975, in section 37(3), leave out "and a woman shall not be entitled to any such allowance if—

(a) she is married and either—

(i) she is residing with her husband or

(ii) he is contributing to her maintenance at a weekly rate not less than the weekly rate of such an allowance; or

(b) she and a man to whom she is not married are living together as husband and wife.".'.—*[Mrs. Beckett.]*

Brought up, and read the First time.

Mrs. Beckett: I beg to move, That the clause be read a Second time.

The Opposition decided to table the new clause before we were aware of the new clause that the Government intended to introduce on the same issue. However, the two new clauses on the half test go neatly side by side. As I understand it, the Government were not obliged by the European directive to take the action that they did on the test. Both the half test and the invalid care allowance test are discriminatory against women generally and married women especially. We hope that the precedent that the Government have set will be one which they will be eager to follow.

The Minister sought to argue in Committee that the invalid care allowance was not covered by the directive in the same way as the half test. He may have been mistaken in saying that. He argued that looking after an invalid was

[Mrs. Beckett]

a risk which was not covered by the directive because it was only one's own direct invalidity to which the directive could possibly apply. If invalidity is incurred by someone other than the potential recipient of the invalid care allowance, the directive does not state that invalid care allowance is thereby excluded or that carers should not be covered. That is the conclusion which the Minister drew from the way in which the directive had been drafted.

The basis of the directive and of the judgment which we feel that the Government should make is that invalidity interrupts capacity to work. That applies to the person who is made an invalid and to the person who is in the position of having to draw the invalid care allowance.

I draw the Minister's attention to an appeal which was upheld on 1 March. I understand that the tribunal was chaired by the new president of the social security tribunal. The Minister commended him to us as a man of sound judgment when we were in Committee last year, so I am sure that he will be only too happy to accept his judgment. Under the president's chairmanship the tribunal ruled that the equal opportunity directive covers the invalid care allowance. It awarded the benefit to the lady who brought the case, Mrs. Drake.

I believe that the chief social security commissioner has chosen to refer the hearing to the European Court. I want to know what the implications are for Government policy and what the Government now have in mind. How many women are now thought to be eligible for the invalid care allowance? I should like the Minister to give us the latest figures that are available to him. What does he anticipate will be the cost of extending the allowance to those who are now barred from claiming it? It has been suggested since the Drake case—we believe that this should be publicised — that women should make a claim in anticipation of a decision from the European Court. Of those women who are eligible to make a claim, how many have done so? That is relevant in the light of an earlier new clause in which reference was made to the McCaffrey case, in which it was made clear that the date of the claim was crucial in determining entitlement. The Government are taking steps to ensure that people are not able to claim the allowance merely because they are entitled to it. We advise anyone who thinks that he or she might be eligible to claim the allowance now.

Caring for an invalid involves substantial cost. It is suggested that it costs about £4,000 a year to care for a mentally handicapped child. It was suggested even five years ago that it cost £6,000 a year to care for a demented elderly person. That does not take account of the fact that such individuals often lose state benefits to which they might have been entitled if they had to move in with members of their family because of invalidity.

Against the background of these costs and pressures on families, we ask the Government to tell us what action they propose to take if, as seems likely, the European Court's judgment goes against them.

Mr. Galley: Concern about the invalid care allowance is shared by many of my right and hon. Friends. I know that my hon. Friend the Minister for Social Security is aware of this, but it seems appropriate to reiterate the fact in the hope that he will seek to tackle the anomalies in the spirit of reform in which he has approached his job.

One of the most startling injustices remaining in our social security system is that the invalid care allowance is not available to married women regardless of for whom they care while it is available to all other carers. This places an unfair burden on a dedicated group. There is an increasing unfairness because more and more married women are working. It is essentially an earnings replacement allowance.

My right hon. Friend might reasonably say that that would not be an applicable argument in every case, but it is right that many married women who care for invalid spouses or others are forgoing earnings and should be entitled to the allowance.

We are trying to develop initiatives for caring in the community. Care involves a wide variety of options and one of them is care at home. It is right that many of those who are mentally ill or mentally handicapped, or invalids for other reasons, are much better off by staying at home and receiving care than by being in an institution. We must seek to make it easier for these people who stay at home if that is at all possible. The fact that the invalid care allowance is not available to married women causes more people to go into institutions. I do not wish to advance my main argument on a financial stance, but the economic considerations must be considered. It may cost the Health Service less if more money is put into invalid care and extended to married women.

I understand that the latest estimate of the cost of extending the invalid care allowance to married women is £85 million. This week my hon. Friend the Minister has found a fairly substantial sum of money to deal with the half test. Last year he found a reasonably substantial sum of money to deal with anomalies in the housewives' non-contributory invalidity pension scheme and improved that by the severe disablement allowance. Therefore, he has a good record of reform and I hope that he will give this matter some considerable priority as his next step.

We all have our favourite shopping list within the social security budget for change and reform. I should like to see this reform accepted by my hon. Friend as being pretty well near the top of the list. He might consider it when he looks at the whole matter of social security and the making of savings in other areas. To right that injustice should be a priority when new resources become available as a result of reviews.

Mr. Kennedy: In the same spirit of all-party support that greeted some of the announcements made by the Minister this evening, may I complete the all-party pressure on the Minister to come forward with further good news? If he cannot do that tonight, I hope that he will at least give us a sign that he is moving in that direction.

I fully agree with the hon. Member for Derby, South (Mrs. Beckett) and with her new clause and with the hon. Member for Halifax (Mr. Galley). Surely the case now is overwhelming for the extension of invalid care allowance to married women. It is worth emphasising that all too often we take for granted within the welfare state the fact that, without the informal network of care, often free from institutions or direct institutional production or support mechanisms, we would indeed be talking about a crisis in the welfare state of a proportion that no hon. Member would suggest exists at the moment. Heaven knows, we argue enough about the welfare state and about the dangers and problems that it faces. The last part of that informal

network clearly comes from the role of married women in caring for dependent, elderly, partly disabled or handicapped relatives, and so on.

I remember speaking last year at a meeting of a careers organisation at which the Department was represented by the Earl of Caithness. He explained on that occasion why, mainly because of revenue implications, the Department could not come forward with the extension of the allowance at that point. None the less, I hope that, now that we are a bit further down the track, the Minister will be able to be a bit more forthcoming tonight, particularly as a review of social security has just been completed. It would be extremely encouraging to think that one of the things that was reviewed and decided in that process was that this anomaly should be rectified and that that benefit should be, and will be, made available. If the Minister can give us any hints or otherwise in that direction, they will be gratefully received with the same all-party welcome that other contributions have been received.

Mr. Newton: In view of the warmth with which the House greeted some of my earlier remarks, I knew that my luck had to run out sooner or later, and I think that it just has. I fear that I am unable to answer on the invalid care allowance for married women in as forthcoming a fashion as I was able to on earlier matters, in particular, on the married women's half test.

The hon. Member for Derby, South (Mrs. Beckett) asked her questions in a reasonable way. She asked for the current estimate of the number of married women who would stand to benefit from the extension of invalid care allowance, were such to occur. Our best estimate at present is about 70,000. She asked what it would cost and the up-to-date answer has already been given by my hon. Friend the Member for Halifax (Mr. Galley). The up-to-date estimate of the net cost, after allowing for savings in supplementary benefit and so on, would be around £85 million.

The hon. Lady asked how many married women had claimed since the judgment in the case of Mrs. Drake. About 300 claims from married women have been received since the Drake case was published. That is about four times the number of such claims usually received in the same period. Those claims are being put on ice. They are being acknowledged, but adjudication will await the judgment of the European Court and the subsequent decision of the social security commissioners.

8.15 pm

I can confirm, as the hon. Lady said, that in early January the Drake case was put to the independent adjudicating authorities with the ultimate aim of securing a judgment from the European Court on the application or otherwise of the directive to invalid care allowance. As I have said on previous occasions, our legal advice was and remains that the directive does not cover invalid care allowance. I understand that the Commission shares that view but, as I have also said on a number of occasions, ultimately it is clearly a matter for the European Court, and, as the hon. Lady said, the social security commissioners have referred the case to the court and a judgment will be made in due course at which time the judgment will have to be considered by the Government.

There is not a great deal more than I can usefully add to the views that I have already expressed in Committee and on a number of other occasions on the Floor of the House on the issue. It will come as no surprise to hon. Members to know that, were resources not a problem, I should like to see this change. But resources are a problem. Even were this amount of money to become available there would be a real issue as to its ranking order alongside a number of other social security claims, and, not least, the claims of other disabled people. I spent part of yesterday afternoon at the annual general meeting of the Middlesex Association of the Blind where I was once again fairly heavily lobbied on the issue of a blindness allowance. We can all think of extensions of benefit that would be attractive to many people.

There is the other problem of whether money would not in some circumstances be at least as well spent in supporting disabled people and their carers by additional expenditure on home helps and other forms of care in the community. I do not want to labour any of those points. I have put them before the House and the Committee before as reasons for my hesitation in responding in the way that hon. Members would wish.

Ms. Richardson: I know how difficult it is, given all the competing claims, when there is only so much money, but is there not a double disadvantage in the case of the invalid care allowance? It is not only that the carers need the money but the present position is discriminatory in the sense that married women cannot claim while single women and men can. Should not that aspect be taken into account?

Mr. Newton: It cannot be denied that it is discriminatory in the sense that there are manifestly special rules for married women in relation to the claiming of invalid care allowance. The hon. Lady and the hon. Member for Derby, South and other hon. Members have been kind enough to refer to the record that we have acquired in making progress towards equal treatment over the past two or three years. That is certainly something in which I take pride but a problem remains here because it is our legal advice that this matter is not within the terms of the directive. Clearly, that can only be decided ultimately by the European Court and I am simply not in a position to say to the House tonight that I can suddenly make £85 million available for the extension of benefit now.

It sounded from what the hon. Member for Derby, South said that I might conceivably have misled her. She referred to the fact that our action on the married women's half test had been taken without regard to the directive. I wish to make it clear that our advice had become that the residual effects of the married women's half test were probably in contravention of the EC directive. Rather than argue further about that, we felt that it would be appropriate to introduce the change of which I spoke earlier and to backdate it to 22 December 1984—the date on which the directive finally took effect. That is not quite on all fours with invalid care allowance, either regarding the amount of money or our present legal advice.

My hon. Friend the Member for Halifax referred to the money involved in the half test. I admit that it is fairly significant although it is only about one third of the sum involved in ICA. The one significant difference is that the money in the half test will rapidly decline to nil because the effects have already been working out as a result of its abolition for all those who became 60 after 1979. It was a diminishing problem. The same could not be true of ICA

[Mr. Newton]

in view of its association with attendance allowance, the demand for and take-up of which has been rising sharply. Therefore, there is not a complete parallel between the two, even in financial terms.

I am genuinely sorry not to be able to say something more to the taste of hon. Members who have spoken, but I hope that I have made the present position reasonably clear.

Mrs. Beckett: I wish to make only two further brief comments on the issue. First, the Minister suggested that the Commission accepted that the invalid care allowance was outside the scope of the directive. Although I recognise that some remarks have been made about the fact that usually one is referring to the person who is made an invalid, and although it has been admitted that there is no directly comparable benefit in Europe to ICA, the directive states that

"it would be desirable . . . not to exclude the benefit in question from the scope of the Directive."

That appears to suggest that the matter does come, or should come, within the scope of the directive.

I shall leave the Minister with one final thought to consider about the European Court's decision. I wish to press him on the date when people will be given the allowance, if the Government decide to do this, or are forced to do so. I noted with interest that when the Government introduced their new clause to abolish the half test, they made it retrospective to the date of implementation of the directive. Therefore, it would clearly be desirable, logical and would follow precedent to implement ICA from the date of the directive. If ICA is introduced, it should at least be from the date of the judgment on the Drake case rather than from the date on which people make individual claims, as it is at present. If it is right to abolish the half test from a consistent date, it is right to do so in abolishing the discrimination in ICA, should that happy day come. We all hope that it will, perhaps even in the next year. Tonight we have sought to clarify the Government's intentions and, therefore, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 16

REMOVAL OF DISCRIMINATION IN OCCUPATIONAL PENSION SCHEMES

'The Social Security Pensions Act 1975 and the Social Security (Miscellaneous Provisions) Act 1977 shall be amended to provide that all references to widows in these Acts shall now read "male and female spouses".'.—*[Ms. Richardson.]*

Brought up, and read the First time.

Ms Richardson: I beg to move, That the clause be read a Second time.

I do not wish to detain the House long with this probing new clause. The House will know that in 1983 the European Community produced a draft directive on equal treatment in occupational pension schemes. It provided for equal treatment in access to schemes, entry ages, benefits, reimbursement of contributions, retirement ages, contribution rate, transfers, preserved benefits, and so on. However, there was a significant exclusion clause in the draft directive, which recognised the link with the provision of statutory state schemes. It permits the deferment of compulsory application of the principle of equal treatment in retirement ages and benefit to a surviving spouse, until they are equalised at state level.

Last year an amendment was tabled in the European Parliament, which was carried, to delete that clause. That has now gone to the Commission for consideration. I understand that the matter is still with the Commission, and I should be interested to hear from the Minister, who may have been involved, what progress has been made within the Commission about that. I hope that the Government are not dragging their feet. Although I have heard rumours about that, I await the Minister's reply.

We seek to help the Government consider the amendment from the European Parliament. We have decided to table this new clause to the Social Security Pensions Act 1975—I am not sure whether the new clause is defective or whether it achieves my aim—to equalise benefits in the state scheme and, therefore, to pave the way for equalising treatment in occupational pension schemes in general.

There is a genuine difference in the treatment of widows and widowers in pension schemes. In pension schemes in both the private and public sectors, the number of pensions provided for widows of male members rose sharply in the 1970s, but the provision of pensions for widowers did not rise so sharply. A recent study commissioned by the Equal Opportunities Commission showed that by 1979 89 per cent. of male members had such an entitlement to benefits for their spouses, but that the provision for female members' spouses was less universal. By 1983 only 33 per cent. of schemes automatically provided a widower's pension on death in service, and 55 per cent. did so only when the widower showed that he had been dependent on his wife. As society has traditionally viewed the wife as being dependent on her husband, it must be difficult for many men to feel that they are regarded as dependent on their wives. They should not have to do that.

In many cases the widow of a male member receives not only a widow's pension, but a lump sum benefit. Therefore, it is extremely discriminatory in both the private and public sectors of pension schemes. Throughout the schemes in both sectors is the issue that widowers shall qualify only if they can show themselves to have been dependent on their late wives.

We live in a different age, and it is time that we came to grips with the question of differentiation and discrimination in pension schemes, which, curiously, causes great resentment in both males and females. Female members of pensions schemes resent paying into a scheme and not being able to nominate their spouse, and their spouses feel resentful that they cannot qualify.

8.30 pm

The main argument for many years has been one of cost and of the difficulty of equalising schemes in the non-state sector. However, I am sure that the Minister will have seen a document published last month by the Equal Opportunities Commission called "Model of Equality." It was prepared for the Commission by Duncan C. Fraser and Co., Actuaries, and it is,

"A Consulting Actuary's Report on the methods and costs of equalising the treatment of men and women in occupational pension schemes."

The final comment is:

"We have also shown that equality of treatment in the provision of surviving spouses' pensions can be provided at relatively low cost."

I hope that the Minister, who must have seen and studied the document, will consider carefully—although perhaps not through the new clause, which is probably not the right way to do it—how he can ensure in discussions with the Commission, or in any other way, that occupational pension schemes make equal provision for both sexes.

Mr. Whitney: I can add little to the information that the hon. Lady has already given to the House. As she said, the equal treatment of women and men in occupational pension schemes continues to be under active consideration, and the European draft directive which aims at preventing discrimination in occupational pension schemes — not just contracted-out schemes — is being discussed in Brussels and in the House. She referred to the decision of the European Assembly to change the provision on the relationship between state schemes and occupational pension schemes. The matter is still being discussed at an official level committee in Brussels. It is too early for me to say what the outcome of those discussions will be.

The Occupational Pensions Board believes — the Government agree with its view—that, although there are differences between survivors' benefits, mainly for widows and widowers in the state scheme, occupational pension schemes should not be required to introduce equality in those areas. Of course, there is nothing to prevent those responsible for occupational pension schemes from introducing equal treatment for men and women, and some schemes already make such provision.

We recognise that there is a long way to go, but it must be accepted that all occupational pension schemes are set up voluntarily by employers. That point applies to many other matters that we have discussed during our consideration of the Bill. The voluntary element of the establishment of such schemes is important. The employer must decide whether new arrangements can be introduced and bear in mind all considerations, including possible additional expenditure. I recognise the hon. Lady's quotation from the report that there would be relatively low costs, but costs there would be.

As my hon. Friend the Minister said, the Government support in principle the idea of equal treatment in all areas, including this one, so we have welcomed in principle the draft European directive. But at this stage it is more appropriate to pursue that objective by voluntary action than by legislation. I hope that, in the light of those remarks, the hon. Lady will accept that it would be premature to take action now.

Sir Brandon Rhys Williams: I rise to support the new clause, and I apologise to the hon. Member for Barking (Ms. Richardson) for not being here at the beginning of her speech. I thought that she would make an extremely competent case and indeed she did. She does not need my support, but I wish to express some disappointment at what I just heard my hon. Friend the Minister say. Once again, the Department seems to be falling over backwards to emphasise the fact that employers introduce occupational pension schemes on a voluntary basis and, therefore, can be allowed to run them in a way that is contrary to the general movement of public opinion.

One of the irreversible changes of the 20th century—it is certainly irreversible in the time scale that we can contemplate — is the emancipation of women and the desire that they should be treated on an equal basis with men. That should certainly be the case, if possible, in their cash relationships with their employers. An occupational pension scheme should treat male and female contributors on a precisely unisex basis. As I said in Committee, it would be possible for that to be done, without distorting actuarial principles, if a little ingenuity were applied. It does not even require a tremendous extension of the cost of the scheme to treat male and female contributors on the same basis. Matters can be balanced in ways which I mentioned in Committee and which I shall not repeat now.

I ask my hon. Friend the Minister to realise that, if the Government are to rely wholly on private occupational pension schemes to look after the earnings-related element of pension provision, these schemes must be in line with public opinion. If they continue to defy public opinion on the equal treatment of the sexes, that will be a nail in the coffin of the private occupational pensions movement. Women have votes and they should have justice in relation to their pensions.

Ms. Richardson: I could hardly have replied to the Minister better. I welcome the hon. Member for Kensington (Sir B. Rhys Williams) to the feminist movement. I hope that in areas other than occupational pensions, in which he is a renowned expert, he will add his voice to complaints against discrimination.

I am not happy with what the Minister said, because it seems that this will be one of those areas which are always hushed back. We are talking about unfairness and injustice, and I hope that the Minister realises that we do not intend to leave the matter there. There will be opportunities, now that the matter is with the Commission, for us to press the Government to find out what is happening and at least to ask the Government to take a positive stance in the Commission. The Minister did not say that they were doing so, but I hope that at least they will do that.

On the understanding that we shall not let this matter go until the Government change their mind, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 5

ABATEMENT OF INVALIDITY ALLOWANCE, ETC., WHERE BENEFICIARY ENTITLED TO ADDITIONAL COMPONENT IN PENSION OR TO GUARANTEED MINIMUM PENSION

Mrs. Beckett: I beg to move amendment No. 3, in page 2, line 24, after '(2B)', insert

'Provided that nothing in this subsection shall empower an additional component to widow's pension to be deducted from the rate of invalidity allowance;'.

I should say at once that if this amendment is not defective I shall be greatly astonished. All that we are doing here is trying to cast a little more light on what the Government are doing in this part of the Bill. When we debated these matters in Committee, the Government argued that it was legitimate to offset invalidity allowance against an earnings-related invalidity pension because the two were basically the same thing, and were granted on the same basis and for the same reason. We disputed that. We argued that the invalidity allowance was in place of

[Mrs. Beckett]

earnings ability lost, whereas the earnings-related component was for money that had been earned before disability occurred.

It has been drawn to my attention since our debates in Committee that the people who will be most harshly and immediately affected by the change are widows. Although it is not likely, for the reason that I gave in Committee, that invalidity allowance and the earnings-related component are related to two different matters, that makes it all the more likely that no individual would have substantial sums on both, which militates against the effect of the change. However, a widow might have the maximum invalidity allowance on her own account and a substantial additional component on her husband's earnings. In that case, we are dealing with two completely different people and two completely different circumstances.

The case that has been drawn to my attention is of a lady who receives £4·61 on her husband's earnings, which she will lose under the terms of the Bill. It has been put to me that other widows may lose more.

The Government have a simple and logical choice here. They can say that our argument and the logic of our argument stand, that they really believe that these two things are the same and represent the same problem and therefore it is right to offset them against each other, and that they accept the case raised in this amendment and will not do anything to widows and will bring forward legislation accordingly; or they can say that, irrespective of the logic of the case, because what they are trying to do is to save money—as we on the Opposition Benches suspect—they will continue with the Bill as drafted, with its effect on widows.

Mr. Newton: I certainly would not dream of accusing the hon. Lady of tabling technically defective amendments and, even if I had been advised that her amendment was technically defective, I would not seek to use that as an argument.

I am in some uncertainty about the precise point that the hon. Lady has raised. It is not possible for a recipient of a widow's pension to have title to invalidity allowance unless she also has title to invalidity benefit or, if over retirement age, has elected to retain widow's pension rather than receive retirement pension. We certainly do not see any reason for treating widows in a way different from other people if they are in receipt of invalidity allowance and additional components, as there would be no material difference in the circumstances as between a widow and any other person who happened to be in receipt of both invalidity allowance and additional component.

If I have understood the hon. Lady's remarks correctly, she is postulating a case in which the widow may be in receipt of additional component earned not by herself, as it were, directly, but by her husband and may in some way have at the same time retained entitlement to invalidity benefit on her own contribution and the result of her own work record. Moreover, that must have happened at such an early stage as to have entitled her to some significant amount of invalidity allowance, bearing in mind that the higher rates of invalidity allowance entail being disabled substantially at a very early age.

I think that what I can most sensibly say is that I will look further at this point in the light of what the hon. Lady has said. I am not persuaded immediately that there is something we ought to do to change the proposals here, but, since it is not a matter which I have had the opportunity to consider carefully, I should like to look at it, without commitment but in the spirit in which I always look at any point which the hon. Lady raises.

Mrs. Beckett: I think it would be helpful if I sought further details of the case that was raised with me and passed them on to the Minister, and I will do that. In the light of what the hon. Gentleman said, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Newton: I beg to move amedment No. 5, in page 3, line 15, after 'component', insert

'after any increase under section 9(3) of the Pensions Act but'.

Mr. Deputy Speaker (Mr. Harold Walker): With this it will be convenient to take Government amendment No. 6.

Mr. Newton: Essentially this is a technical amendment accompanied by a consequential drafting amendment. I shall say more if hon. Members wish, but otherwise not.

Amendment agreed to.

Amendment made: No. 6, in page 3, line 17, leave out 'the Pensions' and insert 'that'.

8.45 pm

Mr. Newton: I beg to move amendment No. 109, in page 6, line 4, leave out from 'Where' to end of line 17 and insert

'a person—

(a) is entitled immediately before the commencement of a provision contained in this section ("the amending provision") to a benefit specified in subsection (8) below ("the relevant benefit"); and

(b) continues to be entitled to the relevant benefit after the commencement of the amending provision,

until the relevant date the amending provision shall not operate in relation to him, so long as he continues to be entitled to the relevant benefit, in such a way as to reduce the total weekly rate of any benefits specified in subsection (8) below to which he is for the time being entitled to a rate lower than the total weekly rate of such benefits immediately before the commencement of the amending provision.

(7) Where—

(a) the conditions mentioned in subsection (6)*(a)* and *(b)* above are satisfied in relation to a person; and

(b) he ceases to be entitled to the relevant benefit after the commencement of the amending provision; and

(c) he subsequently becomes entitled to it again; and

(d) the interval between the date of his ceasing to be entitled to it and the date of his becoming entitled to it again is eight weeks or less; and

(e) the date of his becoming entitled to it again is earlier than the date in 1985 on which an order under sections 124 and 126A below comes into force,

until the relevant date the amending provision shall not operate in relation to him, during any periods for which he is entitled to the relevant benefit in such a way as to reduce the total weekly rate of benefits specified in subsection (8) below to which he is for the time being entitled to a rate lower than the total weekly rate of such benefits immediately before the commencement of the amending provision.

(8) The benefits mentioned in subsections (6) and (7) above are—

(a) invalidity benefit;

(b) Category A and Category B retirement pension; and

(c) unemployability supplement,

including any increase in respect of a dependant.

(9) In this section "the relevant date" means, in relation to any person, the first date on which there comes into force an order under sections 124 and 126A below whose effect, taken with the effect of the amending provision, is more beneficial to him than the effect of subsections (6) and (7) above

This is a little more than a technical amendment, but it is not quite as horrifying as it looks from its length. It is concerned with tidying up the provisions which we debated in Committee at least as much as with changing them. There are two changes. One is the result of an undertaking that I gave in Committee, and one is the result of an awkwardness which we identified and wished to prevent.

The hon. Member for Derby, South (Mrs. Beckett) will recall that when we discussed this in Committee I told her that if we were to introduce the overlap provisions at any time other than an uprating I would wish to respond to her suggestion to consider the arrangements for the period between introduction and the date of the first uprating. Although the Bill does not lay down a precise date of commencement for clause 5, there is certainly a possibility, perhaps even a likelihood, that we shall decide to implement this change a month or two in advance of the uprating. In those circumstances, I have thought it right to extend the transitional protection to include people who were in receipt of benefit at the date of introduction, who subsequently ceased to be so entitled but then became sick again before the date of the uprating and within eight weeks of the previous spell's ending. I think that is the point which the hon. Lady was concerned with in Committee, and subsection (7) of the amendment brings this into effect.

The other change since Committee stage relates to the occasions when we shall operate the overlapping provisions for existing beneficiaries. As I have made clear, this will occur only when a person's total weekly benefit rate is due to be increased. This would normally be at an uprating, but there could be other occasions when a beneficiary receives an increase—notably when he or she became entitled to a dependency increase. Our original intention was to take account of the overlap on other occasions as well, but we concluded that this could lead to some difficulties, which again I will explain if need be, and we have decided to restrict the operation of the overlap provision for existing beneficiaries to uprating times only. That is achieved by various changes in subsections (6) and (7) as defined in subsection (9).

Mrs. Beckett: I welcome what the Minister has said about seeking to give effect to discussions which we had in Committee. I take the opportunity of the tabling of this amendment to comment, mainly because our amendment which sought to delete the clause was not selected, although I do not criticise that decision, that it is worth drawing again to the attention of the House the fact that because of the operation of this clause, even with the improvements which the Minister has outlined, we shall be making a net saving on invalidity pensioners. Apart from the net saving that we make because we offset the increase given to them in one part of the Bill with the money removed in this part of the Bill, there will be a further net saving because of the delay which the Government intend to impose in paying the benefit by paying it in arrears. It would not be right to allow this part of the Bill to pass without pointing out again how strongly we disagree with such moves.

Amendment agreed to.

Clause 7

PENSION INCREASES IN RESPECT OF ADULT DEPENDANTS —EQUAL TREATMENT FOR MALES AND FEMALES ETC.

Amendment proposed: No. 7, in page 7, leave out lines 4 to 9 and insert—

'*(a)* in subsection (1)*(b)*, for the words "conditions specified in" there shall be substituted the words "requirements of either paragraph *(a)* or *(b)* of"; and

(b) the following subsections shall be substituted for subsection (2)—

"(2) The requirements referred to in subsection (1)*(b)* above are—

(a) that the pensioner is residing with her husband;

(b) that the pensioner is contributing to the maintenance of her husband at a weekly rate not less than the specified amount, and her husband is not engaged in any one or more employments from which his weekly earnings exceed that amount.

(3) Regulations may provide that, for any period during which the pensioner is residing with her husband and her husband is engaged in any one or more employments from which he has earnings—".'—*[Mr. Newton.]*

Mrs. Beckett: I should like to take this opportunity to ask the Minister whether the Government have yet made up their mind what they propose to do about equal treatment of earnings, what level the rule will operate at, whether it will be a cliff-edge rule or a graduated rule, and so on.

Mr. Newton: I am sorry; obviously I ought to have sent the hon. Lady a copy of the answer to the parliamentary question which I answered earlier this week in which I said that our intention is to introduce the equal treatment earnings rule in this field at what seems to me to be the appropriate level—that is, the level of unemployment benefit, £28·45 per week, which the person in question would receive if he had been in work and became entitled to national insurance benefit in his own right. That is somewhat more generous than the existing rule applying to the husbands of invalidity benefit wives, but somewhat less generous than the rule currently applying to wives of invalidity benefit husbands. It is our intention, in the interests of simplicity, that it should be a cliff-edge rule.

Amendment agreed to.

Clause 8

INVALIDITY PENSION

Amendment made, No. 8, in page 9, line 6, leave out 'that Act or the Social Security Pensions Act 1975' and insert 'this Act or the Pensions Act'.—*[Mr. Newton.]*

Clause 9

PERIOD OF ENTITLEMENT

Mrs. Beckett: I beg to move amendment No. 9, in page 9, line 37, leave out 'any' and insert 'all'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 10 and amendment No. 11, in page 9, leave out from line 41 to line 7 on page 10.

Mrs. Beckett: Amendments Nos. 9 and 11 make slightly different points. Amendment 9 is another of these amendments where one bungs down any old thing to raise an issue. Through it, I am seeking to clarify the assurance

[Mrs. Beckett]

given to me in Committee at various stages by both the Under-Secretary and the Minister for Social Security. It was to the effect that, although statutory sick pay is not payable over the same number of individual days as sickness benefit used to be, nevertheless the same period of time that would be involved in the 168 days of sickness benefit would be covered by days of statutory sick pay. That would be a smaller number of days although they would cover the same period of weeks, because there would be no difference in the period of time that enabled one to draw invalidity benefit as between sickness benefit and statutory sick pay. I hope that I have not made that too confusing. Both Ministers assured me that it was the Government's intention that there should be no such differences, and that the Bill would allow that.

On a number of occasions, and from a number of different quarters, I have had representations from organisations, trade unions, charities and people who deal with this sector to say that, whatever the Government's intention, the Bill does not allow that. Once again, I ask the Minister and the Department, which, in all charity, has sometimes, as one can see from all these amendments, not got the drafting right, to look at this issue again because, while the Government may be convinced of what the Bill says, nobody else is.

Amendment No. 11 raises a different point, but one that we wish to raise again with the Minister. It concerns the way in which the statutory sick pay is treated. Here again, there is some difficulty. The argument that the Minister puts against deleting this clause, as we wish to do because that would remove a number of anomalies, is twofold. First, it is because people should arrive at invalidity benefit in the same way, and second it is to do with whether statutory sick pay should be treated as earnings or benefit.

It is possible and logical to make a case for treating statutory sick pay as earnings, or to make a case for treating it wholly as a benefit. Moreover, it is not possible and logical to treat it as earnings on one occasion, when it is advantageous for the Government to do so and disadvantageous to the claimant, and to treat it as benefits on another occasion when it is advantageous for the Government to do so and disadvantageous to the claimant. The Government consistently do that.

We wish to press the point and to ask the Minister to look again at deleting this clause. We dealt with the attachment of earnings earlier in the debate, and the Under-Secretary advised me that it was not right or proper to make changes in the Law Reform Act. The Department in that case advised that statutory sick pay should be treated as earnings. We are anxious to help the Government to achieve consistency in their treatment of this payment.

The Minister also argued that it is a matter of equal treatment that people should arrive at the invalidity benefit under the same circumstances, whatever the circumstances of their previous illness. However, they are not in the same circumstances necessarily as those who are on statutory sick pay and then, having been ill for 28 weeks, become entitled to invalidity benefit. Throughout that period, they have continued to pay national insurance contributions and perhaps tax. As they have made extra payments, it is not wholly unjust that they should have extra entitlement at the end.

We accept the Minister's argument that young people starting work may not be as effective as we thought at first, but we still believe that married women who return to work, particularly those who paid reduced contributions at one time and who have now gone back to work and are paying full stamp, will be affected. The Minister accepts that the other anomalies that we raised in Committee exist, but he does not think that they are serious enough to make it worthwhile to do anything about them. We do not accept that.

Once again, we ask the Minister to look at the principle that we raise throughout the amendments and to make sure that the anomalies that we identified in Committee are removed. That is more important than being able to say that we are treating people in exactly the same way for invalidity benefit, when they are not under the same circumstances.

Mr. Newton: Amendment No. 9 may have resulted from some misunderstanding of why the Government have tabled amendment No. 10. Our amendment is a drafting amendment, designed to avoid possible ambiguity in the existing wording. It does not affect the aim of the provision as drafted. However, we think that the amendment tabled by the hon. Member for Derby, South (Mrs. Beckett) would, taken with the provisions of section 15A(2), have the effect of disadvantaging certain young people and other recent entrants to the national insurance scheme by preventing them from qualifying for invalidity benefit. I am sure that that is not what the hon. Lady intends. I can perhaps best explain why amendment No. 9 has that undesirable effect by setting out what led us to table amendment No. 10.

Section 15A(1) enables regulations to be made to provide that days of entitlement to statutory sick pay may be deemed to be days of entitlement to sickness benefit and thus count towards the 168-day qualifying period for invalidity benefit. The regulations will spell out precisely which days of SSP can be treated in this way. The intention will be to ensure that an employee who has been sick for 28 weeks in the same period of entitlement will become eligible for invalidity benefit, subject to the requirement in the following section 15A(2) that he satisfies the contribution tests for sickness benefit.

Our advice is that the existing wording of "any days" might be construed as meaning precisely what the hon. Lady's amendment provides, that is that all the days on which there was entitlement to SSP will automatically be deemed under the regulation as days of entitlement to sickness benefit. We do not intend or want this to happen. Although in most cases all days of SSP entitlement will be deemed in this way, there will be occasions when regulations will need to provide that only part of the period on SSP will be so deemed. This is to cater for young people and recent entrants into national insurance who may only satisfy the first contribution test for sickness benefit as a result of the national insurance contribution conditions they have paid on the SSP itself. Hon. Members who have served on the Standing Committee will recall that we gave the assurance that these people would not be excluded from invalidity benefit and would be eligible for the special credits to get them on to state sickness benefit in the same way as at present. I am happy to repeat this assurance. This will be provided for in regulations.

If the hon. Lady's amendments were accepted, it would mean that some of these new entrants would not be

covered for invalidity benefit because they would fall foul of the provision contained in section 15A(2) that the employee must have satisfied the contribution conditions for sickness benefit on the first of the days deemed to be days of entitlement to that benefit. He might not have satisfied that test on the first day of SSP entitlement but would do so during the course of such entitlement.

9 pm

I hope that I have said enough on this extremely complex matter at the very least to persuade the hon. Lady that it is not not quite as clear-cut as she sought to suggest and to make it clear also that the Government are acting with good will and with intended generosity in the prosposals which they have put forward. I think I have now spoken to amendment No. 10 as much as I need to in the course of speaking to amendment No. 9.

In regard to amendment No. 11, I considered carefully the extremely well set out and argued letter that the hon. Lady sent me recently and to which I responded as fully as I could two or three days ago. There is some difference of opinion between us about the importance of different considerations. She has raised a number of possible difficulties on one side of the balance. I have emphasised our concern to ensure fair play between those in receipt of sickness benefit and those in receipt of statutory sick pay on the other side of the account.

I am not at the moment persuaded any more than I was when I read the hon. Lady's letter that we should change the legislation, but I would not rule out considering a change at some time in the future if she can persuade me that she is right and I am wrong. As she has come close to doing so on at least one issue that we discussed earlier this evening, she should not lose all hope. I am afraid I cannot more completely fulfil those hopes at this point in our discussion.

Mrs. Beckett: I may not have made myself completely clear. Amendment No. 9 was tabled before I had the opportunity to see amendment No. 10. In my opening remarks I suggested that amendment No. 9 might be defective but that I simply wanted to use it as an opportunity to raise the issue of whether the Bill was correctly drafted with regard to the way in which SSP days would be considered. I hope that the Minister is right. No doubt if people still think that the Bill is not adequately drafted they will come back to both of us on that point. Having said that, and recognising that on amendment No. 11 we continue to differ, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 10, in page 9, line 37, leave out 'any days' and insert

'such days as may be prescribed'.—*[Mr. Newton.]*

Mrs. Beckett: I beg to move amendment No. 12, in page 10, line 12, leave out 'larger'.

Mr. Deputy Speaker: With this amendment it will be convenient to consider amendment No. 13, in page 10, line 12, after 'weeks', insert 'not less than 13'.

Mrs. Beckett: These are simple amendments by which we hope to extend the linking period in statutory sick pay. Even if the Minister cannot accept the amendments, which we believe have merit in that they would restore the original linking period of 13 weeks which was in force before the Social Security Act 1980, I hope that he will at least be able to tell us what the current position is with regard to the Department's proposals. So far as I recall, the Department in its consultation paper believed that we should retain the existing eight week linking rule, but it had not put that in the Bill in case it received representations that the period should be reduced.

We sought in Committee, and we do so again now, to encourage the Government to retain the period of eight weeks and preferably to consider restoring the 13-week period. Certainly they should not reduce the period, as I believe some people might have been urging them to do.

Over the period that the Government have been in office they have made a substantial number of reductions and cuts in sickness and invalidity benefit entitlement. I can think of the abolition of earnings-related supplements, the cuts in industrial injury and sickness benefit, the abatement of 5 per cent. in sickness benefit and the phasing out of additions for children. None of those has been restored.

To go back to the 13-week linking period, which was of assistance to people in linking separate periods of sickness, would mean that people would less often have to serve fresh waiting days. There would be a substantially shorter period before people who have frequent spells of sickness would become entitled to qualify for invalidity benefit.

This would be a beneficial change. The Government have made so many disadvantageous changes that they could well make at least one beneficial change. We hope that they will use this opportunity to tell us that they do not intend to make a further reduction in the period in the legislation.

Mr. Whitney: I am sorry that the hon. Lady referred to the disadvantageous changes that she alleges the Government have made when she seems to have spent quite a lot of time this evening congratulating my hon. Friend the Minister of State on the generosity shown by the Government on some matters.

We accept that there is a strong case for extending the linking period from the present two weeks. We do not think a 13-week period would be justified. As the hon. Lady knows and as my hon. Friend the Minister of State said in Committee, the Government have a strong preference for eight weeks. It is important to consult carefully. The consultations which are continuing should not pre-empted. I am not in a position to say more at present than that we are still in consultation with the appropriate parties. We certainly believe that the 13-week period proposed in the amendment would not be justified.

Mrs. Beckett: I must, of course, accept that the Minister was unlikely to accept the restoration of the 13-week period. But I am sorry that he still cannot tell us whether the Government intend to stick to eight weeks. I hope that they will do so. However, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Whitney: I beg to move amendment No. 14, in page 10, line 14, at end insert—

'(4A) The following subsection shall be inserted after subsection (4) of section 3 of that Act (period of entitlement)—

"(4A) The Secretary of State may by regulations—

(a) specify circumstances in which, for the purpose of determining whether an employee's maximum entitlement to statutory sick pay has been reached in a period of entitlement as between him and an

[Mr. Whitney]

employer of his, days falling within a previous period of entitlement as between the employee and any person who is or has in the past been an employer of his are to be counted; and

(b) direct that in prescribed circumstances an employer shall provide a person who is about to leave his employment, or who has been employed by him in the past, with a statement in the prescribed form containing such information as may be prescribed in relation to any entitlement of the employee to statutory sick pay.".'.

The amendment arises out of one of the proposals contained in the consultation paper that the Department issued to employers in employees' interests at the end of last year. It enables regulations to be made to define the circumstances in which periods of entitlement to SSP with different employers are to count as one in calculating the employee's maximum entitlement of 28 weeks. It also enables the regulations to lay down the circumstances in which the employer is required to issue to his employee, at the time he leaves, a statement about the period for which he had entitlement to SSP.

I commend the amendment to the House.

Amendment agreed to.

Mrs. Beckett: I beg to move amendment No. 15, in page 10, line 26, at end insert—

'(6) Leave out section 7(1) to that Act and insert—

"(1) Statutory Sick Pay shall be payable by an employer at the weekly rate of—

(a) £54·80, in a case where the employee's normal weekly earnings under his contract of service with that employer are not less than £68;

(b) £46 in a case where those earnings are less than £68, but not less than £50·50;

(c) £37 in any other case.".'.

Mr. Deputy Speaker (Mr. Harold Walker): With this, it will be convenient to discuss amendment No. 16 in, page 10, line 26, at end insert—

'(7) In section 26(2) of the Act leave out "in the relevant period" and insert "over the 24 weeks prior to the beginning of the period of illness or the eight weeks so prior, whichever gives the higher sum.".'

Mrs. Beckett: In these amendments we seek to improve the rates of statutory sick pay and to find out whether it is possible to get the Government to agree to changes in the way that normal weekly earnings are assessed.

I have already mentioned the disadvantageous changes. I am sorry if I hurt the Under-Secretary of State's feelings, but the Government's record is there for all to see. The Government have made disadvatageous changes in sickness and invalidity provision. As a result of those changes, people have lost quite substantially in the recompense available to them when sick. Therefore, we thought that we now had a good opportunity to raise the issue of the inadequacy of rates of statutory sick pay. We recognise that there are people who are low paid or who are single and who might, in some circumstances, be better off under SSP than under sickness benefit. But unfortunately those who are likely to be worse off are those who are most vulnerable, or those with families.

In our amendment we suggest that the top rate of SSP should be raised to the married rate of invalidity pension, and we have made similar adjustments in the proposal for the other levels of statutory sick pay. Amendment No. 16 refers to the assessment of normal weekly earnings. Although I do not expect much change from the Minister over amendment No. 15, I hope that he will agree to consider the issues raised in amendment No. 16. What was perhaps not wholly desirable but liveable with in terms of statutory sick pay extending over eight weeks becomes much more difficult and an injustice when dealing with statutory sick pay paid over 28 weeks. As things stand, the level of statutory sick pay to which one becomes entitled is governed by normal weekly earnings. They are worked out according to what someone receives in the eight weeks before he becomes ill. At any time there will be occupations that involve people being on retainers. For example, dinner ladies in the school meals service may spend a substantial period of time on retainers, when their earnings are not only nowhere near their normal level, but very low indeed. As we move more and more towards short-time and part-time working, there will be greater variations in the level of earnings that someone might receive immediately before becoming ill. The situation is not very good at the best of times, but given that we are talking about someone who might be receiving this level of statutory sick pay for six months or for the full period before he becomes entitled, say, to invalidity benefit, it is a serious matter.

I understand that the TUC has put forward a proposal involving a perhaps more sensible period of 24 weeks that would provide a fairer basis for calculating normal weekly earnings. But we thought it right to put forward either eight or 24 weeks, depending on which is the more beneficial figure for the claimant. That would make a change from the way that most things work under the Government, and it would be a beneficial change too. I hope that the Minister will look seriously at this issue because it is causing problems now and the Bill will cause much more serious problems.

Mr. Whitney: Amendment No. 15 proposes that there should be an increase in the statutory sick pay rates from April 1986 of over 23 per cent. The rates set out in section 7(1) of the 1982 Act were carefully selected so as to ensure that at the start of the scheme employees as a group would receive broadly the same extra income from the SSP scheme after the deduction of tax and national insurance contributions as they would have received by way of sickness benefit had that been taxed. I estimate that the hon. Lady's proposals would result in an additional cost of about £100 million in a full year. These changes in the rates would disrupt the financial relationship between statutory sick pay and sickness benefit and would mean that we were treating differently people in much the same situation when sick for short periods.

As for the second amendment, I believe that it would have unfortunate effects that were not intended. We believe that eight weeks is a reasonable period. It is long enough to give a fair indication of what average earnings are but it is not so long as to put any further and onerous problem of accounting on to the employer. If employers are to stand a chance of operating the scheme correctly and if employees are to get the right amount of money, it is a consideration that has to be borne in mind. I believe that the eight week period is entirely justified. The 24-week period would have undesirable effects, including the imposition of an unnecessary burden upon employers.

Mrs. Beckett: I cannot accept the Minister's argument. He cannot properly have considered the effect on these groups of workers. Although there may not be many of them, the effect upon them will be serious when they find

themselves in circumstances in which they are given a retainer for a period of weeks. However, since we are unlikely to make any headway with the Minister on this point, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 10

RIGHT OF EMPLOYERS TO AMOUNTS IN RESPECT OF CONTRIBUTIONS

Mrs. Beckett: I beg to move amendment No. 17, in page 10, line 27, leave out clause 10.

Mr. Deputy Speaker: With this, it will be convenient to discuss Government amendment No. 18, and No. 19, in page 11, line 11, leave out subsection (2).

Mrs. Beckett: By proposing the deletion of this clause we are seeking to draw attention to the Government's proposal to recompense employers by the rebate of a whole year's contribution for the burden that they say they are putting upon employers by increasing statutory sick pay to 28 weeks. A remarkable feature of the Bill is that on the one hand the Government argue that it is no trouble at all to employers to extend SSP to 28 weeks; they are all highly efficient and are managing very well. On the other hand, out of the kindness and generosity of their heart, the Government have decided to give to employers a year's worth of rebate.

We do not wish to speak against employers having the rebate, but we wish to speak very much aginst the different treatment of employers and employees. While employers will receive a rebate, employees will continue to have to pay the full amount and will get no benefit whatsoever. I would remind the Minister of what was said by his predecessor, the hon. Member for Hornsey and Wood Green (Sir H. Rossi), in 1982 about the payments due from employers and employees:

"The earnings related contribution schemes are geared to the basic concept of employers and employees both paying contributions on all assessable earnings. It is alien to the scheme's structure to expect employees but not their employers to contribute on one type of assessable earnings."

We agree entirely with that judgment. We think that it still stands and that the Government are making a mistake.

Mr. Whitney: The hon. Lady makes a very unconvincing case in seeking to compare what is happening to employers and to employees. There is no damage whatever to the interests of employees. Those interests are very well preserved. Like hon. Members in all parts of the House, we recognise that the extension and operation of the SSP scheme will place burdens on employers, and we are taking cognisance of that burden by offering compensation. I therefore reject amendment No. 17. For the same reasons, I reject amendment No. 19 which would preclude retrospective application of the compensation arrangements from 6 April 1985.

9.15 pm

Government amendment No. 18 is purely technical to take account of the fact that reimbursement to the employer of the cost of secondary national insurance contributions on SST may in practice be carried out by the Inland Revenue on behalf of the DHSS rather than by the DHSS itself.

Mrs. Beckett: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 18, in page 10, line 44, after 'State', insert

'or by the Commissioners of Inland Revenue on behalf of the Secretary of State'.—*[Mr. Whitney.]*

Clause 11

REGULATIONS

Amendments made: No. 129, in page 12, line 4, leave out 'or'.

No. 130, in page 12, line 11, at end insert—

'*(g)* made under section 41B(3) of the Social Security Pensions Act 1975 before the expiry of the period of six months beginning with the commencement of section *[Amendments relating to protection of pensions]* (5) above; or

(h) made under any enactment before the expiry of the period of six months beginning with the commencement of section *[Amendment relating to protection of pensions]* (5) above and contained in a statutory instrument which states that it contains only provisions consequential on that subsection or such provisions and regulations made under section 41B(3) of the Social Security Pensions Act 1975.'.—*[Mr. Whitney.]*

Clause 15

EXTENT

Mr. Whitney: I beg to move amendment No. 20, in page 13, line 3, after 'paragraphs', insert '0,'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendment No. 65, amendment No. 66, in schedule 2, page 31, line 26, leave out from 'at' to end of line 27 and insert

'the offices of the Inland Revenue Superannuation Funds Office'.

and Government amendments Nos. 73, 90 and 91.

Mr. Whitney: Amendment No. 65 substitutes a new version of section 56B in schedule 2 which provides for the establishment of a register of occupational pension schemes. In particular, the new version provides that the registrar may be a body corporate rather than an individual and that some of the work may be privatised. The other amendments are consequential in various degrees of detail.

We are listening very carefully to the points raised about the proposed register. As it is such an important issue, I must detain the House for a few moments on it. There is fairly general support for the aims behind the proposal, but there is widespread doubt as to whether a full-blown public registry is justified or needed to achieve the aims which are generally recognised. We told the Committee that we should be considering all the options with an open mind, and that is what we are doing. If, for example, rather than setting up a new institution we can develop the role of one or more existing bodies to encompass the required functions, we shall consider that. Again, if a registry can be provided economically on our behalf by the private sector, that would also be considered. The amendments give us full flexibility, once the decision has been taken, as to how to operate any register that is to be run. The nature and extent of its functions are also left open to subsequent decision in the light of more detailed consideration of the options.

We have set up an official steering group to make proposals about the way in which the register would work. The detailed task of identifying and evaluating options has

[Mr. Whitney]

been given to a small project team under the joint leadership of an independent management consultant, Thornton Baker Associates, and an official of the Department. The terms of reference for the project team emphasise, among other things, the need for economy in the use of staff and the need to avoid placing unreasonable burdens on schemes. We shall examine very carefully the possible problems of confidentiality which a public register might encounter.

At this stage, we have no preconceptions about how our aims, which are very clear, may best be achieved. The decisions can be made only in the light of the detailed evaluation of the various options which is now in progress. Our overriding concern is to identify an efficient and cost-effective solution which does not put undue costs and problems on the pensions industry which, as we all agree and as my hon. Friend the Member for Kensington (Sir B. Rhys Williams) emphasised, is an important part of our activities.

Mrs. Beckett: I am more than a little astonished at what the Minister has said. I had understood from the amendment that this was probably yet another attempt to privatise something from which somebody could make a profit. I was more than a little amazed to hear the Minister say that it might be good for the registrar to have agents rather than there to be a fully public register in the interests of confidentiality. I thought that the whole point of having a register was that it would be public and readily available. I note that the Government are deleting some of the original and detailed descriptions in the Bill.

We are deeply unhappy about the suggestion that the registrar's functions might be privatised and have grave doubts about the registrar appointing agents. That seems to suggest that information might be scattered all over the place, thus making it difficult for the Government, let alone anyone else, to use it. As it seems from the Minister's comments that that is the whole idea, I wonder why the Government are bothering to go ahead with rules for the registrar.

I do not wish to nit pick, but I have read amendment No. 73 at least eight times. It is utterly meaningless and perhaps should not exist. It suggests that we leave out subsection (2) and insert subsection (10), and yet the amendment is in subsection (10) and refers to subsection (2). There might be an error there. It might be me, but I think it might be the Department.

Mr. Galley: The redrafting is to be greatly welcomed. In Committee, I mentioned the possibility of the register being operated by the Occupational Pensions Board or by the superannuation funds office of the Inland Revenue, or a combination of both as they operate from the same building and apparently have all the knowledge and expertise needed to run a register. Is that option still open to consideration? Will my hon. Friend confirm that the Government have set themselves firmly against a new Department with about 100 civil servants?

Mr. Whitney: The hon. Member for Derby, South (Mrs. Beckett) should not get too excited. The amendments give my right hon. Friend the greatest flexibility when considering carefully the outcome of the consultations which we are convinced are important because of their inevitably long-standing nature which is inherent in the pension scheme. I understand that the word "privatisation" sends bad vibes down the spines of Opposition Members. No decisions have been made. The research and consultations are continuing. I must extend the same reply to my hon. Friend the Member for Halifax (Mr. Galley). None of the options is closed.

The essence of these provisions is to secure safeguards for pension scheme members. The hon. Lady must understand that considerations of confidentiality are important to those who operate pension funds. I understand that the drafting problem to which she referred is a correction of a cross-reference in section 56C back section 56B, but if there is any remaining confusion I shall be happy to write to the hon. Lady.

Amendment agreed to.

Clause 16

COMMENCEMENT

Amendments made: No. 21, in page 13, line 18, at end insert

'section *[Entitlement of married women to Category A retirement pensions]:*'.

No. 131, in page 13, line 18, at end insert

'section *[Amendments relating to protection of pensions]* (5) and (6);'.

No. 136, in page 13, line 20, at end insert 'section *[Dock workers]:*'.—*[Mr. Whitney.]*

Mr. Whitney: I beg to move amendment No. 137, in page 13, line 20, at end insert 'section 10;'.

Mr. Deputy Speaker: With this we may discuss Government amendments Nos. 141, 143 and 144.

Mr. Whitney: These amendments are concerned with commencement. They make the provisions mentioned come into effect on Royal Assent.

Amendment agreed to.

Amendments made: No. 138, in page 13, line 20, at end insert

'section *[Housing benefits—subsidy]* (1)*(b)* and *(c)* and (2);'.

No. 139, in page 13, line 20, at end insert

'section *[Power to extend Pneumoconiosis etc. (Workers' Compensation) Act 1979]*;'.

No. 140, in page 13, line 20, at end insert

'section *[Pensions and gratuities for members of certain Boards]* ;'.

No. 141, in page 13, line 20, at end insert 'section 11;'.

No. 142, in page 13, line 20, at end insert 'section *[Other regulations]*;'.

No. 143, in page 13, line 20, at end insert 'section 12;'.

No. 144, in page 13, leave out line 21.

No. 161, in page 13, line 34, at end insert

'(2A) The following provisions of this Act—

section *[Entitlement to benefit dependent on claim]*;

section 13(1), so far as it relates to paragraphs 3C, 3D and 4D of Schedule 4;

section 13(2), so far as it relates to the repeals in sections 79, 82 and 90 of the Social Security Act 1975,

shall come into force at the end of the period of 6 weeks beginning with the day on which this Act is passed.

(2B) If a person—

(a) was entitled to benefit (as defined in Schedule 20 to the Social Security Act 1975) in respect of a period before the date on which the provisions mentioned in subsection (2A) above come into force or was treated as having been so entitled; and

(b) would nothave been so entitled or, as the case may be, treated as so entitled, if those provisions had then been in force; and

(c) claims benefit in respect of a period beginning on or

after the date on which those provisions come into force; and

(d) the question of his entitlement to the benefit which he claims depends on whether he was previously entitled or treated as entitled to that or some other benefit,

the provisions mentioned in subsection (2A) above shall be disregarded for the purpose of determining whether he is entitled to the benefit which he claims.'

No. 22, in page 13, line 35, leave out 'Part III of the Act' and insert

'Section 9 and *[Medical evidence]* above'.

No. 23, in page 13, line 38, leave out 'provision' and insert

'and consequential provision' (including provision modifying any enactment contained in this or any other Act)'.—*[Mr. Whitney.]*

New Schedule

Miscellaneous Amendments Relating to Statutory Sick Pay

Attachment of Earnings Act 1971 (c.32)

1. In section 24(1) of the Attachment of Earnings Act 1971 (meaning of "earnings"), the following paragraph shall be inserted after paragraph *(b)*—

"*(c)* by way of statutory sick pay.".

Social Security Act 1975 (c. 14)

2. In subsection (8) of section 22 of the Social Security Act 1975 (maternity allowances) after the word "above" there shall be inserted the words "and Schedule 3, Part I, paragraph 3".

3. In section 36 of that Act (severe disablement allowance), the following subsection shall be inserted after subsection (4)—

'(4A) A person shall not be entitled to a severe disablement allowance for any day which as between him and his employer falls within a period of entitlement for the purposes of statutory sick pay.

Social Security and Housing Benefits Act 1982 (c. 24)

4. The following subsections shall be inserted after subsection (6) of section 3 of the Social Security and Housing Benefits Act 1982 (periods of entitlement)—

"(6A) In a case where the employee's contract of service first takes effect between two periods of incapacity for work which by virtue of section 2(3) of this Act are treated as one, the period of entitlement begins with the first day of the second of those periods.

(6B) In any case where, otherwise than by virtue of section 4(2)*(b)* of the principal Act (exclusion of liability where earnings are below the lower earnings limit), an employee's earnings under a contract of service in respect of the day on which the contract takes effect do not attract a liability to pay secondary Class 1 contributions subsections (6) and (6A) above shall have effect as if for any reference to the contract first taking effect there were substituted a reference to the first day in respect of which the employee's earnings attract such a liability.".

5. The following provisions of that Act (which relate to certain payments wrongly made)—

(a) section 24; and

(b) paragraphs 7 to 11 of Schedule 2,

shall cease to have effect.

6.—(1) In subsection (1) of section 26 of that Act (interpretation) the following definition shall be substituted for the definition of "employer"—

"'employer', in relation to an employee and a contract of service of his, means a person who under section 4 of the principal Act (liability to pay Class 1 contributions) is, or but for subsection (2)*(b)* of that section (exclusion of liability where earnings are below lower earnings limit) would be, liable to pay secondary Class 1 contributions in relation to any earnings (within the meaning of that Act) of the employee under the contract;".

(2) Sub-paragraph (1) above shall not have effect in relation to periods of entitlement (within the meaning of section 3 of that Act) beginning before the commencement of this paragraph.

7. In section 26(2) of that Act for the words "his average weekly earnings in the relevant period" there shall be substituted the words "the average weekly earnings which in the relevant period have been paid to him or paid for his benefit".'.

Brought up, read the First and Second time, and added to the Bill.—[Mr. Whitney.]

Schedule 1

Transfer and Revaluation

Mr. Whitney: I beg to move amendment No. 25, in page 15, line 13, leave out 'ceases' and insert

'has ceased, whether before or after the commencement of this section,'.

Mr. Deputy Speaker: With this we may discuss Government amendments Nos. 26 and 27.

Mr. Whitney: These amendments are technical. We want a transfer premium to be payable even if either or both of the events mentioned in subsections (1)*(a)* or *(b)* took place before section 44A comes into operation. That is not achieved at present; these amendments will ensure that it is.

Amendment agreed to

Amendments made: No. 26, in page 15, line 16, leave out 'is' and insert 'has been'.

No. 27, in page 15, line 28, leave out from 'person' end of line 29 and insert

'within a prescribed time after the prescribed event'.

Mr. Whitney: I beg to move amendment No. 28, in page 15, line 34, leave out from 'under' to end of line 38 and insert

'section 44 above, except that—

(a) subsection (6) shall be disregarded; and

(b) the Secretary of State shall apply the actuarial table prescribed for the purpose of calculating the amount of an accrued rights premium in such manner as may be prescribed.'.

This is a technical amendment. It is intended that transfer premiums should be calculated in the same way as accrued rights premiums except that section 44(6) should be disregarded. There is, though, a difference. Transfer premiums can fall due many years after contracted-out employment has ended. We therefore need to be able to relate the premium to the date the application to pay it is made. This means that the amount of the premium will be related to the time the member exercises his transfer option and not to when his pensionable service ended.

Amendment agreed to.

Mr. Whitney: I beg to move amendment No. 34, in page 18, line 2, leave out 'to provide the amount' and insert

'so far as what they were liable to provide is'.

Mr. Deputy Speaker: With this we will discuss Government amendments Nos. 36 and 37.

Amendment No. 40, in page 19, leave out from beginning of line 11 to end of line 10 on page 20, and Government amendments Nos. 41, 42 and 43.

Mr. Whitney: This is another technical amendment because the Life Offices Association pointed out the differences between the words "benefit" and "amounts". I shall give further details should the House wish that.

Amendment No. 37 results from a point made by my hon. Friend the Member for Kensington (Sir B. Rhys Williams). We propose to make a regulation giving the

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power to deal with the problems that he raised. One of them is that the sums paid under policies can be paid only to people for whom the scheme provided for payment. The problem arises when the proceeds of the policy exceed the maximum benefit levels permitted by the Inland Revenue for tax approval. At present any excess can be used to provide benefits for other people or returned to the scheme. The Bill as drafted would not permit that, which means that the insurance company would retain any excess. I congratulate my hon. Friend on bringing that point to my attention.

Amendment No. 40 has the effect that new section 52D provides that people who choose or consent to a buy-out should, in the event of the insurance company failing to bear any resulting loss — I am sorry, this is an Opposition amendment.

Amendments Nos. 41, 42 and 43 are technical amendments.

9.30 pm

Mrs. Beckett: The Minister has already half moved or half replied to our amendment. We wished to draw attention again to the fact that in certain cases a member of a scheme will not have his or her shortfall in guaranteed minimum pension underwritten by the Department; when, as the Minister said, the member has consented to a buy-out and the insurance company has failed. Then, a portion of the guaranteed minimum pension might not be covered by the Policyholders Protection Act or by the Department. We recognise that such cases will be rare and that the amounts of benefit involved will be small. For that very reason we hope that the Government can do something about such cases.

Mr. Whitney: We recognise that people should be given as much choice as possible. However, part of that principle is that they should take some of the consequences of their own decisions. The amounts concerned in the shortfall to which the hon. Lady referred are small, as she said. The Policyholders Protection Act will safeguard 90 per cent. of the guaranteed minimum pension, so that we are talking about a maximum of 10 per cent. of the guaranteed minimum pension rights. We believe, therefore, that the Opposition amendment should be rejected.

Amendment agreed to.

Amendments made: No: 36, in page 18, line 3 leave out from beginning to 'secured' in line 4 and insert—

'(3) In this section "appropriately secured" means'.

No. 37, in page 18, line 22 after 'that', insert

'except in such cases as may be prescribed,'.—*[Mr. Whitney.]*

Mrs. Beckett: I beg to move amendment No. 39, in page 18, line 38, after 'widow', insert

'and of any other contingent beneficiary who can be identified at the time the policy is effected.'.

Mr. Deputy Speaker: It will be convenient for the House to consider at the same time Government amendments Nos. 154 to 160.

Mrs. Beckett: We raised this issue in Committee, when we asked for cover for contingent beneficiaries and not just for widows and widowers. We wanted them to have their interests taken into account when somebody was deciding to make changes in their pension provision. It was said in Committee that the Department would look into the matter to see whether something could be done. We are now providing the Minister with an opportunity to say on what grounds it was decided not to take any action.

Mr. Whitney: As the hon. Lady said, we promised in Committee to look at the whole subject, and we have done that. We have some sympathy with the points that the hon. Lady made, but our purpose in this provision is to ensure that the legal position on buy-out is clear. It does not make radical changes to what is a permissible buy-out. We are concerned, I emphasise, only with benefits above the guaranteed minimum pension level.

Guaranteed minimum pensions are already adequately protected on buy-out. To impose the requirement suggested by the amendment would involve administrative expense for the schemes, even if the whereabouts of existing beneficiaries were known. The need to obtain consent could, moreover, prevent buy-outs, even if the same contingency benefits were provided by the policy.

Buy-out usually means that benefit rights change, and it would be unreasonable to prevent a buy-out simply because a contingent beneficiary preferred one benefit to another. We have considered the proposition but, for the reasons I have given, I urge the House to reject it.

I come to amendments Nos. 155 to 160. At present, the Bill requires the revaluation of widow's benefit when the member dies after pension age. This group of amendments extends the requirement to include dependants' benefits provided by the scheme. This means that all benefits which must be preserved in accordance with the Social Security Act 1973 are also covered by the revaluation requirements in the Bill.

Mrs. Beckett: I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendments made: No. 41, in page 19, line 12, after 'pensions', insert

'provided for a member or his widow'.

No. 42, in page 19, line 13, after 'been', insert 'wholly or partly'.

No. 43, in page 19, line 32, leave out 'guaranteed minimum pensions' and insert 'amount secured'.

No. 154, in page 20, line 37, leave out 'his widow' and insert

'any other person in respect of the member'.

No. 155, in page 21, line 5, leave out 'his widow' and insert

'any other person in respect of him'.

No. 156, in page 21, line 27, leave out

'any widow he may leave'

and insert

'to any other person in respect of him'.—*[Mr. Whitney.]*

Amendments made: No. 110, in page 21, line 37, leave out from beginning to 'and' in line 44 and insert

'any notional pensionable service which is credited to the member by the scheme;'.

Amendments made:.

No. 111, in page 21, line 47, at end insert

"(3A) For the purposes of sub-paragraph (2)(*b*) and (*c*) above, any notional pensionable service which is credited to a member by a scheme shall be taken to have ended immediately before the member's actual pensionable service began.'. — *[Mr. Whitney.]*

Mr. Whitney: I beg to move amendment No. 112, in page 22, line 4, leave out from 'any' to 'calculated' in line 6 and insert

'benefit the rate or amount of which is'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 113 to 116, 119 to 123, 132, 125, 126 and 128.

Mr. Whitney: These amendments are the result of suggestions by my hon. Friend the Member for Slough (Mr. Watts) as a result of representations from the Institute of Acturies. I am extremely grateful to my hon. Friend and the institute for their help. The amendments are all of a technical nature and I shall not delay the House by going through them unless that is the wish of the House.

Amendment agreed to.

Amendments made: No. 113, in line 8, leave out 'scheme' and insert 'benefit'.

No. 114, in line 9, leave out 'scheme' and insert 'benefit'.

No. 157, in line 13, leave out 'his widow' and insert 'to any other person in respect of him'.

No. 116, in line 19, leave out 'member's retirement benefits are' and insert 'benefit is'.

No. 158, in line 27, leave out 'his widow' and insert 'to any other person in respect of him'.

No. 117, in line 29, after 'include' insert—'(*a*)'.

No. 118, in line 31, at end insert 'and

(b) any amount which is for any reason credited to the member by way of salary notionally earned.

(6) For the purposes of the application of this paragraph to a case where a member is credited with an amount by reference to salary notionally earned over a period of time of a particular length that period shall be taken to have ended immediately before the member's actual pensionable service began.'.

No. 119, in line 31, at end insert—

'3A.—(1) This paragraph applies to any benefit the rate or amount of which is calculated by reference solely to the member's length of service.

(2) A benefit to which this paragraph applies is referred to in this Schedule as a "flat rate benefit".

(3) Subject to the following provisions of this Schedule, if the revaluation condition is satisfied, any flat rate benefit payable to the member or his widow is to be revalued —

(a) by revaluing the benefits which have accrued to him during the period mentioned in paragraph 1(2)(*a*) above in any way in which they would have been revalued during it if he had remained in the same pensionable service; or

(b) by the method specified in paragraph 2 above.

(4) The method by which a benefit is to be revalued under this paragraph is whichever of the methods mentioned in sub-paragraph (3) above appears to the trustees or managers of the scheme to be appropriate.'.

No. 120, in line 32, leave out from 'any' to end of line 36 and insert

'benefit the rate or amount of which is calculated by reference to payments made from time to time by the member, or by any other person in respect of him.'.

No. 121, in line 37, leave out 'scheme' and insert 'benefit'.

No. 122, in line 38, leave out 'scheme' and insert 'benefit'.

No. 123, in line 39, leave out 'scheme' and insert 'benefit'.

No. 124, in line 41, leave out 'contributions paid' and insert 'payments made'.

No. 159, in line 44, leave out 'his widow' and insert 'any other person in respect of him'.

No. 132, in page 23, line 3, at end insert—

'4A. Nothing in paragraph 2, 3, 3A or 4 above is to be construed as requiring the revaluation of any pension or other benefit provided by virtue of paragraph 9(2)(*b*) of Schedule 16 to the Social Security Act 1973 by way of complete substitute for another pension or benefit.'.

No. 133, in line 15, leave out from 'if' to end of line 21 and insert—

'*(a)* there were omitted—

(i) from paragraph *(a)*, sub-paragraph (ii) and the word "or" immediately preceding it;

(ii) from paragraph *(b)*, the word "and"; and

(iii) from paragraph *(c)*, the words from "authorised" to the end; and

(b) there were added at the end of paragraph *(c)*, the words "and

(d) any provision of a scheme whereby—

(i) no pension, or a pension at a reduced rate, is payable to a widow whom the earner married not more than six months before his death;

(ii) the whole or any part of a pension is not paid to a widow, but instead comparable benefits are provided for one or more dependants of the deceased earner; or

(iii) no pension, or a pension at a reduced rate, is payable to a widow (or, where a provision such as is mentioned in sub-paragraph (ii) above operates, to another dependant of the deceased) who was more than ten years younger than he was".'.

No. 160, in page 23, line 24, leave out 'his widow' and insert

'for any other person in respect of him'.

No. 125, in line 23, leave out

'other than a member of a money purchase scheme'.—*[Mr. Whitney.]*

Mr. Whitney: I beg to move amendment No. 145, in page 24, line 25, after 'equivalent', insert 'at the relevant date'.

Mr. Deputy Speaker: With this it will be convenient to discuss Government amendments Nos. 146 to 148.

Mr. Whitney: As drafted, the Bill bases the transfer value on the cash equivalent of accrued benefit at the time that service ends. We now think that it should be related to the value of accrued benefits either when service ends or when the application for transfer is made. Application could be made some years after service ends. We believe that it is important to ensure that the value reflects the current worth of the member's accrued rights.

Amendment agreed to.

Amendments made: No. 146, in page 24, line 30, leave out 'terminated' and insert 'terminates'.

No. 147, in page 24, line 31, leave out 'sub-paragraph (1) above' and insert 'this paragraph'.

No. 148, in page 24, line 42, at end insert—

'"the relevant date" means the date when the member's pensionable service terminates or the date of the relevant application, whichever is the later; and

"the relevant application" means any application which the member has made under paragraph 15 below and which he has not withdrawn.'.

No. 126, in page 25, leave out lines 14 to 22.

No. 48, in page 25, leave out lines 33 and 34 and insert 'another scheme'.

No. 49, in page 25, line 36, at end insert 'and which satisfies prescribed requirements'.—*[Mr. Whitney.]*

Mr. Whitney: I beg to move amendment No. 149 in page 26, line 7, leave out 'In any case where' and insert 'Where—*(a)*'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 150 and 1[illegible]1.

Mr. Whitney: The amendment results from arguments advanced in Committee by my hon. Friend the Member for Kensington (Sir B. Rhys Williams). He suggested that

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when a scheme buys out guaranteed minimum pensions with an insurance company after other benefits have been transferred under the provisions in part II of the schedule, members should be able to choose the company. We have not been able to go quite that far. There could, for example, be difficulties if there was insufficient money to provide guaranteed minimum pension rights with the company of the members' choice. We think that when there is a transfer to a scheme that is not contracted out the member should be able to decide that his guaranteed minimum pension right should be secured with a company of his choice. This is a small but desirable increase in freedom of choice. I am grateful to my hon. Friend, with whom my hon. Friend the Minister and I had some differences earlier this evening, for pointing the way.

Amendment agreed to.

Amendments made: No. 150 in page 26, line 9, leave out 'only to have transferred to that scheme' and insert 'to have transferred to it only'.

No. 151, in page 26, line 11, after 'pensions', insert 'and

(b) the member has not required them to use the portion of his cash equivalent that represents guaranteed minimum pensions in either of the ways specified in sub-paragraph (2)*(b)* and *(c)* above,'. — *[Mr. Whitney.]*

Mrs. Beckett: I beg to move amendment No. 50, in page 26, line 20, at end insert—

'(7) A member who has exercised an option as in sub-paragraph 2*(b)* above can subsequently require the insurance company or friendly society to provide the then cash equivalent of the annuity purchased to be reapplied as in sub-paragraph (1) above.'.

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 51, in page 26, line 20, at end insert—

'(8) A member who acquires a right to a cash equivalent, as in sub-paragraph (2) above, will have a subsequent right within 6 months to reverse his decision.'.

Mrs. Beckett: We wish to raise here two important issues. In Committee we talked about the freedom that is being given to members of occupational pension schemes and we are anxious to extend those freedoms by means of these two amendments. First, we seek to allow members, once they have transfer value, not merely to move out of an existing occupational scheme and into perhaps some insurance-based scheme, but also, should they wish to do so, to move back out again. We see no reason why such burdens should be placed on occupational pension schemes in the interest of giving freedom to members, whereas insurance companies are allowed to continue without having to accept similar burdens.

We recall that in Committee the Minister argued that if those freedoms were desirable and necessary market forces would make insurance companies act in that way so that there was no need to put such a requirement in the Bill. It seemed to us then, and it seems to us now, that on that argument there is no need for almost all of this part of the Bill. If market forces will always force insurance companies and occupational pension schemes to do what is desirable and what their members want, there would never be any need for statutory compulsion. As there is such a need, there is a Bill and it would be better to be more even-handed between occupational pension schemes and insurance companies.

Amendment No. 51 seeks to raise the issue of a cooling-off period in explicit terms. We are not wedded to the period of six months suggested in the amendment but a specific cooling-off period should be allowed for three reasons. First, it was suggested that that would be a perfectly practicable proposal for portable pensions. Therefore, if it is practicable for portable pensions, why is it not practicable now? Secondly, it has been found to be practicable for life insurance policies, so why is it impracticable now?

Thirdly, although we recognise that the Goverment are in favour of some sort of cooling-off period and have taken steps elsewhere to deal with such a period, to put it mildly, theirs is a rather woolly proposal. They say that as long as a person has thought about what he proposes to do and as long as he has changed his mind before the transfer value has gone through and all the arrangements made, that is fine and he can withdraw. I understand what the Government are trying to do in that respect, but as the different occupational pension schemes in different companies are likely to move at different speeds the Government are really saying that a person will have to try to find out how quickly, given the particular circumstances, a transfer might go through and that that will tell a person how long a period he has in which to change his mind. That is not satisfactory. Cooling-off periods exist in other circumstances and the Secretary of State has commended them to the House and told us how possible they are for portable pensions. Obviously, we believe every word that the Secretary of State tells us and we are sure that the Minister will tell us tonight that the same can be done in these circumstances.

Mr. Whitney: I fear that the hon. Member for Derby, South (Mrs. Beckett) will not be surprised to hear me advise the House to reject the amendments. At the moment, annuities covering preserved pensions, including guaranteed minimum pensions, cannot be assigned or surrendered. We are proposing to allow assignment or surrender in prescribed circumstances. The appropriate powers are at paragraphs 3 and 11 of schedule 4. But we do not think that we should go further than that. We are confident that if there is a demand for policies which allow further transfer options, insurance companies will meet it. People will thus be able to shop around and buy the policy that they want and that best suits them.

As the hon. Lady will be the first to recognise, our view of the efficacy of market forces and their importance for pension scheme holders and applicants for insurance funds is much stronger than hers. She shows a complete lack of comprehension of the efficacy of market forces.

We have some sympathy with amendment No. 51. Indeed as she said, we promised in Committee to reconsider our position. As a result, we have brought forward amendment No. 64. That allows the application to make a transfer to be withdrawn at any time up until the scheme is committed to make payment to another scheme or insurance company. That will, in effect, provide a cooling-off period. Before deciding that they want a transfer, members will have to find out what the transfer value is. They will then need to shop around to decide how they wish to use it. Only then will they tell the scheme that they wish to have a transfer and how it is to be applied. So we have a built-in cooling-off period.

I recognise that that will not go as far as the hon. Lady might wish. We considered the road that she has invited

us to take, but concluded that we could not reasonably require schemes to take back a transfer value after it had been paid. We could require schemes to delay making transfer payments, but that would be unfair to people who know what they want and had considered the position carefully before making their choice. We therefore believe that the best way to meet the point, which we agree is a good one, is by giving the right that we have already proposed under amendment No. 64.

Mrs. Beckett: We accept that the Government have to some extent moved on this matter, although perhaps not as far as we would have wished. In that light, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

9.45 pm

Mr. Newton: I beg to move amendment No. 152, in page 26, line 24, at end insert—

'(1A) The power to make regulations conferred by sub-paragraph (1) above includes power to provide that cash equivalents are to be calculated and verified in such manner as may be approved in particular cases—

(a) by prescribed persons; or

(b) by persons with prescribed professional qualifications or experience; or

(c) by persons approved by the Secretary of State.'.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 76 and 77.

Mr. Newton: We wish to have the power to provide that cash equivalents must be calculated and verified in a way that is approved by actuaries. In practice, that would normally happen without a statutory requirement. However, in this case we feel that the calculation of transfer value is too important a subject to leave any room for doubt. We have therefore tabled the amendment to remove the doubt.

Amendment agreed to.

Mr. Tim Smith (Beaconsfield): I beg to move amendment No. 52, in page 27, line 8, at end insert—

'(4) Regulations shall provide that the cash equivalent mentioned in paragraph 10(1) shall not be less than the aggregate —

(a) of the contributions under the scheme paid by a member or on his behalf; and

(b) of any investment yield and bonuses which have arisen out of those contributions.'.

I make no apologies for raising again the question of the calculation of transfer values. I am glad to see that my right hon. Friend the Secretary of State is present. He will recall that on Second Reading he gave a clear undertaking that, if progress was not made on the question of a formula for calculating transfer values, the Government would introduce a measure. We all know that that is second best, and I have not been encouraged by what I have read about the progress since Second Reading.

The fact that the Bill will leave the House in that state disappoints me. All the provisions on transfer values will be of little benefit to early leavers if there is not a clear formula. My amendment merely seeks to underpin whatever that formula may be. In paragraph 11 on page 25 there is a clear formula for a calculation of transfer values in relation to money purchase schemes. That is not the case for ordinary final salary schemes. My amendment merely seeks to introduce the same formula as a minimum for final salary schemes. That should be inserted into the Bill so that there is at least a guaranteed minimum.

At present there is nothing in the Bill about the formula for the calculation of transfer values, yet that goes to the heart of the entire objective of that part of the Bill.

Sir Brandon Rhys Williams: I support my hon. Friend the Member for Beaconsfield (Mr. Smith). I have given the matter of the valuation of the early leavers' rights in final salaries schemes a good deal of attention, and I have had the benefit of first-class advice. It is a difficult problem to solve. The most practical approach to it is to encourage occupational pension schemes to build up an earnings-related money-purchase entitlement in relation to each employee within the envelope, if necessary, of the final salary scheme. In that way, even if it is difficult to assess what the final salary scheme would give the early leaver, there is a concrete and substantial fall-back, which has been built up on conventional money-purchase lines, assisted by an appropriate measure of indexation.

On Budget day *The Times* published a letter which I submitted in which I recommended that in the requirements on which the Government propose to insist for the registration of all occupational schemes the element which is funded on behalf of individual beneficiaries should be identified separately from that element of the fund which is held by the trustees but which is not allocated to individuals. There is misuse of the tax provisions relating to occupational pension schemes by corporate treasurers who, when they have funds available, put them into the occupational pension fund so that they will increase without taxation.

Obviously, these funds cannot then be allocated to individual beneficiaries. If, however, the Government insisted that, in reporting to the registrar, the trustees or managers of schemes should separate that element of the fund which is identifiable as belonging to individuals from the other elements which are not allocated to individuals, the trustees could see the advantage in allocating the maximum, instead of the minimum, to individual beneficiaries. That would be a step in the right direction.

We had long discussions before the Budget on the taxation of occupational pension schemes. After taking first-class advice, I came to the conclusion that it would be entirely wrong to introduce taxation of the build-up of that element which is allocated to individuals; but I believe that the Government would be within their rights to introduce taxation of the income that arises from the unallocated fund. If they did that the trustees or managers of the schemes would choose to allocate the maximum to individuals because it would suit them to do so. When the individual's entitlement was valued because he chose to move to another scheme, he would get something much more like his real entitlement instead of, as now, a ridiculous and insulting pittance.

Mrs. Beckett: Like the hon. Member for Beaconsfield (Mr. Smith), I wish to hear a comment from the Minister on the Government's reaction to the proposals that the actuaries have made, which, as I understand them, are more a statement of principles than anything that we could conceivably call a set of comparable tables. I, too, recall the assurance given by the Secretary of State that a satisfactory measure would be introduced. Although it has been suggested to me that the actuaries' proposals will do away with the grossest abuses, it is not certain that they would meet the argument that people should be given the

[Mrs. Beckett]

transfer value for a given benefit, or something like it, which is what most hon. Members were expecting to get from the Bill.

Mr. Newton: There is little difference among us on this issue. I should make it clear to the House that the discussions to which my hon. Friend the Member for Beaconsfield (Mr. Smith) referred are making good progress, and that the actuarial profession is close to issuing its draft guidance. When it does, it will be followed as soon as possible by the Government's proposals for regulations, which will be subject to full consultation. I hope that that will give him some of the encouragement that he seeks. The matter has not been forgotten or ignored. On the contrary, we are as anxious as he is to make progress, because it is crucial to fulfilling the Government's intentions in respect of this part of the Bill.

I hope that my comments will also sound reasonably satisfactory to the hon. Member for Derby, South (Mrs. Beckett) in view of the helpful attitude that she has displayed throughout the evening. Unless I am pressed further, that is probably as much as I can sensibly say now.

Mr. Tim Smith: What about my amendment?

Mr. Newton: I had hoped that my hon. Friend would enter into the spirit of happy co-operation that has pervaded our proceedings this evening—*[Interruption.]* I do not wish to be barracked from the alliance Benches, although I suppose I could not hope for much better.

Mr. Kennedy: I was getting at him.

Mr. Newton: As long as the hon. Gentleman is getting at my hon. Friend, not at me, I am prepared to put up with it.

My hon. Friend has fairly asked for a further explanation. The transfer provisions in the Bill will give early leavers the cash equivalent of their accrued rights under the scheme. That includes the value of any revaluation under the Bill and any increase due from the anti-franking provisions in last year's Act. Details of how the cash equivalent is to be calculated will be set out in regulations. Money purchase benefits will be treated largely on the lines suggested by my hon. Friend. What we intend here is that the transfer value should be the product of what the invested contributions are worth less any administrative expenses. Therefore, what we intend and what my hon. Friend proposes amount more or less to the same thing.

Where I differ from my hon. Friend is when we consider defined benefit schemes. Average and final salary benefits, as their name implies, are calculated in relation to salary and length of service. They do not directly reflect the individual value of contributions paid either by the employer or the employee. There is a considerable element of cross-subsidy in these schemes; for example, benefits for younger members cost less to provide than those for older members. While, notionally, employers make the same contribution for all members, what they are in fact doing is providing sufficient money, expressed as a percentage contribution for each member, to enable the scheme to meet its benefit promises. If we were to require these schemes to give transfer values based on contributions paid by employers and employees, we should in effect be destroying the cross-subsidy or pooled risk element inherent in them.

We believe that transfer values should reflect the value of preserved benefits in schemes. That is what the Bill seeks to do and we shall reinforce that in our proposals for regulations. I think that we have got the basic concept right and I hope that what I have said will be sufficient for my hon. Friend to accept the broad principle that we have followed.

Mr. Tim Smith: I do not want to get into a complicated debate now about cross-subsidies, so, in the light of what my hon. Friend said earlier about the good progress that has been made, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Mr. Newton: I beg to move amendment No. 127, in page 27, line 34, leave out from 'to' to end of line 38 and insert

'provide benefits to which the cash equivalent related'.

As drafted, when a member takes a transfer the Bill removes liability from schemes for guaranteed minimum pensions and benefits required by present legislation. This amendment goes further than that and removes liability for all benefits to which the transfer related. This is a point that was made in Committee and also by people outside the House. We have considered it and we accept that it is logical and are therefore implementing it.

Amendment agreed to.

Amendments made: No. 53, in page 28, line 5, leave out from 'proceedings' to 'it' in line 8 and insert

'or proceedings before a court have been commenced against a member at any time before the expiry of the period of twelve months beginning with the date when his pensionable service terminates; and

(b)'

No. 54, in page 28, line 13, after 'duty', insert

', subject to the following provisions of this paragraph,'.

No. 55, in page 28, line 21, leave out from 'may' to end of line 23 and insert

'grant an extension of the period within which the trustees or managers of a scheme are obliged to do what is needed to carry out what a member of the scheme requires—'.

No. 56, in page 28, line 24, at end insert

'in the opinion of the Board'.

No. 57, in page 28, line 25, leave out 'a' and insert 'the'.

No. 58, in page 28, line 26, leave out 'or'.

No. 59, in page 28, line 27, leaveout first 'a' and insert 'the'.

No. 61, in page 28, line 30, leave out 'a' and insert 'the'.

No. 62, in page 28, line 32, leave out from 'what' to end of line 34 and insert

'is required within that period'.

No. 63, in page 28, line 34, at end insert

'or

(iv) the member has not take all such steps as the trustees or managers can reasonably expect him to take in order to satisfy them of any matter which falls to be established before they can properly carry out what he requires;

(b) in any case where the provisions of section 49 above apply; and

(c) in any case where a request for an extension has been made on a ground specified in paragraph *(a)* or *(b)* above, and the Board's consideration of the request cannot be completed before the end of that period.

(5A) A request under sub-paragraph (5) above may only be made by the trustees or managers.

(5B) The Board shall have power, if they are satisfied that there has been a relevant change of circumstances since they

granted an extension, or that they granted an extension in ignorance of a material fact or on the basis of a mistake as to a material fact—

(a) to direct that the extension shall end on a date earlier than that on which it would otherwise have ended; or

(b) to revoke the grant of the extension.'.

No. 64, in page 28, line 38, at end insert—

'15A.—(1) Subject to sub-paragraph (2) below, a member of a scheme may withdraw an application under paragraph 15 above by giving the trustees or managers of the scheme notice in writing that he no longer wishes them to do what is needed to carry out what he previously required.

(2) Such a notice shall be of no effect if it is given to the trustees or managers at a time when, in order to comply with what the member previously required, they have already entered into an agreement with a third party to use the whole or part of the member's cash equivalent in a way specified in paragraph 12(2)*(a)*, *(b)* or *(c)* above.

(3) A member who withdraws an application may make another.

(4) A notice to the trustees or managers of a scheme under this paragraph is to be taken to have been given if it is delivered to them personally, or sent by post in a registered letter or by the recorded delivery service.'.

No. 128, in page 29, leave out lines 24 and 25 and insert—

'*(b)* any benefit is an average salary benefit, a flat rate or a money purchase benefit.'.—*[Mr. Newton.]*

Schedule 2

Information about and Registration of Occupational Pension Schemes

Amendments made: No. 65, in page 31, leave out lines 25 to 36 and insert—

'The registrar of occupational pension schemes

56B.—(1) The Secretary of State may appoint a registrar of occupational pension schemes.

(2) The registrar may be a body corporate.

(3) The Secretary of State may set up such offices and appoint such staff as he thinks necessary for the registrar.

(4) The registrar may appoint an agent to perform functions on his behalf, other than excluded functions, and in this section "registration agent" means an agent appointed under this subsection.

(5) In subsection (4) above "excluded functions" means—

(a) functions under any of the following provisions of this Act—

(i) section 56D(5) to (7);

(ii) section 56H(2) and (3);

(iii) sections 56K to 56M;

(iv) section 56O;

(b) functions under any Northern Ireland enactment corresponding to a provision mentioned in paragraph *(a)* above.

(6) An appointment under subsection (4) above shall be on such terms as the Secretary of State, with the concurrence of the Treasury, may approve.

(7) The Secretary of State may, if he thinks fit—

(a) remove the registrar from office; and

(b) direct that the appointment of a registration agent be terminated.

(8) The amount—

(a) of any salaries for the registrar and his staff; and

(b) of any sums to be paid in respect of expenses incurred by the registrar in performing his functions,

shall be fixed by the Secretary of State with the concurrence of the Treasury.

(9) The expenses referred to in subsection (8) above include payments falling to be made to a registration agent.

(10) The Secretary of State may by regulations—

(a) give the registrar additional functions; and

(b) provide for the manner in which the registrar is to perform any of his functions.

(11) In relation to functions of the registrar that are being performed by a registration agent, references to the registrar in this Part of this Act or in any corresponding Northern Ireland enactment are references to the registration agent.

(12) If the registrar or a registration agent is a body corporate, this Part of this Act and any corresponding Northern Ireland enactment shall have effect in relation to that body subject to any necessary modifications.'.

No. 67 in page 31, line 42, leave out 'of any document comprising the scheme' and insert—

'(i) of the trust deed constituting the scheme, if it is constituted by such a deed; and

(ii) of any document constituting the scheme, if it is not constituted by a trust deed;'.

No. 68, in page 31, line 44, leave out 'such document' and insert

"trust deed or other document which falls to be lodged under sub-paragraph (i) or (ii) above'.

No. 69, in page 32, line 1, after 'amends', insert 'or supplements or wholly or partly supersedes'.

No. 70, in page 32, leave out lines 15 to 34.

No. 71, in page 33, line 11, after 'time' insert 'and in such manner'

No. 72, in page 33, line 13, leave out from 'scheme' to end of line 16.

No. 73, in page 33, line 18, leave out '(2)' and insert '(10)'.

No. 74, in page 34, line 27, leave out 'trustees and managers of occupational pension schemes' and insert 'the trustees of an occupational pension scheme or, if there are no trustees, the managers'.

No. 75, in page 34, line 33, at end insert 'not later than the end of such period as may be prescribed'.

No. 76, in page 34, line 44, leave out 'define' and insert 'prescribe'.

No. 77, in page 34, line 45, leave out 'and' and insert 'or

(b) provide that the persons who may so act shall be—

(i) persons with prescribed professional qualifications or experience; or

(ii) persons approved by the Secretary of State.

(3A) The Secretary of State may by regulations'.—*[Mr. Newton.]*

Mr. Newton: I beg to move amendment No. 78, in page 35, leave out lines 28 to 41.

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 79, 86 and 89.

Mr. Newton: This is an amendment of which I am rather proud, as a simplication of our original proposals. For some unearthly reason we had tried to specify the paper, the colour of the paper and various other things in relation to documents lodged with the registrar. This seemed to me so absurd that we have taken it out.

Amendment agreed to.

Amendment made: No. 79, in page 35, line 44, leave out 'material other than a document' and insert 'other material'.—*[Mr. Newton.]*

Amendment proposed: No. 80, in page 36, leave out lines 41 to 44 and insert—

'(a) fees which, on performing a duty imposed'. — [*Mr. Newton.*]

Mr. Deputy Speaker: With this it will be convenient to take Government amendments Nos. 81 and 82.

Mrs. Beckett: We do not see any reason why, under amendment No. 81, the trustees and managers of the scheme should pay the registrar out of the resources available for the purposes of the scheme. There are many circumstances in which employers would normally pay such fees rather than their coming out of the resources of such a scheme. I ask the Minister to consider this.

Mr. Newton: The hon. Lady is right. The amendments make it clear that any registration fees will be payable by

[Mr. Newton]

the scheme trustees or managers out of the scheme's resources and not out of their own pockets. We agree that they should not be expected to pay them out of their own pockets, and that it is reasonable that the charges necessary for the proper operation of the scheme in the public interest should be met by the scheme.

Amendment agreed to.

It being Ten o'clock, further consideration of the Bill stood adjourned.

Ordered,

That, at this day's sitting, the Social Security Bill may be proceeded with, though opposed, until any hour. — [*Mr. Neubert.*]

As amended, again considered.

Amendments made: No. 81, in page 36, line 47, at end insert

'the trustees or managers of an occupational pension scheme are to pay the registrar out of the resources available for the purposes of the scheme'.

No. 82, in page 37, line 1, leave out 'by any' and insert 'fees which are to be paid to the registrar by a'.

No. 83, in page 37, line 32, leave out from 'if' to 'shall' in line 36 and insert

'any of the requirements—

(a) of section 56C above or regulations under that section; or

(b) of regulations under section 56E(1)*(c)* above,

is not complied with in relation to a scheme, every person who immediately before the end of the period for compliance was a person whose duty it was to comply with it'.

No. 84, in page 37, line 42, leave out

'their first conviction for it'

and insert 'the conviction'.

No. 85, in page 37, line 43, leave out from beginning to end of line 3 on page 38 and insert—

'(2) Where a person is charged with an offence under subsection (1) above in respect of any requirement, subject to subsection (2A) below, it shall be a defence for him to prove--

(a) that the commission of the offence was due to a mistake or to reliance on information supplied to him or to the act or default of another person, an accident or some other cause beyond his control; and

(b) that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence by himself or any person under his control.

(2A) If in any such case the defence provided by subsection (2) above involves the allegation that the commission of the offence was due to the act or default of another person or to reliance on information supplied by another person, the person charged shall not, without leave of the court, be entitled to rely on that defence unless, within a period ending seven clear days before the hearing, he has served on the prosecutor a notice in writing giving such information identifying or assisting in the identification of that other person as was then in his possession.'.

No. 86, in page 38, leave out lines 4 to 19.

No. 87, in page 38, at end insert

'or regulations under that section'.

No. 88, in page 38, line 40, at end insert—

'(A) The Secretary of State may by regulations specify forms for notices under subsection (1) above.'.

No. 89, in page 39, leave out lines 19 to 21.—*[Mr. Newton.]*

Schedule 4

Minor and Consequential Amendments

Amendments made: No. 90, in page 42, line 25, at end insert—

'0. In subsection (1)*(b)* of section 66 of the Social Security Act 1973 (Occupational Pensions Board) after the word "advisory" there shall be inserted the words "or other."

No. 91, in page 42, line 26, leave out 'the Social Security Act 1973' and insert 'that Act'.

No. 92, in page 43, line 21, at end insert—

'3A. In subsection (3)*(b)* of section 1 of the Social Security Act 1975 (outline of contributory system), for "120 and 122" there shall be substituted "4, 120, 122 and 123A".'

No. 93, in page 43, line 21, at end insert—

'3F. In section 122 of that Act (additional power to alter contributions), —

(a) in subsection (1), the following paragraphs shall be substituted for paragraph *(a)*—

"*(a)* the percentage rate for primary Class 1 contributions specified as the appropriate rate for Bracket 3 in section 4(6B);

(aa) the percentage rate for secondary Class 1 contributions specified as the appropriate rate for Bracket 4 in section 4(6E);" and

(b) in subsection (4), for the words from "4(6)" to the end there shall be substituted the words "4 of this Act by altering—

(a) the percentage rate for primary Class 1 contributions specified as the appropriate rate for Bracket 3 in subsection (6B);

(b) the percentage rate for secondary Class 1 contributions specified as the appropriate rate for Bracket 4 in subsection (6E).".'.

No. 162, in page 43, line 21, at end insert—

'3C. The following subsection shall be added at the end of section 18 of that Act (duration of unemployment benefit)—

"(4) Regulations may provide for treating a person for the purposes of this section as having been entitled to unemployment benefit for any day if he would have been entitled to it but for—

(a) failure to make a claim; or

(b) failure to make a claim within the prescribed time;

but a person is not to be so treated where he shows that he did not intend, by so failing, to avoid the necessity of requalifying for benefit.".'.

No. 163, in page 43, line 21, at end insert—

Disqualifications disregarded for certain purposes

'3D. The following section shall be substituted for section 83 of that Act—

83. Regulations may provide for a person who would be entitled to any benefit but for the operation of any provision of this Act disentitling him to that benefit to be treated as if entitled to it for the purposes of any rights or obligations (whether his own or another's) under this Act which depend on his entitlement, other than the right to payment of the benefit.".'.

No. 167, in page 43, line 21, at end insert—

'3B. In section 13 of that Act—

(a) in paragraph *(a)* of subsection (5) (earnings factors), after the word "rise" there shall be inserted the words ", subject to subsection (5A) below," ; and

(b) the following subsection shall be inserted after that subsection—

"(5A) The Secretary of State may by regulations make such modifications of subsection (5)*(a)* above as appear to him to be appropriate in consequence of section 4(6B) above.".'.

No. 164, in page 43, line 23, leave out 'the Social Security Act 1975' and insert 'that Act'.

No. 94, in page 43, line 25, at end insert—

'4A. In section 134(4) of that Act (national health service and employment protection allocations)—

(a) for "determined", in each of the paragraphs defining "the appropriate national health service allocation" and "the appropriate employment protection allocation" there shall be substituted "estimated"; and

(b) for the words from "and in this subsection" to the end there shall be substituted the words "and in this subsection "estimated" means estimated by the

Secretary of State in any manner which after consulting the Government Actuary he considers to be appropriate and which the Treasury has approved".

4B. In section 167 of that Act (parliamentary control of orders and regulations)—

(a) in subsection (2), for "120 or 122" there shall be substituted "4, 120, 122 or 123A"; and

(b) in subsection (3)—

(i) after "section" there shall be inserted "4,"; and

(ii) after "122" there shall be inserted ", 123A".

4C. In paragraph 1 of Schedule 1 to that Act (Class 1 contributions where earner employed in more than one employment)—

(a) in sub-paragraph (1A), the following words shall be substituted for the words from "the amount" to the end—

"*(a)* the amount of the primary Class 1 contribution in respect of the aggregated earnings shall be determined in accordance with sub-paragraph (1B) below; and

(b) the amount of the secondary Class 1 contribution in respect of the aggregated earnings shall be determined in accordance with sub-paragraph (1D) below."; and

(b) the following sub-paragraphs shall be inserted after that sub-paragraph—

"(1B) The amount of the primary Class 1 contribution shall be the aggregate of the amounts obtained—

(a) by applying the rates of primary Class 1 contributions that would apply if the aggregated earnings were all attributable to contracted-out employments—

(i) to the part of the aggregated earnings attributable to any such employments, or

(ii) if that part exceeds the current upper earnings limit, to so much of that part as does not exceed that limit; and

(b) if that part is less than that limit, by applying the rate of primary Class 1 contributions that would apply if the aggregated earnings were all attributable to employments which are not contracted-out to so much of the remainder of the aggregated earnings as, when added to that part, does not exceed that limit.

(1C) In relation to earners paid otherwise than weekly, any reference in sub-paragraph (1A) or (1B) above to the lower or upper earnings limit shall be construed as a reference to the prescribed equivalent of that limit.

(1D) The amount of the secondary Class 1 contribution shall be the aggregate of the amounts obtained—

(a) by applying the rates of secondary Class 1 contributions that would apply if the aggregated earnings were all attributable to contracted-out employments to the part of the aggregated earnings attributable to any such employments; and

(b) by applying the rate of secondary Class 1 contributions that would apply if the aggregated earnings were all attributable to employments which are not contracted-out to the remainder of the aggregated earnings."."

No. 165, in page 43, line 25, at end insert—

"'*Entitled' and cognate expressions.*

'4D. In Schedule 20 to that Act (glossary of expressions) the following definition shall be inserted after the definition of "Employment"—

In relation to any benefit, see—

(a) the provisions specifically relating to that benefit;

(b) in the case of a benefit specified in section 12(1), section 13; and

(c) section 165A."."

No. 95, in page 43, line 26, at end insert—

'4E. In section 1(1)*(b)* of the Social Security Pensions Act 1975 (earnings limits), the words "primary Class 1" shall be substituted for the word "such".

4F. In section 6 of that Act (rate of Category A retirement pension)—

(a) in subsection (5), for the word "References", in the first place where it occurs, there shall be substituted the words "Subject to subsection (5A) below, references"; and

(b) the following subsection shall be inserted after that subsection—

"(5A) The Secretary of State may prescribe circumstances in which pensioners' earnings factors for any relevant year may be calculated in such manner as may be prescribed.".

4G. In section 27 of that Act (contracted-out rates of Class 1 contributions), at the end of subsection (1) there shall be added the words "and

(c) in the case of a secondary Class 1 contribution, the normal percentage of so much of those earnings as exceeds the current upper earnings limit."."

No. 96, in page 43, line 27, leave out

'the Social Security Pensions Act 1975'

and insert

'that Act'.

No. 134, in page 44, line 13, at end insert—

8A.—(1) In section 41A of that Act (protection of earners' pensions)—

(a) in subsection (1), for "commencement of payment", in the third place where those words occur, there shall be substituted "relevant"; and

(b) the following subsections shall be inserted after that subsection—

"(1A) In subsection (1) above "the relevant date" means, subject to subsection (1B) below, the commencement of payment date.

(1B) In the application of subsection (1) above to a case where a scheme makes such provision as to any part of a pension as is mentioned in section 33(4) above, the reference to the relevant date is to be construed, in relation to the part of the pension as to which such provision is made, as a reference to the date on which by virtue of it that part of the pension commences to be paid.".

(2) Sub-paragraph (1) above shall be deemed to have come into force on 1st January 1985.

8B. The following further amendments of that section shall also be made—

(a) in subsection (2), "(1C)" shall be substituted for "(1)"; and

(b) in subsection (6), "subsections (1)*(c)* and (1C)*(b)*" shall be substituted for "subsection (1)*(c)* and (ii)".'

8C. In section 41B of that Act (protection of widows' pensions)—

(a) in subsection (2), "(1A)" shall be substituted for "(1)"; and

(b) in subsection (5), "subsections (1)*(c)* and (1A)*(b)*" shall be substituted for "subsection (1)*(c)* and (ii)".'.

No. 168, in page 44, line 13, at end insert—

'4H. The following subsection shall be inserted after section 43(1) of that Act (calculation of contributions equivalent premium)—

"(1A) Where an earner's earnings paid in any period—

(a) exceeded the lower earnings limit; but—

(b) were not such that primary Class 1 contributions within Bracket 3 fell to be paid in respect of them,

it shall be assumed for the purposes of subsection (1) above that his earnings paid in that period were such that, taking the rate specified in Bracket 3 as the appropriate rate, the same amount of primary Class 1 contributions fell to be paid in respect of them as in fact fell to be paid in respect of them.".

No. 169, in page 44, line 31, at end insert—

'4J. In subsection (2) of section 44 of that Act (premium on termination of contracted-out scheme)—

(a) in paragraph *(a)*, after the word "arrangements" there shall be inserted the words "and have not been disposed of so as to discharge the trustees or managers of the scheme under paragraph 15 of Schedule 1A to this Act"; and

(b) in paragraph *(b)*, for the words "so subject" there shall be substituted the words "subject to approved arrangements."'

No. 170, in page 44, line 31, at end insert—

[Mr. Newton]

'4K. The following subsection shall be inserted after section 47(2) of that Act (calculation of certified amount)—

"(2A) Where an earner's earnings paid in any period—

(a) exceeded the lower earnings limit; but

(b) were not such that primary Class 1 contributions within Bracket 3 fell to be paid in respect of them,

it shall be assumed for the purposes of subsection (2) above that his earnings paid in that period were such that, taking the rate specified in Bracket 3 as the appropriate rate, the same amount of primary Class 1 contributions fell to be paid in respect of them as in fact fell to be paid in respect of them.".'.

No. 153, in page 44, line 36, at end insert—

'10A. The following subsection shall be inserted after section 47(9) of that Act (prohibition of recovery or retention of state scheme premium)—

"(9A) Nothing in subsection (9) above affects—

(a) the right of the trustees or managers of a scheme, in a case where an accrued rights premium or a pensioner's rights premium has been paid, to reduce the pension of the person in respect of whom the premium has been paid by the amount of his guaranteed minimum pension;

(b) the right of trustees or managers, in a case where a limited revaluation premium has been paid, to recoup it—

(i) out of the resources of the scheme, in so far as they derive from contributions; or

(ii) in prescribed cases, out of payments made to them in respect of an earner's transfer to their scheme from some other scheme;

(c) the right of trustees or managers, in a case where a state scheme premium has been paid, to make the deduction for which paragraph 12(6) of Schedule 1A to this Act provides when they calculate the cash equivalent to which the earner in respect of whom the premium has been paid has a right under Part II of that Schedule.".'.

No. 97, in page 45, line 45, at end insert—

'Social Security and Housing Benefits Act 1982 (c. 24)

16A. In section 20 of the Social Security and Housing Benefits Act 1982 (offences and penalties) "3(4A)*(b)*" shall be inserted after "section".'.

No. 98, in page 46, line 4, at end insert—

'Social Security (Contributions) Regulations 1979 (S.I. 1979/591)

18. In regulation 98*(c)* of the Social Security (Contributions) Regulations 1979 (amount of Class 2 contribution of share fishermen) "£6·30" shall be substituted for "£7·55".'.—*[Mr. Newton.]*

Schedule 5

REPEALS

Amendments made: No. 99, in page 46, line 10, column 3, at beginning insert—

	'Section 28(2) so far as unrepealed.'

No. 166, in page 46, line 12, column 3, at end insert—

	'Section 79(1), (2) and (4). Section 82(1) and (2). In section 90(3), the reference to subsection (1) of section 79.'.

No. 135, in page 46, line 21, column 3, at end insert—

	'Section 41B(4)'.

No. 100, in page 46, line 24, after '66', insert 'in subsection'.

No. 101, in page 46, line 25, at end insert 'and subsection (5)'.

No. 102, in page 46, line 25, column 3, at end insert—

	'In Schedule 4, paragraph 36*(b)*.'.

No. 103, in page 46, line 30, at end insert—

'1979 c. 18.	Social Security Act 1979.	In Schedule 1, paragraph 11.'.

No. 104, in page 46, line 34, at end insert—

	'Social Security (Contributions) Act 1982.	Section 1(5). In Schedule 1, paragraph 1(3).'.

No. 105, in page 46, line 42, column 3,, at end insert—

	'Section 24.'.

No. 106, in page 46, line 44, at end insert—

'and paragraphs 7 to 11'.—*[Mr. Newton.]*

Title

Amendments made: No. 107, in line 2, after 'pay', insert—

'to empower the Secretary of State to extend the Pneumoconiosis etc. (Workers' Compensation) Act 1979;'.

No. 108, in line 2, after 'pay', insert—

'to make provision for pensions and gratuities for members of the Horserace Totalisator Board, the Horserace Betting Levy Board and the Gaming Board for Great Britain;'.—*[Mr. Newton.]*

Order for Third Reading read—[Queen's Consent, on behalf of the Crown, signified.]

Motion made, and Question proposed, That the Bill be now read the Third time.

10.4 pm

Mrs. Beckett: All I will say is that we have discussed tonight with remarkable good humour 47 sets of Government amendments. If the Bill comes back from another place with 47 sets of amendments there will be blood on the Floor.

Mr. Newton: All I want to know is whose blood it will be.

Sir Brandon Rhys Williams: I abstained on the vote on Second Reading. Should there be a vote now, which seems unlikely, I would abstain again. This measure does not meet the needs of the early leaver and does not do what is required for the reform of national insurance. It does not make the changes in the law that have been called for for so long in relation to occupational pensions.

I believe that tonight we have marked another stage in the decline of Parliament, because we have abdicated from our responsibility to deal with matters that concern the entire population in terms of cash. It is not just small sums of money that are involved. One can only fall back on a famous poem of Arthur Hugh Clough and bear in mind that there is always another stage.

The protection of personal savings and the relationships between citizens in terms of cash are matters where clarity and moral principles are vitally necessary. In the provisions of the national insurance system and in the operation of occupational pension schemes we have neither. This places a burden on my right hon. and hon. Friends. I hope they recognise that, and that we shall not have to wait long for further measures from their Department which will put these vital matters right.

There is much that is useful in the Bill, but there is so much still to be done that one can only give it a very half-hearted welcome.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

SELECT COMMITTEES

Mr. Deputy Speaker (Mr. Paul Dean): If the House agrees, I shall put together the motions on behalf of the Committee of Selection.

SOCIAL SERVICES

Ordered,

That Mr. James Couchman and Mr. Tony Lloyd be discharged from the Social Services Committee and Mr. Tony Favell and Mr. Terry Patchett be added.—*[Mr. Fox, on behalf of the Committee of Selection.]*

EDUCATION, SCIENCE AND ARTS

Ordered,

That Mr. Terry Lewis and Mr. George Walden be discharged from the Education, Science and Arts Committee and Mr. Malcolm Thornton and Mr. Jack Thompson be added.—*[Mr. Fox, on behalf of the Committee of Selection.]*

TRADE AND INDUSTRY

Ordered,

That Mr. Teddy Taylor be discharged from the Trade and Industry Committee and Mr. Barry Porter be added.—*[Mr. Fox, on behalf of the Committee of Selection.]*

AGRICULTURE

Ordered,

That Mrs. Marion Roe be discharged from the Agriculture Committee and Mr. Andrew Hunter be added.—*[Mr. Fox, on behalf of the Committee of Selection.]*

ENVIRONMENT

Ordered,

That Mr. Reg Freeson and Mr. Julian Critchley be discharged from the Environment Committee and Mr. Peter Pike and Mr. Andrew MacKay be added.—*[Mr. Fox, on behalf of the Committee of Selection.]*

HOME AFFAIRS

Ordered,

That Clare Short be discharged from the Home Affairs Committee and Mr. Tony Lloyd be added.—*[Mr. Fox, on behalf of the Committee of Selection.]*

ENERGY

Ordered,

That Mr. Michael Morris be discharged from the Energy Committee and Mr. Geoffrey Dickens be added.—*[Mr. Fox, on behalf of the Committee of Selection.]*

Local Authority Contracts

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Lang.]*

10.7 pm

Dr. Brian Mawhinney (Peterborough): I am grateful for the opportunity to raise this matter tonight. Historically there has always been a substantial degree of co-operation between central and local government, each respecting the contribution which the other has had to make. My hon. Friend knows better than most that that historic co-operation has broken down in recent years. In fact, he and his right hon. and hon. Friends in the Department have had to spend a disproportionate amount of their time trying to combat the influence of the political Left-wing in the country who have, apparently without compunction, been willing to undermine that historic co-operation for their own political ends.

Even more important, such people have showed a willingness to put their political ideology before the common law fiduciary duty which English courts have established that councillors have to their ratepayers and the recipients of their services. We all know that the Greater London Council has been one of the main offenders in this regard. That, or course, was one of the reasons for the Government introducing a measure to ensure the GLC's abolition.

So far, that Left-wing influence has been generally perceived to be confined to the large metropolitan areas. One reason for this debate is that I wish to make the House aware of the fact that that influence is now spreading to provincial cities, such as the one that I have the honour to represent, Peterborough. I assure the House that in the comments that I make tonight I have the strong and explicit support not only of my hon. Friend the Member for Huntingdon (Mr. Major), who represents part of the city, but of my hon. Friend the Member for Cambridgeshire, South-West (Sir A. Grant). The reasons for that will soon become apparent.

Another reason for this debate is to ask my hon. Friend the Minister to take some action. Peterborough used to be a mecca of moderation. Indeed, it was just such a mecca until relatively recently, or more precisely, until the Left-wing of the Labour party obtained a majority in the Labour council group. That happened at the same time as a number of Left-wing so-called libertarians were elected as Liberal councillors.

We first noticed the change at the time of the miners' strike. A motion was presented to Peterborough city council congratulating the Cambridgeshire constabulary on its moderate, sensible and restrained behaviour. When the motion as put forward for debate, the mayor of the council, Councillor Palmer, a Socialist, got up and walked out of the council chamber taking the whole Labour group with him. That slur will long be remembered by my constituents. The Liberals, stressing their commitment to free speech, stayed and then voted against the motion. That slur will also be long remembered by my constituents.

Then some weeks ago, setting aside all the regular procedures, the Labour group made it possible for CND to acquire a headquarters for rent in my constituency so that it could advise those who wished to demonstrate at

[Dr. Brian Mawhinney]

Molesworth on how to evade and break the law. Again, that was done to the great dismay of the majority of my moderate constituents.

But the most serious decision took place at the council meeting held on 6 March. A Liberal councillor, Mrs. Day, not only on her own behalf but on behalf of the Labour group, introduced a motion that had the effect of instructing the council's general purposes committee to amend standing orders in order to permit the council

"to delete from the approved list of contractors"

any firm that had been, or intended to be, involved in preparatory or other work for the deployment of cruise missiles at Molesworth

"provided that the list thereafter includes a sufficient number of firms willing and able to carry out the type of work required by that section of the list."

Secondly, the motion had the effect of not adding to the approved contractors list any company known to be so involved.

Needless to say, that motion was opposed by the Conservative councillors but was carried by a combination of Labour and Liberal votes. In the motion it was made clear that that absurd and damaging decision would be purportedly taken in order to reduce the threat of nuclear war to Peterborough. That is so manifestly absurd that I am not at all surprised that my hon. Friend should laugh. Most people would laugh, if the matter was not so serious. It is quite clear that the motion's intent is to break the council's fiduciary duty to provide the most cost-effective service to my constituents. I do not treat that lightly. Thirdly, its effect will be to threaten the existence of firms and consequently the jobs of those who are employed by firms that depend upon council work for their existence. Fourthly, it quite clearly opens the door to any other extreme Left wing threat which the Labour sub-group which meets in secret, apart from the rest of the Labour group and before any meeting of that group, may even, as we speak, be dreaming up.

Having taken this foolish step, one might have expected the council to decide to rest on the gesture, but not so. It has written to 174 firms, and I understand that the firms which have received letters are greatly outraged. Complaints from such firms and, indeed, from colleagues have been made to me. Until a few days ago, only one firm had replied. The electricity board made it clear that it intended to supply electricity to Molesworth. It said effectively, "So what?" I suspect that even my council cannot face the prospect of 10,000 council houses without electricity. But the fact remains that we do not know what pressure the council will bring to bear on these firms and businesses in order to seek to force them, without any legal basis, to conform to the political prejudices of a few councillors.

As I have demonstrated that this insidious effect is spreading from the metropolitan to the provincial areas, I therefore ask my hon. Friend the Minister what the Government intend to do about it. I have received a letter from the Chief Executive of the city council in which he says:

"I know that my council is most unlikely to change its position until it is compelled to do so."

May I refer my hon. Friend to the consultative paper, with which undoubtedly he is familiar, entitled "Competition in the Provision of Local Authority Services." Paragraph 16 says:

"The Government therefore proposes to include in legislation provision the effect of which would

a. in relation to any local authority contract or invitation to tender for the supply of goods or services declare void any term or condition which is not directly related to the required performance by the contractor, his sub-contractors, or suppliers, in respect of the quality, timing or cost of the specified goods or services . . .

b. in relation to activities which are subject to statutory competition requirements enable the Secretary of State to take action against authorities which, in his view, unreasonably either set aside or negate the results of competition or act in such a way as is intended or likely to limit competition. This provision would apply both to activities covered by the existing DLO legislation and to the new proposals contained in this paper."

As I understand it, that paragraph covers precisely the point I am pressing on my hon. Friend. Therefore I welcome the consultative paper. Rather than write to my hon. Friend, let me tell him here and now that I am in favour of those proposals.

Secondly, I affirm the need for those proposals. It is the only way to stop this pernicious political cancer from spreading. I object not on political grounds, because we can win the political battle easily against such opponents, but on the ground that the ratepayers and constituents whom I represent need legal protection.

Thirdly, I welcome the proposal on behalf of moderate Labour and Liberal supporters in my constituency, and indeed a few councillors. I know that some Labour councillors, especially, are embarrassed and perhaps even ashamed at having voted for that motion. We understand why they did it. They were whipped into supporting it with the threat of deselection, as we see every day in the behaviour of Labour Members in this Chamber. The threat of deselection overcame their basic decent instincts.

I pay tribute to my hon. Friend the Minister. He and his colleagues have worked tirelessly with skill and imagination to combat the problems posed by the political Left wing in local authorities throughout the land. My hon. Friend will speak for himself, but I suspect that he shares my distaste for what has happened in my constituency. The consultative paper makes clear his determination to tackle the problem at its roots.

I wish to make two simple requests to my hon. Friend the Minister. First, I ask him to condemn the decision of Peterborough city council and those Labour and Liberal councillors who, by passing it, displayed contempt for their constituents. Secondly, I ask him to commit the Government to introducing legislation based entirely on the paragraphs that I have quoted from his own consultative paper and to give a commitment that that legislation will be introduced in the next Session of Parliament.

I am grateful to my hon. Friend the Minister for the courteous and intense consideration that he has given to my comments.

10.21 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. William Waldegrave): My hon. Friend the Member for Peterborough (Dr. Mawhinney), with his customary force and eloquence, to which I have listened with respect on a number of occasions, has brought before us today a very telling example of what a recent pamphlet produced under the aegis of a number of people working in local government described as "The New Corruption" in local government.

The history of local government in this country does not go so far back into the mists of time as is claimed whenever

we make any change. Modern local government in this country really dates from the early decades of the 19th century. The situation in the 1830s and 1840s, though different, was in some ways comparable with the situation today. In those days there was the turtle soup scandal. The old municipal boroughs — non-elected, or at any rate self-elected from small self-selecting bands — were accused, not without justice, of spending borough revenues on turtle soup which the councillors consumed for their own benefit. Today we have a perhaps even less attractive form of that scandal — what might be described as turtle soup ideological politics, the creation and consumption of private caucus-based extremist politics using the leverage and the all too weak accountability of local government, a fundamendal problem which my right hon. Friend the Secretary of State and his colleagues have been trying to reach. Using those all too weak mechanisms of accountability, gangs of people can succeed in foisting on their electorates policies which I do not believe that the electors want for one moment.

The kind of practice to which my hon. Friend the Member for Peterborough has rightly drawn attention is becoming all too common. He used the phrase "a cancer" and talked of it spreading from some of the metropolitan areas to places which all of us hoped and believed were immune from such things.

I know my hon. Friend's fine constituency town quite well, because I have to visit it on account of my other responsibilities, and I do so with great pleasure. Looking at the sensible citizens there, as I did recently when walking through the city on a fine day, I did not believe that they are behind such action. They are going about their ordinary daily business and cannot be expected, with the mechanisms available to them at the moment, to be full time on the qui vive to see that their councillors are not up to some nonsense. They trust in the system that Parliament provides for them and, in these matters, we have not provided enough protection.

In the 1830s and 1840s, Parliament had to invent the doctrine of ultra vires expenditure to put an end to the scandals of turtle soup and to tell those municipalities, "Look here, your ancient statutes might give you the right to spend money on turtle soup, but you have a greater duty, of which we are reminding you, to look to the benefits of your citizenry as a whole." We are now right to say that some of the mechanisms of accountability have become so weakened that we should step in from time to time to correct them.

Local authorities are a vital and ancient part of the plurality of decision-taking and we need them. Nobody is more committed to a decentralised and pluralistic system of decision-taking than I am, but local authorities are the creations of the statutes of Parliament and, if they have run a little out of control, it is right for Parliament to intervene.

The misuse of contractual power such as my hon. Friend described is becoming one of the standard ploys of these student-type — well, I shall not insult student politics by speaking about it in that way. Not all that long ago I was a student myself, and my hon. Friend the Member for Welwyn Hatfield (Mr. Murphy) was involved in such matters with me. I think that we conducted ourselves in a rather more dignified way. We certainly won our elections with a great deal of decision. Some of these caucuses are involved in juvenile politics. The London Labour party is the worst offender, but it is spreading. We have seen what has happened in Liverpool. The misuse of contractual power is one of the worst aspects of such politics.

The British people would be relatively grateful to local authorities if they ran their affairs with the commitment and efficiency which the best of them employ and did not take it upon themselves to stick their noses into all sorts of other organisations which might be serving the country rather better.

There is an arrogance in the type of performance that my hon. Friend described. It is unfortunate that Peterborough city council has said that it will lay down the law about the morality of defence policy. I suspect that that council was elected to keep the streets of Peterborough in good order, to provide decent housing and to provide the services that it is empowered and required to provide. It has quite enough to do in those respects without wasting money and causing unnecessary inconvenience to the inhabitants of Peterborough. That inconvenience will be much diminished if we can return a proper council under proper Conservative control, as I am sure we shall do in due course.

We have had some absurd examples from London. The recent Kit Kat snub is a good example. Greenwich council has produced lists of absurd requirements from all those who seek contracts with it. I shall not weary the House by reading it, but the list enables the council to call for all manner of papers and information concerning matters that are nothing to do with it. In today's *The Times* there was a wonderfully absurd example concerning an unfortunate supplier of sandwiches to a council who had been forever blacklisted by the council because he provided sandwiches to what was described as the occupying army of the police during the miners' strike.

Dr. Mawhinney: It was Chesterfield.

Mr. Waldegrave: I am grateful to my hon. Friend for reminding me. As my hon. Friend said when I laughed when he gave an account of Peterborough's behaviour, it would be funny if it was not sad. It is not funny for that small business man if he is prevented from providing a perfectly good catering service and, as a result of a childish decision, might be put out of business.

My hon. Friend asked me for some assurances, and I am happy to give them to him. He correctly quoted from the consultative paper. I assure him that the Government fully intend to take action, through legislation, to put a stop to the sort of action that he has brought to the attention of the House. The consultative paper contains two relevant proposals. This is against the background of a further drive to introduce into the provision of local authority services as a whole a further degree of competition, which I strongly believe is right. Other countries in Europe, even Socialist countries, do not assume that all services must be provided by local authorities, but that the duty of local authorities is to ensure that the services are provided at the best cost and efficiency. They must not all be done in-house. That is the drive of the Government's policy.

Within that consultative process we have made two proposals. The first is that we should include a provision to declare void any term or condition of a contract that is not directly related to the required performance by the contractor, his subcontractors or suppliers in respect of the quality, timing or cost of the specified goods or services. This is, of course, very widely drawn. However, it is not

[Mr. Waldegrave]

intended to undermine the contractor's duty to comply with any statutory requirements, for example, on health and safety or other employment legislation. However, it is certainly intended to cover what I call the Peterborough condition. Our intention is that that provision would apply to all local authority contracts, whether or not they were subject to the existing compulsory tendering provisions of the 1980 Act or the extended provisions that we are now proposing.

We also propose to take action to prevent, as far as we are able, action by local authorities that is quite clearly designed to distort or negate the results of fair competition under the 1980 Act. That is not directly relevant to what my hon. Friend said, but it is important because we know that they can make it impossible for competition to work properly if they bend the rules and do not give reasonable time for tenders.

On timing, my right hon. Friend has already indicated —and I confirm this tonight—in his reply to a question from my hon. Friend on 3 April that we propose to legislate in the next session. Subject to the will of this House and another place, we hope to have legislation on the statute book within the next 12 or 15 months.

I hope that what I have said tonight will demonstrate to my hon. Friend that we take these matters exceedingly seriously. It is a misuse — and corruption is not too strong a word — of the proper functions of local authorities. It is not a laughing matter — it is serious. Jobs are being lost unnecessarily and services are not as good as they should be and are more expensive because of that sort of behaviour. It would be quite wrong of the Government in 1985 to stand back from this, just as it would have been wrong for Governments in the 1840s to stand back from the turtle soup scandals.

I am very pleased to thank my hon. Friend for bringing this matter to the attention of the House and also pleased to give him the reassurances that he desires.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes to Eleven o'clock.

House of Commons

Friday 19 April 1985

The House met at half-past Nine o'clock

The Clerk at the Table informed the House of the unavoidable absence, through illness, of MR. SPEAKER *from this day's sitting.*

Whereupon MR. HAROLD WALKER, THE CHAIRMAN OF WAYS AND MEANS, *proceeded to the Table and, after Prayers, took the Chair, as* DEPUTY SPEAKER, *pursuant to the Standing Order.*

PETITION

Buses

9.35 am

Mr. Alfred Morris (Manchester, Wythenshawe): I have the honour to present a petition which may well be unique of its kind. It bears the common seal of the council of the city of Manchester, in pursuance of an order of the council, and thus expresses the opinion of a major city in petition form. Informed opinion has it that, if the petition is not unique, it is certainly a most unusual and important one.

The petition is about the Government's policies on buses and states that, if implemented, they could endanger concessionary fares for elderly, disabled and other people in special need, including schoolchildren and the young employed. At present these concessions are available to assist over 200,000 people in Manchester.

The policies will also mean, in the words of the petition,

that transport services required for social needs will be threatened. Of all Manchester households, 60 per cent. do not have a car (compared with 39 per cent. of households nationally), and in some parts of the Inner City this figure rises to over 75 per cent. Indeed these figures conceal that the car is not always available to the whole family in one-car owning families. For example, during the working day where the family car is used for the journey to work, the remainder of the family is deprived of the use of the car, and are therefore dependent upon public transport. It is estimated that, during the working day, the percentage of households in Manchester which either do not have a car or in which the car is not available for family use rises to 85 per cent. The impact of this falls particularly on women (who as a group make greater use of public transport than men), young people and those over the age of retirement.

Among other criticisms of the policies, the petition states:

> that the strict safety standards needed for public service vehicles will not be upheld;
>
> that continuity, reliability and stability of services will end;
>
> many bus and rail services will vanish;
>
> the few services that are left will no longer connect and services will become less frequent;
>
> passengers will not know which services should run at what times, or what fares are to be charged;
>
> operators will compete with old, unsuitable buses and coaches;
>
> neither Users nor Ratepayers will have any say about their local public transport services;
>
> the vital economic activity of the City Centre in particular and Manchester as a whole will not be maintained.

Wherefore your Petitioners pray that your honourable House will reject any legislation to implement the proposals of the White Paper on buses and the Transport Bill.

The message of the petition is one of compelling importance for tens of thousands of my constituents and for hundreds of thousands of the citizens of Manchester as a whole. That is why it bears the common seal of a great city and I most warmly commend it to the House.

To lie upon the Table.

Orders of the Day

Intoxicating Substances (Supply) Bill

Not amended (in the Standing Committee), considered; reported, without amendment.

9.37 am

Mr. Neville Trotter (Tynemouth): I beg to move, That the Bill be now read the Third time.

The Bill seeks to deal with one of the sickest crazes of the 20th century, colloquially known as glue sniffing, but which is the much wider problem of solvent abuse. It is a youthful form of self-poisoning, and the problem is, as we heard in speeches on Second Reading, found all over the country in urban and rural areas. It has been gratifying to have the support of the House for this measure. There was not one speech against the Bill on Second Reading, and support has come to me from all over the country during the intervening period.

This is the third Bill that I have been fortunate enough to bring to this stage in the House. The other two, the Consumer Safety Bill 1977 and the Licensing (Amendment) Bill 1980, gave rise to many debates and arguments, some controversy and many amendments. I remember myself tabling over 100 amendments to one of those Bills.

There has been no attempt to amend or improve the Intoxicating Substances (Supply) Bill since it was first brought before the House, and I find that very gratifying. I thank in particular the Under-Secretary of State for the Home Department for the assistance and wise counsel that he gave me when the Bill was being drafted. I also thank the sponsors who have supported the Bill throughout, those who took part in the Second Reading debate, and my hon. Friends and Opposition Members who are here today to speak in the debate.

We know that the vast majority of the young people who indulge in solvent abuse do so out of curiosity. In many cases they do it as a group activity. They want to belong to a group in which sniffing is the current craze. The substances are cheap and easy to obtain and are to be found in every broom cupboard in every home.

As well as the large number of people who indulge in the habit as a craze or out of curiosity, there are a smaller number of serious cases of chronic addiction to solvent abuse. The usual background is that they come from unhappy or disturbed families. It is a way of seeking attention or a way of escape, and it is a very serious problem.

Those who engage in solvent abuse or sniffing only as a passing phase can, unfortunately, kill themselves in that short time. One trial sniff can lead to death, and we read about it all too often in the newspapers. They are indeed tragic events. The damage can be to the heart, to the lungs or to the brain. There is not only the problem of organs of the body being seriously or fatally damaged. Frequently accidents are caused by the intoxication resulting from abuse and many are fatal. There is the additional problem of anti-social acts done by people under the influence of solvents.

A wide range of products can be used in solvent abuse. I shall not go into all of them, but I have a table that was produced by one of the bodies concerned with the prevention of solvent abuse. It shows that 24 per cent. of the deaths in a 10 or 12-year period were due to the use not of glue—the substance most often thought of—but to gas fuels, and in particular lighter fuel. The table shows that a further 17 per cent. of the deaths were due to the use of aerosols—a particularly dangerous form of sniffing. They included fire extinguishers, anti-perspirants, air fresheners, cleaners, fly sprays, paint sprays and hair sprays—things in everyday use in every house. Glue of one form of another accounted for 27 per cent. of the deaths, and the remaining 31 per cent. were from a wide variety of products. I should not have thought that chloroform — one of the products listed — was to be found in every broom cupboard. Many others, however, such as petrol, paint thinner, plaster remover and cleaning agents, are all widely available products.

I should like to repeat the warning about aerosols. Anything that can be sprayed from an aerosol can be sniffed, and people can kill themselves by using any of those products. It happens regularly. The message should go out from this debate that aerosols are very dangerous for young people to use in the way that I have described. Many of the tragedies are due to the abuse of aerosols, and that fact is not sufficiently appreciated by parents. Most people believe that glue is the substance to avoid, but the statistics to which I have referred show that, although the sniffing of glue gives rise to death and accident, most accidents are not due to the use of glue. I repeat that aerosols are a particularly dangerous form of abuse, and all parents should be aware of that.

One of the suggestions made to me during the three months since the Second Reading is that there should be dummy containers of the abused products kept in shops. I do not think that that is a practical suggestion. Bearing in mind the wide range of products to which I have referred, it would not be practical for shops to carry on their shelves dummy containers for so many products. I have been in correspondence with my hon. Friend the Under-Secretary of State for Health and Social Security on the subject, and he is raising the matter with the British Adhesives and Sealants Association and the British Retail Association for them to consider. Perhaps some products —glue in particular—might be dealt with in that way, but I do not think it would be practical to treat so many products in the way suggested and to have only dummies on the shelves.

Those at risk are mostly between the ages of 13 and 16. When the Bill was being drafted, it was suggested that perhaps the offence of deliberately supplying substances to youngsters should be limited to those up to 16, but the problem continues beyond the age of 16. Therefore, it seemed to me right that the limit should be 18. There has not been any opposition to that suggestion, and therefore, the age remains in the Bill at 18.

Some young people regard the sniffing of solvents as a kids' craze, but I am told that the fact that it is totally different from what adults do gives it some attraction to young immature people.

How many children take part in solvent abuse? No one really knows the answer. For obvious reasons, it is not practical to have a census, but it is thought by some researchers that as many as 5 per cent. of all children in the age group have sniffed solvents at some time, although in most cases it is a passing phase.

There has been research in Newcastle by Dr. Anthony Thorley, the director of the centre for alcohol and drug

studies at St. Nicholas' hospital together with Brenda Davies, the senior registrar in psychiatry, and Mr. Dennis O'Connor at Newcastle university, to whom I referred on Second Reading, who runs a very successful clinic for people suffering from the problem. Those three people have produced a study which suggests that, of the 5 per cent. of 15-year-olds who engage in sniffing, 10 per cent. — one in 200 of those children — continue sniffing beyond that age into young adulthood. That is a serious factor.

In the three months since Second Reading I have been keeping a note of developments in my area in the north-east. I do not think that that area is any different from the rest of the country. There has been a continuation of the distressingly regular series of tragedies and problems caused by solvent abuse. In February, an 18-year-old boy was convicted of indecent behaviour which was brought about by his being under the influence of glue. There have been several cases of burglary. In one of those cases the 19-year-old involved pointed a gun at a policeman. The policeman found himself with a gun at his temple held by someone in a fairly crazed condition. Fortunately, the policeman was able to seize the gun. Although it proved to be a very accurate replica, it was a worrying and terrifying incident for him. Those burglaries and other incidents have been carried out by children in their late teens, not by children in their early teens.

There has been trouble on our splendid Tyneside metro system. A train had to come to an emergency stop because a youth, intoxicated by sniffing, was in front of it. There was a crowd of sniffers around at the time. A 12-year-old sniffer of gas went berserk when his cartridge of gas was removed from him. He ransacked his house, and the police had to be called. In February, an 18-year-old boy was found to have permanent damage to a lung as a result of sniffing. Last month an 18-year-old girl, who had been sniffing all day, collapsed and died three days later from irreparable brain damage. In March, there was a fortunate escape by a 16-year-old girl who had been sniffing for a long time and who collapsed. Fortunately, the ambulance was called speedily. She lived near the ambulance station, and within three minutes of her collapse the ambulance men were there. They saved her with seconds to spare as she was turning blue. I am told by the local ambulance service that there is now about one call a day to deal with serious cases of glue sniffing. The ambulance men find that the young people can be violent and strong as a result of the intoxication to which they have subjected themselves.

One of the particularly worrying factors that has come out of the research by Dr. Thorley and his colleagues is the way in which a small but significant number of those who have become serious addicts of solvent sniffing go on to hard drugs. After four or five years of sniffing glue, they turn to sniffing heroin and end up injecting it. Let me give two examples.

First, there was an 18-year-old girl who had sniffed for seven years since she was 11. At 17 she started taking LSD tablets together with solvents, and spent 12 hours a day on that activity. It is hard for us to understand how young people can spend a whole day doing that, but she did, and she took heroin whenever she could get hold of it.

Secondly, a 20-year-old girl had sniffed for six years from the age of 14. When she was 18 she moved on to LSD and heroin.

To add to the tragedies caused by abuse of solvents there is the danger of the activity extending into hard drugs, with permanent effect. On Second Reading I referred to a young man who told me that he had spent 12 or 14 hours a day consuming a litre of glue. It is terribly hard to understand how anybody could absorb a litre, but it appears to be a regular occurrence for hardened addicts. I am old enough to have difficulty in understanding litres. I am one of those who nowadays never knows how much petrol I am putting into my car except by the price. I tend to think of a litre in terms of the amount of whisky that one can bring back duty free from one's holiday. However, I am not sure whether whisky is a good subject to refer to in a debate on abuse——

Mr. Robert Kilroy-Silk (Knowsley, North): There are more people addicted to that.

Mr. Trotter: As the hon. Gentleman says, more people are addicted to whisky.

I understand that a litre is 1¾ pints, and a pint is something that I do understand. From my earliest days, I have known the size of a pint of milk. Therefore, a litre is getting on for 2 pints. That is the quantity of these substances being consumed daily by some people. It is a very large amount. The substances are also relatively cheap—much cheaper than whisky.

At present the police are powerless to prevent glue from being deliberately sold to children for sniffing purposes. On the one hand, dollops of glue in old crisp bags are sold in kits tragically known as "happy bags", and, on the other hand, hardened addicts buy and consume a litre of glue. In England and Wales, the police are powerless to do anything about it. As we know, in Scotland, under the different legal system, it has been established that the police have the power to act. The Bill simply seeks to bring into statute law in England and Wales the rules which now exist in Scotland.

I believe that the existence of such a law will act as a powerful and effective deterrent. On Second Reading the hon. Member for Knowsley, North (Mr. Kilroy-Silk) referred to the clang of gaol doors. I like that expression. I believe that the threat of the clang of gaol doors will deter evil shopkeepers. In the House we argue about the extent to which gaol sentences act as a deterrent to criminals. I believe that that threat will be a successful deterrent against the sort of person who is deliberately selling glue for that dreadful purpose.

Not only those who deliberately sell glue but those who are wilfully blind will be affected. It is in no way my intention to put at risk the ordinary shopkeeper. Some shopkeepers have expressed concern, but no formal representations have been made to me on behalf of shopkeepers. I think that they understand, and I am sure that they all abhor the deliberate sale of poison in that way. The ordinary shopkeeper is appalled by it, as we all are, and understands that he is not being put at risk. I fully understand the problems that shopkeepers face when a child comes in and asks for a product. If they make a genuine mistake they will not be at risk. They should use their discretion and not supply the product if they have any doubt. I hope that they do so now. Shopkeepers in my area tell me that that is their practice. If a boy who they have reason to suppose may want to use the product for sniffing comes into the shop, they do not supply it. I am sure that they are right in not doing so.

[Mr. Trotter]

For those who deliberately sell glue recklessly and without regard to what it might be used for, the punishment should be gaol or a heavy fine. The Bill provides for a six month gaol sentence or a £2,000 fine. When the Bill was drafted, I wondered whether the House might wish to alter those penalties, but it has not done so. Hon. Members have agreed with my judgment and that of my hon. Friend the Under-Secretary of State for the Home Department that that is the correct level.

We had it in mind that the penalty could be imposed in the magistrates courts. It is widely felt that such an offence should be dealt with speedily before the magistrates. If they felt that an offender had behaved in an appalling and large-scale way, and that more than six months' gaol was called for, I imagine that they could impose consecutive sentences. I cannot conceive that a case would be brought on a single incident of selling glue. We are talking about people who have a record of selling it in large quantities.

I remind the House that in Scotland gallons of glue were sold in small corner shops when in no way could gallons of glue have been needed in the normal course of business. Some people were buying it a litre at a time and even more were buying those dreadful happy kits, with a few spoonfuls of glue in an old crisp packet. No shopkeeper would sell glue in an old crisp packet without knowing exactly what it was being used for. People doing so will be doing it on a large scale. It is possible for the courts to impose consecutive sentences if they wish. In Scotland, two-year gaol sentences were imposed.

The police know who is involved in and guilty of such activity. The authorities in Tyneside told me that they have been aware that a fish and chip shop has also been selling glue. A hot dog seller is also known to have provided glue. No reasonable person could suppose that the sale of glue with fish and chips or hot dogs was a normal trading activity. It is the people who do such things that the Bill is designed to deal with, not the normal corner shopkeeper who has no wish to engage in this wicked trade.

There has recently been an interesting development on Tyneside. After four years' research, a firm called Plus Products reckons to have produced a solvent-free glue. Glue is not the only problem — most of the serious accidents are caused by other substances — but in the case of casual sniffing glue is the substance most commonly sniffed. If a successful solvent-free glue could be produced, that would be a great achievement. Mr. Perry, who runs Plus Products, tells me that one could sniff the glue for as long as one liked and it would do one no harm, and that the glue performs just as well as normal glue. If that is so, the product has a very good future. The product is called Plustex C3530. That means little to me, but it may mean something to my more technically minded colleagues. It may be more expensive than ordinary glue, but it goes much further. We must follow that development. I shall encourage Mr. Perry to the best of my ability, and I am pleased that this breakthrough is a Tyneside development.

There is a need for education by teachers and by parents, and for education of teachers and of parents. This matter does not fall directly within the scope of the Bill, but it has been suggested to me on Tyneside that all local authorities should be required to prepare a plan to deal with the problem in their area and perhaps to report each year on what they are doing about solvent abuse. There is a precedent in that authorities are already required to prepare such a plan to deal with problems of cruelty to children. I am satisfied that everything possible is being done on Tyneside to deal with the problem, but I am not sure what is being done elsewhere in the country. It may be that other areas are equally aware of the problem. Nevertheless, it might be a good idea if each local authority had to produce an annual report.

The solvent manufacturers are at present represented by the British Adhesives and Sealants Association. The members of that body are good citizens who are very much concerned about the abuse of some of their products. They have gone to considerable lengths to assist in dealing with the problem, and I understand that they have plans for even greater efforts in the future. The subjects to which they are devoting their attention are the alleviation of the suffering arising from abuse, the education of the public about the dangers, the promotion and support of research into the problems and the dissemination and publication of the results of that research for the benefit of the public. There may also be the endowment of scholarships for the support of relevant research work. The association proposes to increase its activities. I believe that it intends to hold an international conference on the subject next year. The House will congratulate the association on its efforts.

The Bill is deliberately short, and I hope that it will be effective. It has a very straightforward aim. I believe that it will lead to the closure of an obvious loophole in the law. It will not eradicate the problem. The substances are too readily available in every broom cupboard, bedroom and bathroom as well as in the shops. It will not deal with the social and family problems that often give rise to serious abuse. However, it will provide a weapon to be used against the evil men who deliberately profit from this sick craze. The Bill will provide a weapon that does not yet exist, and will help to reduce the supply. Each death prevented will make the Bill worth while. The sooner the Bill appears on the statute book, the better.

10.6 am

Mr. Robert Kilroy-Silk (Knowsley, North): Once again I congratulate the hon. Member for Tynemouth (Mr. Trotter) on his initiative in bringing forward the Bill, his good sense in restricting it to a narrow and non-controversial area, and his expertise in steering it so successfully towards the completion of its stages in this House. It is not the Opposition's purpose to delay or obstruct the Bill. We have some qualifications about what it may achieve in practice, and there may be some problems, but we support the Bill and wish to see it on the statute book.

Solvent abuse does not attract as much attention today as it did at the time when the hon. Gentleman first thought of the Bill. It has been overshadowed—certainly in my own area of Merseyside—by the increasing problem of the use of heroin and cocaine. Heroin is now much more readily available, and there are increasing quantities of high-quality cocaine on the streets at relatively low prices. Those much more dangerous drugs are therefore now being used by a larger number and a wider variety of young people, some of whom might otherwise have used solvents. The problem has moved away from the abuse of solvents towards the addiction to heroin and cocaine.

To some extent, the problem of solvent abuse disappears, as the user tends to move on from that form of abuse to other in many ways much more dangerous

drugs, or, indeed, to alcohol. Solvent abuse is not, apparently, the problem today that it was 18 months or two or three years ago. The problem is now much more serious, and on a much larger scale. However, we all know from experience in our constituencies that solvent abuse is a considerable problem, not least for the parents of the children concerned.

We have all had letters from, or met at our surgeries, parents who are deeply worried and upset because they have found out that their children have been abusing solvents. They feel themselves to be failures. They feel helpless to confront the problem. They do not know how to deal with it. Quite apart from the problems for the user, solvent abuse certainly creates considerable problems and much distress for his family. There are also the incidental anti-social effects that have been alluded to. Many crimes are committed, not because the person concerned is inherently criminal or would in more lucid moments have embarked on an act of criminality, but because he—or she—is under the influence of some solvent substance. He might commit indecent exposure or burglary, or some more horrendous crime of malicious actual bodily harm. There has been one widely publicised case of murder. Such crimes can occur because of the effect on young people of sniffing glue or other solvents.

More disturbing are the deaths, of which there were 282 from volatile substances between 1971 and 1983—there were 80 in 1983 alone—72 per cent. of which were of people under 20. As the hon. Gentleman said, the addiction tends to be concentrated in the younger age group. When considering how the Bill will work, it is important to note that 31 per cent. of those deaths were accounted for by the use of cleaning agents, 27 per cent. by the sniffing of glues and 24 per cent. by the inhalation of lighter fuels and the like. It is worrying that volatile substances can be the cause of death, but it is even more worrying that there is such a massive and terrible waste of young life in such horrible and disturbing circumstances.

It is a great pity that the Bill and its passage through the House has attracted relatively little attention from hon. Members, many of whom want at other times to make great play of the problems of solvent abuse. They seem not to take a great interest in the subject when it comes to doing something, or attempting to do something about it.

As I have said before, the Bill does not address itself to the real problem of solvent abuse, nor does the hon. Gentleman pretend that it does. It provides no more than that it will be an offence for a retailer to supply solvents to people under 18, knowing that they are likely to be inhaled. That is a perfectly reasonable objective. Nobody should knowingly aid and abet young people in this anti-social, unhealthy and distressing practice. If anyone is prepared to take that responsibility knowingly, he ought to be regarded as having committed a criminal offence and be convicted for it.

Nobody should profit from young people's addiction to or affliction by solvents. In that regard, the Opposition have supported and will continue to support the Bill. However, most retailers do not knowingly aid and abet the purchase of solvents for sniffing. The overwhelming majority—99·9 per cent.—of retailers would not wish in any way to aid or abet such a practice or to profit from it. As the hon. Gentleman said, there are a few evil people who profit, but the vast majority are only too willing to abide by the Government's guidelines. My evidence is that those guidelines are being adhered to conscientiously and, in many cases, enthusiastically. It is perhaps not amiss that the Bill reinforces those guidelines.

We must ensure that the public are aware that the Bill is limited. They should not have grandiose expectations of it. The Bill is limited simply by the fact that 39 per cent. of those who abuse solvents steal them. They will not be caught as a result of the Bill. A further 33 per cent. get somebody else to buy the solvents. When the Bill becomes law, that percentage will rise because young people will not run the risk of being embarrassed in public by retailers, but will get older and unaware people to buy the solvents. Only 15 per cent. of solvent abusers themselves purchase the product. it is therefore only that 15 per cent. who could be caught. It is obvious that that figure will change.

Some people will be caught by the Bill. Some retailers will be identified as embarking on this evil, vicious and anti-social trade and be prosecuted and convicted. Nevertheless, I suspect that, when in two or three years' time we consider how the Bill has worked, we shall find that it has had little impact. I hope so, because I hope that most retailers are law-abiding. The real need, as the hon. Gentleman began to say, is for comprehensive health and social education of children likely to be at risk, and their parents. As with drug abuse generally, it is essential to give help, counselling and education to the parents of children who might become drug or solvent abusers. It is also important to have a well-thought-out strategy of training for professionals. Many social workers, health officials and teachers are not sufficiently trained in the recognition of symptoms or the type of help that they should give a solvent abuser or a drug misuser. I am aware that much is being done, but nobody will pretend that it is enough. We should provide far more services for solvent and drug abusers.

The central funding initiative and the £10 million is welcome, but it is not enough, given the increasing scale of the problem. If we are to believe what the Minister is telling every radio and television station—that we are confronted with an epidemic of heroin and cocaine abuse—and if the quantities of those drugs entering the country are increasing as alleged, it is clear that £10 million, significant though that sum is, is a drop in the ocean compared with what is needed to provide additional services for those in need.

I shall put the Opposition's anxieties on the record in the hope that they will help to inform those who have to implement the Bill and because they should be on the record for when the other place considers the Bill and what changes might be appopriate. The first concerns the phrase, "reasonable cause to believe". Retailers must refuse to supply solvents to young people if they have reasonable cause to believe that that young person is likely to inhale them. Responsibility is put on the retailer to ensure that he is not committing a crime.

I am not jibbing at that, but the problem is that many retailers might become over-cautious when supplying solvents to those aged under 18. Many young people might be prevented from buying perfectly innocuous substances such as paint strippers, petrol, glues and cleaning fluids which they, or somebody who has sent them, want to use for perfectly legitimate purposes. If there is a great deal of police activity and public concern about solvent abuse in a particular area, individual retailers may be over-timid about selling solvents to anyone under the age of 18. It would be most unfortunate if young people were

[Mr. Robert Kilroy-Silk]

discriminated against and publicly humiliated in a crowded shop by a retailer refusing to sell an article to them, with the implication that they must be disreputable drug or solvent abusers.

That problem has been compounded by the unfortunate remarks about punks made on many occasions by the hon. Member for Ealing, North (Mr. Greenway), whom I am glad to see present today. On every occasion the hon. Gentleman has identified someone dressed like or otherwise resembling a punk as being ipso facto a solvent or drug abuser.

Mr. Harry Greenway (Ealing, North): That is misrepresentation.

Mr. Kilroy-Silk: It is on the record.

Many of the voluntary organisations with which I am associated are staffed by people who adopt bizarre and frightening clothes and hair styles which I should certainly not adopt or wish my children to adopt, yet those people are the most sensitive and hard-working and often the most cautious and timid. To tar them with the brush of solvent or drug abuse, as the hon. Member for Ealing, North has done on three occasions in the House——

Mr. Greenway: I have never done that.

Mr. Kilroy-Silk: It is in *Hansard*. It is an unwarranted slur and I fear that it will compound the problems that may occur under the Bill. We cannot have retailers automatically refusing to sell glue to anyone with orange hair or studs round his belt. That is unfair to the retailer and to the young person and it will cause great animosity and controversy, which we can well do without. I hope that it will not happen and that most retailers will have a better knowledge of young people than that displayed by the hon. Member for Ealing, North and will use the powers provided by the Bill with far more sense than he would.

I am also concerned about the meaning of the word "substance". How are retailers to interpret that concept? For instance, they may conclude that lighter fuel is a substance which they can refuse to sell, but that a disposable lighter is not. Again, Tipp-Ex thinner is presumably a substance, while Tipp-Ex fluid is not. A host of similar anomalies will arise if retailers are asked to make definitions which no hon. Member would be able to make and which lawyers may find extremely difficult to interpret. It will be no use if the potential abuser merely buys a different product which has the same effect but is not a "substance".

The most important caveat about the effect of the Bill in practice is that it may restrict availability of the less toxic substances. The substance most widely associated in the public mind with solvent abuse is glue. In the House, too, when discussing volatile substances we tend to talk about glue sniffing. Therefore, retailers will tend to be most cautious, nervous and restrictive about the sale of glue. If that happens, young people will turn to aerosols, cleaning products and other substances which are more likely to be supplied but which do the most irreparable damage. Those substances are the killers. No one wants to legislate to ensure that young people switch from glue to even more dangerous substances, but that could be the unfortunate and unintended consequence of the Bill, and we must guard against it. Retailers must be alerted to that risk. For that reason, it will be necessary to monitor the working of the legislation very carefully.

Most important of all, we must not over-sell the likely effect of the Bill. We endorse and support its Third Reading, but we do not want it to raise false hopes or to pretend that it is a major step towards solving the problem of solvent abuse. Solvent abuse will continue on much the same scale the day after the Bill becomes law as the day before. We must also not pretend that the Bill deals with the problem of drug abuse in any real or meaningful way. We must not allow this legislation to distract our attention from the real issue of identifying and dealing with the causes of solvent and drug abuse.

Above all, in the polite, all-party, non-contentious atmosphere that tends to prevail on Fridays in relation to Bills of this kind, when we are all working together as we should in the interests of all our constituents and irrespective of party politics, we must never forget that the major responsibility for dealing with drug and solvent abuse rests with the Minister and the Government. It is their problem, but in many cases they are not living up to their responsibilities in the way that they should.

We must also take into account the social and economic circumstances in which solvent and drug abuse flourish. Whatever the actual causal relationship, we know that there is a major and significant relationship between high unemployment, poverty, social deprivation and inadequate housing and the problems of solvent and drug abuse. Of course, as recent well-publicised instances have shown, some people at the top of the social scale with good job opportunities and large incomes are solvent or drug abusers. We do not deny that. Nevertheless, the largest concentration of solvent and drug abuse is in decaying inner city areas and in the decaying outer estates of areas such as mine. The Government have a great responsibility for having created those conditions, and an even greater moral responsibility to take action to eliminate those social and economic conditions and the abuses to which they give rise.

10.27 am

Mr. Harry Greenway (Ealing, North): It is a pity that the reasonably well-informed speech of the hon. Member for Knowsley, North (Mr. Kilroy-Silk) included a totally ill-informed, unwarranted and disgraceful attack on me. The hon. Gentleman had the gall to claim that I classified all punk rockers as glue sniffers because on one occasion —not two or three—I thought it right to bring to the attention of the House a most distressing example that I had witnessed of glue being sold to a punk rocker. I hope that the hon. Gentleman will do his homework properly next time. I remind him of what I said on that occasion, and I stand by it. I said:

> "I went into a well-known shop the other day, and as I was being served a punk rocker came in. He asked for glue and was sold glue. A man standing next to me said to the person who had sold the glue, 'You know that glue is going to be abused.' The man behind the counter said, 'Yes, I do, but what is it to me if people choose to kill themselves in that way?' That is disgraceful. The Bill will overcome that and I welcome it in that spirit."—[*Official Report*, 18 January 1985; Vol. 71, c. 660.]

That is the single example of a punk rocker that I used. I took one instance, and the person buying the glue just happened to be a punk rocker.

When I gave that example, I was not saying that all punk rockers are likely to do the same thing in the same

way, just as I would not say that somebody who is dressed in a particularly slick way is a slicker and financially devious, and that all other slickers are the same. I would not bracket all City gents with the actions of one City gent, however sweet and charitable, or whatever. The hon. Gentleman has some knowledge of these matters and he is usually an honest debater, but it was unworthy of him to speak like that.

I join in the hon. Gentleman's congratulations to my hon. Friend the Member for Tynemouth (Mr. Trotter) on his great success in bringing the Bill before the House and on the fact that it will be the third Bill that he has got on to the statute book. That is no mean achievement for a Back Bencher.

The problem of glue sniffing relates to all ages, from tots to adults, and even people in middle age. We know that on average 10 per cent. of all children in schools sniff glue. In some schools the percentage is as high as 14 per cent. and rising, so it is a serious matter. Between 1971 and 1981 there were 169 deaths from glue sniffing. In 1981, there were 45 deaths, and in 1983, there were 80 deaths, as the hon. Member for Knowsley, North said, and the figure is still rising.

In between the first sniff of glue or solvent and death all sorts of damage can be caused to the individual. We hope that elimination of such problems will be helped by the Bill. From the staggering around of tots who have sniffed glue to the deaths of people of all ages from glue sniffing, people can suffer the most terrible brain damage. I know about one man whose brain was so damaged by glue sniffing that, on release from prison, he was unable to lead a coherent normal life and was soon back in prison because he committed further offences.

I hope that the Bill will go some way, although I know that it will not go all the way, towards overcoming the problem. I have presented two Bills to the House relating to the problem of glue sniffing and solvent abuse because of my long concern over the matter. I have received four petitions in two years from constituents—two from head teachers, one from a parent and another from a classroom teacher—each with hundreds of signatures and in one case with thousands. They have all pleaded for action. Effectively, the Bill is the first action that the House has been able to take since I received those petitions. The fact that they came from parents, teachers and head teachers is a sign of the particular concern felt by those who are involved in bringing up and educating young people.

I should particularly like to see more glues of the type mentioned by my hon. Friend the Member for Tynemouth as being produced in his constituency, which are solvent-free and therefore not open to any abuse. Dunlop has produced such a glue as well, as has EVODE. I hope that all manufacturers will bend their minds to the production of such glues, because it has been shown that it can be done.

Education is part of the answer in the long term. However, there is heavy pressure on the school curriculum, so there is not much room for a great deal to be said about the problem of glue sniffing when teachers have also to deal with drugs and so many other problems. We shall be heavily dependent upon what the Bill can do to lessen the difficulties that glue sniffers and their families are facing.

I welcome the Bill for its limited value in making it a committable offence deliberately to supply toxic substances to young people for inhalation. That brings English law into line with Scottish law, and the supply of toxic substances into line with the peddling of drugs to some extent. The two are closely related.

Motivation is obviously an important factor. That needs to be emphasised, so that shopkeepers and shop assistants do not feel too stressed when faced with the consequences of the Bill. From my knowledge of the matter, I know that those addicted to solvent abuse can buy as much as a litre a day. If a shopkeeper or shop assistant is asked for such a quantity of solvent every day by the same youth, such an individual should become suspicious. The Bill will cover such circumstances. Therefore I welcome it.

It is clear that those who are addicted are keen and sometimes desperate to get a regular supply of solvent, with no questions asked. Therefore, they are not likely to go to the same shop every day, once the Bill comes into force. That, perhaps, is one of its weaknesses. Mothers of addicts have written to me about their children's problems and expressed frustration about the Bill. They feel that there are so many different outlets where addicts can purchase solvents—DIY shops, department stores, local shops, Woolworth, and so on—that they need never arouse suspicion. That is especially true of large shops which have frequent staff changes, tea breaks and shifts and many different cash points.

Much depends on where addicts live, but it seems characteristic of addicts that they are devious in pursuit of their addiction, and we need to bear that point in mind as we examine the Bill on Third Reading. Recently, I received the most harrowing letter that I have ever received, from the mother of an addict. Her son, who has indulged in solvent abuse for three years, is now 18 years old. His name is Daniel. He is a Londoner, but he could come from anywhere. The mother argues that his addiction has helped to cause the death of her husband, the loss of her addicted son's job and the break-up of the family.

The worst part of the story is that the mother cannot get any help from anywhere. Everyone has washed their hands of this lad. While he was still legally a juvenile, the police would take him in for his own protection for being drunk and disorderly on glue, which he had been free to purchase, but which he may be less free to purchase as a result of the Bill. Other support aid agencies no longer take an interest. What is almost worse is that he is a social outcast, and unemployed. His mother thinks that he now sniffs glue almost 24 hours a day.

Does any agency exist that can help, if prompted, in this situation? If it does, I should be glad to know of it, because this Third Reading debate gives an opportunity to draw attention to what the Bill is seeking to do and perhaps to relate other curing agencies to it at the same time. There are many such sad cases that desperately need help.

I support the Bill strongly for its limited value. It will end the terrible, wicked situation of which my hon. Friend the Member for Tynemouth spoke when he moved the Second Reading and again today, whereby people can go into a shop and buy fish and chips and glue at the same time. That is dreadful and wicked. It is an obvious abuse with which the Bill will deal.

I went recently to a church residential centre where a youth high on glue had cut his wrists and run amok one night. The priest in charge told me that that youth always went to the same place and had no difficulty in obtaining glue. The youth received hospital treatment, and with bandaged wrists returned to the centre a day to two later, when again he ran amok. The priest in charge and others

[Mr. Harry Greenway]

had the terrifying and difficult job of trying to control, help and save him from himself while he was high on glue. It appeared that he had purchased the glue at the same place, even though it must have been obvious to the shopkeeper that he was in an unstable medical condition. The Bill will ensure that that sort of thing does not recur. I felt agonised for those who were attempting to deal with that youth. The law is weak without the amendment that the Bill will introduce. There is no referral agency that the church residential centre can call in aid.

Surely it is right to punish drug pushers and shopkeepers who knowingly sell glues and solvents to would-be sniffers. The Bill is absolutely right in principle. Some shopkeepers have told me that they expect to face considerable pressure and stress as a result of the Bill when they refuse to sell solvents to regular clients. We should not make too much of this, but the House should face the problem and offer some advice to individual shopkeepers who will be obliged to refuse to sell glues and solvents to those who are already high on them. Shopkeepers must not panic. They should try to lecture the youngster or expect very much self-control on his part. No purpose will be served by being critical of him or by giving him lectures. I think that shopkeepers would be well advised, when faced with that situation, to call in the police or the help of social service agencies. The House must accept that difficulties may arise as a result of the Bill's enactment and should offer coherent advice.

In the *Daily Express* of 18 April, and in one or two other newspapers, there were reports of the deaths recently of two glue-sniffing brothers who died within four weeks of each other while in council care. Their heartbroken mother, Mrs. Angeline Coyne, who is only 37, said:

"If it had not been for glue sniffing, my sons would be alive today, yet no one seems to be able to do anything."

I have spoken to medical people and there is no doubt that glue sniffing is the thin end of the wedge which leads to general drug abuse. We are aware of the seriousness of drug abuse, and the link between that and glue sniffing is clear. One leads to the other. It seems that glue sniffing is part of the general drug abuse scene. That is emphasised by the report that appeared in the *Daily Express* and in other newspapers.

The chairman of the Leeds social services committee has claimed that the police are turning a blind eye to the problem, but we must recognise that the police do not have the power that they need without the enactment of the Bill. That is why I welcome it with renewed zest and enthusiasm.

I shall conclude by reading a short extract from the letter of the mother of Danny, who, as I have said, has been a glue sniffer for three years. He is now thought by her to be sniffing glue 24 hours a day on some occasions. He has his known sources of procurement. However, he will be limited, to some extent, in that procurement because, when the Bill is enacted, he will not be able to go to the same sources. The shopkeepers know him. They know that if they serve him glue he will sniff it. Once the Bill is enacted, they will be aware that they will be breaking the law if they sell him solvents. They will be aware also of the penalties for doing so.

Danny's mother wrote:

"Danny got on the Youth Training Scheme—he loved it. He also went on work experience to one job learning car mechanics for three months and then to another job to do arc welding for three months. The only time he went glue sniffing was at the week-ends and it looked like we were getting back to being a normal family again. I felt sorry for my younger son Peter, because he is a good boy and he has to live with all the misery of his mother and brother.

The last job Danny did closed down at Christmas, and he hasn't even looked for a job since. He is probably on glue 24 hours a day. He takes it to bed with him and starts sniffing the minute he wakes up, so we have rows every morning and night now. I have told him to go out and not come back, but where can he go? We have no other family or friends. All Danny's mates have grown out of glue and ignore him now. I think he is always on his own. Last week the Careers Office 'phoned him and asked him to go and see them, and he came back and said he had an interview for a job in the Cumberland Hotel in two days' time, but he had to wear black shoes and black trousers, which he didn't have because he always wears jeans and trainers. He was so enthusiastic about getting this job as a bus boy. I went out with him and spent my electric bill money on getting him a pair of black shoes and trousers, which cost me nearly £40, but I was hoping he might get the job. He looked really smart and I was just as disappointed as he was, when he didn't get the job. So we are back to square one again.

A few days ago, Danny came home early and locked himself in the bathroom to glue sniff. He started shouting and swearing and saying he wished he was dead."

Danny is 18. The letter continues:

"He was sick of this life, and me, and this house, and his brother. I tried to speak calmly to him. I was scared he might try and kill himself, when my younger son came in and tried to break the bathroom door down. I 'phoned Carter Street Police Station and asked them if there were any Police passing could they call here, because my son was a glue sniffer and he had locked himself in the bathroom and my other son was trying to break the door down trying to get him out. (No wonder nobody talks to us.) Five minutes later two Officers called and they persuaded him to come out. One of the Officers took him into his bedroom to have a talk and I helped the other to find the tin of glue. He said he would take it away. They said its a shame to see a young boy in such a state, there are so many kids on glue or drugs these days, but Danny wasn't breaking the law, its O.K. to sniff glue. They admired all his boxing trophies in the front room and asked him if he was still boxing. He said 'No', and they went. They also told me to 'phone up anytime we needed help. The next day Danny was back on glue. When I think that there are so many places for drug addicts so much help also for alcoholics and even gamblers, but people don't realise that glue is dangerous. It's only if it is in your own family do you find out all the misery and upset it can cause. We are not a family any more.

It is so easy to buy solvents."

This is where the Bill will help. Danny's mother adds:

"All the DIY shops must know when a boy goes in each day to buy glue what he wants it for? Do they care? Even Woolworths sell it. It is too easy for any child to get started and end up hooked on it, just like a drug, that can cause so much heart break for a victim and his family who have to live through all this with him. We are watching him kill himself with a slow poison.

Please do something before it is too late for my son. I don't want him to be just a memory."

The Bill will help a little.

10.49 am

Mr. Ted Garrett (Wallsend): The hon. Member for Tynemouth (Mr. Trotter) and I represent neighbouring constituencies. We are both well aware of the scale of the problem in the north-east, especially in the Tyne and Wear area, and we are saddened and concerned about the number of our constituents who have lost children as a result of the problem.

Oddly enough, I first raised the matter some five years ago, and it was referred to the Minister for Consumer Affairs to ascertain whether the chemical industry in particular could make a product with adhesive qualities without being dangerous. I regret that after much research the chemical industry cannnot find the right product and the adhesive manufacturers, who in the main purchase

from the large chemical companies, have also admitted defeat. Therefore, I am somewhat heartened to learn that a firm on Tyneside, Plus Products, may be moving towards some solution, or partial solution, of the problem, but it would be foolish to be too optimistic, given the scale of the problem.

I must disagree with the hon. Member for Ealing, North (Mr. Greenway), because the Northumbria and Durham police have involved themselves considerably in this matter. In my constituency the police, in co-operation with councillors, have organised a series of public meetings and have shown the horror films on this subject. They have had good support from teachers, social workers and many youth organisations in the area, but regrettably, the problem continues on the same scale.

In last night's edition of the Newcastle *Evening Chronicle* there was a report of a public meeting at Consett which was attended by over 400 people who went to hear the experts speak on the dangers of various drugs. A mother, who is not named, told the horror story of her son who is being paralysed as a result of drug abuse. I shall not give details of the particular method that he used because I do not want it to receive too much publicity.

I also want to pay tribute to the provincial press, particularly *The Journal* and the *Evening Chronicle*, for their long, sustained and responsible campaign to highlight the scale of the problem. It is noteworthy that in this article Detective Inspector Harvey Harrison of the Durham drugs squad highlights the responsibility of parents in analysing their children's behaviour. He highlights some simple points, which it does not take an expert to observe. He says that parents should look for glazed eyes or slurred speech, tinfoil used for the smoking of heroin, minute scales used for weighing drugs, a general lack of interest in appearance and dress and, above all, whether a normal healthy child has a lack of interest in the opposite sex. Clearly, those basic symptoms should be readily observed.

I should like to see such matters raised more publicly. A long campaign is required. The problem will not go away. I disagree somewhat with my hon. Friend the Member for Knowsley, North (Mr. Kilroy-Silk) when he says that the drug problem is superseding that of solvent abuse. The drug problem is increasing in the United Kingdom and it is causing the Minister much concern. I congratulate the Minister on his visit to America. He used valuable time during his Easter recess, and he did so wisely, obtaining good, responsible publicity thereafter. The BBC helped the Minister to highlight the problem that could arise in Britain, and the House should commend the Minister and his advisers for that initiative.

I concur with the views of the hon. Member for Tynemouth on Newcastle university's academic staff. They have played a prominent part and have been patient and kind and considerate to me, in particular, when I have asked for information.

This is a sombre subject and I cannot envisage any magical solution to the problem. I hope that the Government will continue to publicise the use and abuse of drugs as they have been doing in recent leaflets. I should also like to see another campaign, perhaps in a region such as the north-east, on the narrow subject of solvent abuse. If we can do that, despite the cost, we may be able to bring the question responsibly to the fore.

I have time to make only a short speech and I hope the Minister and other hon. Members will forgive me if I have to leave shortly, but I shall be back soon. The hon. Member for Tynemouth's Bill will receive my support and the wholehearted support of the people in the northern region. It is as far as we can go, bearing in mind the limit of our knowledge on the subject. Therefore, I hope that the House will give the Bill its Third Reading today and that it will have a successful passage in another place.

10.57 am

Mr. Tony Speller (Devon, North): I speak from a completely different viewpoint from that of every other hon. Member who has spoken so far today. In the first place, let me disclose my financial and personal interests on the Bill. I am a small shopkeeper and a member of several chambers of trade and commerce. I have an honorary role looking after the interests of the National Federation of Retail Newsagents — a host of small shopkeepers. I cannot but support the Bill because its principle is so good, even though it will be almost impossible to implement in practice.

Every hon. Member who has spoken so far has said, "Yes, but". They have all said that the Bill is a good idea, but have asked whether it will work. Some of the quotes that I have jotted down this morning include, "No one knows how many take part in glue sniffing," "the official list is not complete," and "it is a bit hard on the shopkeeper because he may be in court as a result of an incomplete list."

I was amazed to find that my own shops sold many of the substances listed. My business deals with drawing office and art materials. It had never occurred to me that a glue sniffer would come in to one of my shops, but I was told only yesterday that a young man, bearing all the signs of being, as my staff had been advised, a glue sniffer, had come in the previous week to purchase a solvent. It was a well-known proprietary brand of gum which we all use for pasting up our election literature. It must be able to be applied and removed or moved once in place. I suspect that there are many more adhesives than my hon. Friend the Member for Ealing, North (Mr. Greenway) knows about. There are low tack, high tack and many other degrees of stickiness.

The girls in the shop, bright intelligent young ladies, had a quick conflab and agreed not to supply that young man—quite rightly. Unfortunately, it turned out that he was over 18 and the son of a local architect purchasing the glue for a respectable practice. We have lost that customer for ever and the girls have lost their commission. I do not criticise those girls, because they were right to act as they did, and I congratulate them, but that is a perfect example of how an excellently intentioned legal sledgehammer may miss the nut at which it is aimed.

How long will we go on persecuting the small shopkeeper simply because hon. Members feel that what the House is doing may improve things? I do not deny that the Bill should make matters marginally better, but by only a jolly small margin.

Another comment was that there is no magical solution. Of course there is not. The retail trade welcomes and supports the guidelines and principles of the Bill, but we already have voluntary guidelines, which my hon. Friend the Under-Secretary of State for Health and Social Security said some months ago in the House were working reasonably well. I do not doubt that the principle is good, but I doubt the practice. I suspect that the measure may fill the courts with small shopkeepers, but I doubt whether it will stop many round-the-corner glue sniffers.

[Mr. Tony Speller]

I entirely agree with the hon. Member for Knowsley, North (Mr. Kilroy-Silk) that appearance does not matter a pennyworth in terms of what people will do with solvents. There are so many solvents that it cannot be fair to put this legislation on the statute book, although my hon. Friend the Minister has inserted a clause which provides for vendors who have acted reasonably and responsibly.

A corner newsagent is busy in the early hours of the morning and evening sending out newspapers. The staff will be good people and, probably, part of the family or part-timers. How can they be expected to tell that a person is under 18? Can any hon. Member genuinely tell the age of a boy or girl? A 14-year-old who was 6ft 2in came to see me recently. I knew that, but no shopkeeper could possibly have known that. I suspect that when cases do come to court, the person alleged to have bought the solvent on behalf of the defendant will turn out not to be the buyer, because glue sniffing has almost become a party sport. That sounds horrible, but sniffing tends to be done in groups. The lad or girl who is sent to buy will look 18.

The shopkeeper must first judge a buyer's age, but that person may be buying balsa wood cement for an aircraft kit. Which 10-year-old has not done that, let alone a 17-year-old? The shopkeeper has not made the product that he sells, but has bought it in good faith from the manufacturer. He is no chemist. He may be an expert in art, newsagency or pharmaceutical matters, but these substances are now available in almost every chemist's shop, now that chemists' shops are retail shops, as are garages these days.

We are drawing a net with extremely large holes. I suspect that we shall catch some rather small fish, which will probably not be worth the cost of the net in the first place. That may be an extreme view. Although no hon. Member will vote against the Bill, the measure relies on the shopkeeper to make a judgment which is both onerous and unrealistic, especially regarding age.

Many young people look older than they are, yet the seller must decide on their age. How many retailers of cigarettes, for example, are prosecuted for selling to an under-age buyer? The same applies to obscene publications. It is hard on the shopkeeper if he must make a snap judgment and someone else may be judge and jury in his case at court.

The variety of solvents is legion. I had to write their names down because they mean nothing to me. They include toluene, hexane, acetone, amyl, acetate and benzine. Many of those items are for the home. Ladies need butane refills for the things that they use to curl their hair, and they use hair lacquer sprays. Can we expect a retailer to divine whether a normal-looking person — 99.99 per cent. of the time the person will look perfectly ordinary and normal — is under a certain age and that having obtained a butane refill for mother's curling tongs will give it not to mother but to someone else?

We must not forget that most small shopkeepers rely on repeat trade. There are two sides to that. If a genuine customer, or his son or daughter, is refused service, he will not return to the shop. That is fair enough, but not from the shopkeeper's point of view. The ordinary small shopkeeper is probably the most respectable person in society. I say that in full knowledge of the fact that there are only five shopkeepers in Parliament and many more attorneys, accountants, schoolteachers and other folk. A small shopkeeper who finds himself in court will suffer from being taken to court. However, that is nothing to his further suffering, even if he is found innocent, as he almost certainly will be, because the burden of proof under the Bill is hard on the prosecution. He will feel the social stigma of being taken to court. If it is a small newsagent, who will mind the shop while he is in court? Will the person who minds the shop be as vigilant as the shopkeeper in watching to whom he sells the goods? If a shopkeeper misjudges the circumstances, he could literally find himself in gaol, not for criminal intent, but for a misjudgment. That is inequitable.

On Second Reading the Minister congratulated my hon. Friend the Member for Tynemouth (Mr. Trotter), as I do, on the narrowness of the Bill, in that it is intended to get at the pusher. The more that I have considered the Bill since volunteering to serve on the Committee on the Bill and following its passage, the less sure I am that we shall catch pushers. Indeed, what would we do with an under-18-year-old pusher if we caught one? Will the result be as sad as that of the case mentioned by my hon. Friend the Member for Ealing, North, in which the user merely got the supply from elsewhere? Supplies are readily available. The only answer is for the substance on the market not to be a substance that can be used. That will involve research and patents. Moreover, glues and solvents are cheap and necessary in every sector of our life. I do not see that solution arriving in the short term.

When the Second Reading of the Bill was announced, the headline of the *Evening Chronicle* in the north-east, which is not a paper I normally read, stated:

"Police set to Pounce on Evil Dealers — M.P. Tells Commons."

Even bigger headlines referred to "Corner-shop Killers". One may say that that is over the top. The Minister may say that the Bill is loose and narrow and not intended to catch the good shopkeeper, but I wonder whether that will be the case. Following that heady headline, the editorial referred to corner shop owners who sold glue-sniffing kits to children as being evil. The editorial states that my hon. Friend the Member for Tynemouth stunned Parliament —I suspect that the House was as crowded as it is today —with a catalogue of horrors.

The *Daily Express* questioned whether the proposed punishment was tough enough. The press are selective in pursuing a campaign for a perfectly good principle. None of us could deny that. However, we cannot let our national newspapers see in every corner shop a wicked man intent on making a fortune from selling a small tube of glue, probably at the recommended retail price or 2p off. Thank heaven there is no incentive for corner shop retailers to sell these products to a person who will misuse them. Moreover, the product is generally sold industrially in vast quantities; indeed, hon. Members have referred to tons of glue.

One of the problems is the fact that there are so many types of glue. I have about 18 different types of adhesive in my business, which are used for everything from modelling, to mending bits and pieces, to mounting paper. When people think of glue, they forget that fact. We know that it is extended to hair sprays and butane refills. Who knows to what else it will be extended? I suspect that every office in this building has something which could be sniffed. I understand that even matches can be used in some circumstances.

Without wishing to labour the point or detain the House, I need an assurance from the Minister that the intent of the legislation is to bring down the weight of the law only on those who would make it their business to push intoxicating substances on people under the age of 18, and that it is not intended, and may not become, a charter to victimise small shopkeepers. I know that that is the intention of the House, but we are a long way from, for example, the shopkeeper who has got up the nose of the local environmental health inspector or one from the local trading standards office. It is not difficult to make a case with such blanket legislation.

The Bill has caused great anxiety among small shopkeepers. We shopkeepers feel somewhat naked. We are aware of all the Acts and restrictions, and we try to obey them. I do not suppose that any small shopkeeper, who stands to lose his business only too easily in these days of harsh competition, wishes to promote drug pushing or the awful abuse about which we have heard. I must tell my hon. Friend the Minister and my hon. Friend the Member for Tynemouth that, although I accept the excellent principle of the Bill, I believe that in practice more shopkeepers than pushers will end up in court.

11.10 am

The Parliamentary Under-Secretay of State for the Home Department (Mr. David Mellor): Three months ago, during the Second Reading debate, the Bill was unanimously and rightly supported by the House. The Bill had a short and highly sucessful Committee stage, and has now returned to the Floor of the House. As I suppose is inevitable, several points have been raised now which show less than fullhearted support for the Bill. My hon. Friend the Member for Devon, North (Mr. Speller) spoke with his usual eloquence and sincerity, and the hon. Member for Knowsley, North (Mr. Kilroy-Silk) also raised one or two points of detail. The hon. Gentleman said in Committee:

"The fact that no one wants to table amendments to it and that no organisation outside the House with a knowledge of, interest in or experience of the Bill whom I have approached over the last weeks has any caveats or qualifications to make about the Bill is again a tribute to the sense of the hon. Member for Tynemouth."

Since then the hon. Gentleman has found a few caveats, and I shall be happy to reply to them on the basis that they were sensibly advanced and not intended as an exercise in nit-picking.

My hon. Friend the Member for Tynemouth (Mr. Trotter) took an interest in glue sniffing for many months before he was fortunate enough to secure first place in the ballot for private Member's Bills. This enabled him to make this most useful change in the law, and I congratulate him on the skill and moderation with which he has piloted the Bill through the House, and wish it every success in the other place. The care with which my hon. Friend monitors the problem in the north was apparent from the examples that he gave today. I also wish to associate with that observation the speech of the hon. Member for Wallsend (Mr. Garrett), who is the epitome of gentlemanliness and courtesy in the House. I thank him especially for what he said about my efforts to ensure that there is responsible information and comment on these profoundly difficult related social problems of glue sniffing and drug abuse.

Several hon. Members have said that glue sniffing has left the headlines in recent months, but there is no evidence to suggest that glue sniffing is less of a problem now than when it featured largely in the headlines. Although the focus of attention has inevitably shifted towards other drugs, my right hon. Friend the Secretary of State for Social Services, my hon. Friend the Under-Secretary of State for Social Services who is responsible for the matter, and myself—I am responsible for the law and order aspects—remain especially troubled by glue sniffing and most anxious that the efforts being made by communities to resist glue sniffing should continue. The effort must not be left to the Government alone.

It was most timely, although a tragic occurrence which one would wish had not happened, that my hon. Friend the Member for Tynemouth was able to tell the House of a coroner's inquest at Leeds this week. Tragically, two brothers aged under 16, in unrelated incidents, probably died from solvent abuse. It certainly appears that both of them were solvent abusers. The problem has not gone away.

On Second Reading I gave the House some details of the number of deaths that can be attributed to solvent abuse. I mentioned the steep increase in recent years, from 29 deaths in 1980, to 45 in 1981, 60 in 1982 and 80 in 1983. I said then that, on the figures available for 1984, it appeared that there might be a reduction, which would be welcome, but I said that all the statistics had not been analysed. It now appears that the figures for 1984 will be broadly similar to those for 1983. That has two lessons for us. First, we might draw some hope from the fact that deaths did not increase in 1984 as they did in the years leading up to 1983. Secondly, it might suggest that glue sniffing is reaching its peak, although one would not wish to draw too many conclusions from one year's statistics.

The fact that nearly 80 youngsters may have died in 1984 from the effects of glue sniffing is not a matter about which any of us can be complacent. It is 80 youngsters too many, and it strengthens the point that I made earlier, which was echoed by many hon. Members, that we must not let the problem of glue sniffing slip out of our minds.

No one makes large claims for the Bill. The hon. Member for Knowsley, North recognises the narrow compass of the Bill, and said in Committee:

"What it does is simply to plug a loophole that none of us realised existed, because none of us thought that there were such evil people around who would deliberately and premeditatively supply so-called glue-sniffing kits to vulnerable young people." —[*Official Report, Standing Committee C;* 30 January 1985, c. 4.]

It is highly relevant to the speech made by my hon. Friend the Member for Devon, North that he should be aware of the dilemma caused to my hon. Friends the Members for Tynemouth and for Ealing, North (Mr. Greenway), who have taken such a consistent interest in the matter, and indeed to the Government, when the Scottish shopkeepers' case was decided at the end of 1983. Two Glasgow shopkeepers had cynically set out to corrupt children by selling them so-called glue-sniffing kits—glue and paper bags to put over their noses while they were sniffing—in return for receiving stolen goods from those children. They had plainly set out to run a Scottish version of Fagin's den, using glue as the bait with which to attract children. They had stored large quantities of glue in the basement of their shop for that purpose.

Rightly, it was made apparent in the Scottish courts that such activities were not acceptable and were a breach of the criminal law, and those men were sentenced to long periods of imprisonment. Then came the problem. As

[Mr. David Mellor]

custodian of the criminal law of England and Wales, the Home Office was obliged to consider the matter, and it discovered that there was no equivalent provision to the Scottish common law which would have permitted those two shopkeepers to be brought before the English courts had they committed the offence in Tynemouth, Bideford, Knowsley, Putney or Ealing. If it had been discovered some months later that an unscrupulous shopkeeper in Ealing, Putney or Tynemouth thought that this seemed a good way of making money, and knew that he could not be prosecuted, the Government and the House would have been condemned by the public for having allowed the loophole to remain open.

Mr. Kilroy-Silk: Although I agree with the hon. Gentleman, will he remind me about one matter, because I have forgotten? I believe that there was a case in England involving a former policeman. He was convicted of selling glue-sniffing kits to young people. Under what law was he prosecuted and convicted?

Mr. Mellor: We have very few documented cases in England, and they did not result in any penalties being imposed. I believe that the individual referred to by the hon. Gentleman was brought before the court on matters which did not allow the court to impose any substantive penalty. The attraction of my hon. Friend's Bill is that it allows the imposition of a large fine and six months' imprisonment. Whether or not the hon. Member for Knowsley, North is right when he suggests that similar cases have come before the courts in England, our clear advice is that there is no crime known in the English criminal calendar which precisely fits the terms under which the Scottish shopkeepers were prosecuted and sent to prison for a significant period. Obviously, I cannot be expected to know of every case settled in the English criminal courts. It would be of considerable assistance if the hon. Member for Knowsley, North would write to me about the case that he has in mind.

In passing my hon. Friend's Bill, the House is doing the very minimum that could have been expected in the wake of the Scottish case. Not to have acted would have exposed us to real criticism, but now we come to the matters raised by my hon. Friend the Member for Devon, North. Once we start to impose criminal sanctions on what hitherto has not been criminal, that cannot always be all gain. Whether an offence has been committed is never at the margins the easiest issue to unravel. I can well understand the apprehensions of shopkeepers, especially in the light of some over-coloured and rather tendentious press comments about the implications of the Bill.

The question put to me by my hon. Friend the Member for Devon, North can be answered in the terms that he wants to hear. This is a long-stop Bill designed to deal with those who knowingly or recklessly become involved in behaviour akin to that of the Scottish shopkeepers. It cannot be used to penalise shopkeepers who make an honest mistake and in good faith sell a substance which is capable of being used to cause intoxication to a youngster who, unbeknown to the shopkeeper, subsequently abuses it. I have to say in categorical terms that no shopkeeper who acts in good faith is placed in any jeopardy as a result of the Bill.

Mr. Greenway: This is very important. Will the Home Office issue guidelines about possible symptoms in the regular glue sniffer which might help shopkeepers? They need some sort of guidance.

Mr. Mellor: I agree, and I am happy to tell my hon. Friend that that has been done already.

Mr. Greenway: Can it be done again?

Mr. Mellor: I do not know whether it needs to be redone. The information is available. What is important is that shopkeepers who require guidance should know that that guidance is available and should set out to obtain it. I am sure that the various organisations represented by my hon. Friend will play their part in disseminating this information.

As the hon. Member for Knowsley, North knows, we have been pursuing a range of policies to try to ensure that the dangers of glue sniffing are brought to the attention of parents and children by the provision of a leaflet which can be made available. I can tell the hon. Member for Wallsend that about 500,000 copies of the Health Education Council leaflet have been produced. I shall arrange for some to be sent to the hon. Gentleman. Because we attach importance to local counselling and local efforts, one panel of the leaflet has been left blank so that it can be overprinted by local organisations to give details of local counselling groups or individuals who may be contacted. We are extremely gratified to know that 500,000 copies have been distributed, because that is a major achievement.

A video has been produced by the Central Office of Information. It is entitled "Illusions" and is devoted to glue sniffing. In fact, it has won a prize. It is available to be borrowed and it has been borrowed on about 2,000 occasions for the use mainly of professional people, teachers, youth workers, parents and the like who wish to become acquainted with the problem. A number have also been sold. Again, if anyone wishes to make use of that film, it is available. It is regarded as one of the best information films available, and that is why it won the prize that it did. Its success has encouraged us to ask the same people to produce a similar film to help people who are trying to combat the wider implications of drug abuse in their communities.

Mr. Garrett: I have seen the film to which the hon. Gentleman referred, and it is of exceptionally good quality. However, it underplays a very important source of these solvents, which is from industry. There is a lot of petty pilfering of solvents that are used in industry, especially in heavy industry, and it is very difficult to apprehend the pushers. More publicity in this direction would be extremely useful, not necessarily to shopkeepers, but to employers, trade unions and anyone caught taking the stuff away and passing it on to young people.

Mr. Mellor: That is very helpful.

I can tell my hon. Friend the Member for Devon, North that the Government are well aware of how easy it is to rush into action which proves in the longer term to have been misguided. That is why we took so much trouble, when trying to work out the appropriate steps to be taken, to consult interested organisations. In January 1983 we issued two circulars. The first one was to retailing organisations asking for their assistance in devising a set of guidelines to shopkeepers to help them restrict the sale

of solvents to people who should not have them and giving advice on where these products could be located and the range of products that could be abused. The second circular was sent to a wide range of community groups, magistrates' associations and groups involved in the criminal justice system generally to inquire what intervention from the criminal law would be helpful.

I deal with the latter point first because it has turned out to be the least controversial. The almost unanimous opinion of the several dozen groups contacted on the criminal law point was that it would be wrong to make the sale of solvents to anyone under 16 a criminal offence. It would have caused tremendous problems to retailers, and we have never contemplated doing that. We were also advised that glue sniffing should not be made a criminal offence. We want to help children who sniff glue, not punish them. We do not want to drive the problem further under ground by making it a criminal offence, which might even add to its attractions for some youngsters.

The only intervention in the criminal law that we have been minded to make is the limited intervention which, with his customary good sense, my hon. Friend the Member for Tynemouth has proposed. Rightly, my hon. Friend is making a virtue of the fact that this is such a limited intervention.

My hon. Friend the Member for Devon, North asked for guidance to be given to shopkeepers. That guidance has now been issued. However, guidance is never a once-and-for-all process. If further points should be included and supplementary guidance is required, those are matters about which my hon. Friend the Under-Secretary of State for Social Services will want to hear.

I think that the guidance is common sense on this crucial point of how a shop assistant doing his or her best for the business and for the community might identify a potential glue sniffer. I shall read out five or six paragraphs from the guidance to show what common sense it is, because the warning to shopkeepers is cast in these terms:

"Watch out for any or all of the following: groups of teenagers standing around counters or areas where glue or other solvent-based products are normally displayed.

Frequent purchase of solvent-based products and aerosols by the same individuals.

Traces or smell of glue or solvents on the customer's clothes or breath.

A drowsy, vacant or glazed expression in the eyes.

Unsteadiness, slurred speech or other signs similar to drunkenness.

Red eyes, heightened colour and reddening spots around the mouth and nose.

Uncontrolled or excessive giggling and rowdy silly behaviour."

On Second Reading I said that perhaps too many shop assistants should not come into Prime Minister's Question Time on that basis.

"Purchase of plastic bags at the same time as glue or other solvent-based products.

Obvious absence by a child from school."

Those are common-sense points. One is not asking the impossible of shopkeepers, although one recognises the difficulties of their job.

I believe, and I am sure that my hon. Friend the Member for Devon, North will accept, that it would be wrong, faced with the problem of glue sniffing, which has brought misery to thousands of families and caused the death of perhaps as many as 80 youngsters in the past three months, and 80 in the previous 12 months, to suggest that shopkeepers should be under no obligation to the community to do their best to restrict sales where it is plain that abuse will or may take place. Most socially conscious shopkeepers would not want to be completely free of any moral obligation.

We are trying to keep the criminal law from the outer edges of extreme and unpleasant behaviour, but to put out common-sense, practical guidelines which have been negotiated and hammered out with the retailing organisations so that any prudent shopkeeper can train his staff or himself. The organisations which represent shopkeepers will make them aware of that. That enhances the reputation of the shopkeeper as a socially responsible person.

I am sure that we are not asking shopkeepers to do difficult things. Equally, it would be wrong for us not to recognise that there are youngsters who are plainly sniffing glue. If we could make it more difficult for them to get the substance, even if we will not prevent the problem, we shall be taking a step in the right direction.

I should like my hon. Friend the Member for Devon, North to reflect upon what I am saying. I know that my hon. Friend the Under-Secretary of State for Health and Social Security will be more than willing to hear from him if he feels, in the light of what I have said, that there is more that we could or should do to assist the responsible shopkeeper to run his business responsibly.

We, as Members of Parliament, know only too well that the world is full of some thoroughly unreasonable people. Many of them write letters to us in red, black and blue ink, heavily underlined and so on, but no one——

Mr. Kilroy-Silk: They buy the ink from your hon. Friend's shop.

Mr. Mellor: Yes—ink which they no doubt buy from the shop of my hon. Friend the Member for Devon, North.

If a shopkeeper or his assistant is genuinely troubled about a young man purchasing a potentially abusable substance and refuses to sell the item, I should have thought that it was outrageous for his parents to hold that against the shopkeeper. I spend much of my time in the Home Office trying to find ways to persuade people to behave sensibly and understandably in relation to a wide range of matters which go on in the community and in which they could intervene and help. It is sad to me and to all of us that many people hear noises of assaults or criminal acts and do nothing about them. If someone telephones the police and makes an honest mistake about a criminal action, it would be awful if the neighbour involved said, "I was just kicking the cat. You obviously thought that I was being murdered and rang the police." That is a thoroughly objectionable approach. It is equally objectionable——

Mr. Greenway: He must not kick cats.

Mr. Mellor: Of course, I am against kicking cats, but we have a number of cases where people have become aggrieved over what they regard as interference by neighbours who are merely doing their best. If people are to take a responsible attitude towards crime, they must report suspicions to the police. If those suspicions turn out to be wrong, people must understand that that is the only way that people can show good neighbourliness in their communities. The same is true here. If a shopkeeper, acting in good faith, restricts the sale to a youngster, for the parent not to recognise the pressure on the shopkeeper

[Mr. Mellor]

and to hold it against him would seem to be thoroughly irresponsible and unreasonable. I hope that shopkeepers will recognise that even if they lose one customer they will gain much more respect in the community by being ready and willing to stand up in that way.

Mr. Greenway: I know that my hon. Friend is a cat lover. On the point of the guidelines, which are so important, he will know that not all shopkeepers are as assiduous as our hon. Friend the Member for Devon, North (Mr. Speller). Will the onus be upon them to obtain the guidelines, or will they be sent to them?

Mr. Mellor: The guidelines have already been distributed. I hope that most shopkeepers have them, but it is impossible to send the guidelines, unasked for, to every shop. One of the arrangements entered into with the retailing organisations was that they would participate in the distribution. If my hon. Friend knows of shops which do not have them, part of the common-sense role, which I am aware he plays in his community as a Member of Parliament, is to see that they are available. No doubt Members, as a result of the debate, can put in their local papers the fact that guidelines are available and advise shopkeepers to write for them.

Most of the guidelines are simple, common-sense and straightforward things about which most sensible folk following the glue-sniffing problem will know. The guidelines are merely an attempt to assist those who wish to structure their staff training. We see that as a crucial part of our effort.

The hon. Member for Knowsley, North can never resist a degree of partisanship and, of course, today was no exception. Having made, on the whole, a sensible speech, he sought to blame the Government for glue sniffing by saying that we had created the conditions within which glue sniffing could flourish. That suggestion is wide of the mark. Glue sniffing began in the United States in the 1950s. It came to Scotland in the early 1970s. It has been in England and Wales since the middle and late 1970s. The fact that it has grown in intensity causes us all anxiety, but to reduce the argument to one of narrow partisanship is not helpful and falls below the standards to which I am sure he normally aspires.

The hon. Gentleman's argument was unfair in relation to his area of Merseyside because in so far as the social conditions in Merseyside facilitate glue sniffing by youngsters, I do not know that it is just this Government who need to examine their conscience. What about those who locally have considerable influence over the attractiveness of the region to employment and who have controlled, without exception, local government at metropolitan county and borough level for 20 years or more? Are they to be free of the taint of having assisted glue sniffing to flourish if, as the hon. Gentleman asserts, it is the result of economic decline? I think not. I should have thought that that was the kind of boomerang argument which strikes the hon. Gentleman as firmly on his forehead as it does me on mine.

This has been a helpful debate. I am grateful to those who have sought reassurance, especially my hon. Friend the Member for Devon, North. It is crucial that there should be no misunderstanding about the Bill. It is an important Bill, even though it is limited. It is not intended to make the problems suffered by small shopkeepers any worse. No responsible shopkeeper has anything to fear from the Bill. Those who do are those who, for their own financial reward, trade cynically on the weakness of children. I hope that my hon. Friend the Member for Devon, North will carry back that message to the small shopkeepers whom he represents.

11.38 am

Mr. Trotter: With the leave of the House, I shall deal briefly with some of the points that have been raised.

I do not accept that drugs have taken over from glue sniffing as a problem. They are an additional problem. The glue sniffing problem will be with us for some time. To deal with it we must have a continuing campaign by Government, local authorities, industry and, as the hon. Member for Wallsend (Mr. Garrett) said, the media. The hon. Gentleman referred to the efforts of the police on Tyneside, and I wholly support what he said. They are playing a very constructive role in the front line of the campaign because they come across the incidents day by day as they occur on the streets.

There has been reference to the problem of supplies of glue from industry. Glue is used not only in mechanical industries but also in the building industry, and much of it is stolen and used by glue sniffers. I draw the attention of builders to the need to keep under safe control the large stocks of glue that they use in woodworking, in particular.

I should like particularly to dispel the worry of my hon. Friend the Member for Devon, North (Mr. Speller) that the ordinary shopkeeper will be at risk as a result of the Bill. It is perfectly understandable that such a view should be put forward. I would not have wished to introduce a Bill which would penalise in any way the ordinary shopkeeper, whether on a corner site or anywhere else. I do not believe that any honest mistake made in good faith will lead to a prosecution.

I have found the attitude of my local Northumbria police very sensible. I suggest that chambers of trade or commerce in every part of the country, if they are still worried after what the Minister and I have said on the subject, should talk to their local police forces. I do not believe that they will find any intention by the police to harass or attack the ordinary honest shopkeeper.

If it had not been for the prosecutions that were brought in Scotland, many of us would have thought it beyond belief that there were people who deliberately set out to make profits from selling glue to young people to be sniffed on a large scale. However, there are such people. People are in gaol in Scotland for having done it. I have no doubt that there is a small number of such people in other parts of Britain.

I referred earlier to the information given to me on Tyneside that it has been possible to be supplied with fish and chips and glue or hot dogs and glue. That is not the practice of an honourable trader. It is a disgraceful activity, and I do not believe for a moment that the people that my hon. Friend the Member for Devon, North represents could be included in that category.

Mr. Kilroy-Silk: If the hon. Member has been given information that retailers, carrying out an otherwise lawful business, are supplying children with glue along with hamburgers or fish and chips, what did he do about it? It is a very serious and important allegation. Were those retailers identified? Was the information followed up? If they were identified, what happened?

Mr. Trotter: I was advised of it by the authorities themselves, who are powerless to deal with it for the reasons that have been debated now for three months. There is no law in Britain—apart from the odd case of the policeman to which the hon. Gentleman referred—under which prosecutions can be brought.

Mr. Kilroy-Silk: Surely a great deal could have been done. It would have been possible to publicise the names of the retailers concerned. That kind of publicity, in a decent law-abiding community, would itself be a deterrent. The retailers could have been reported to their own professional trade associations. There are clearly other legal sanctions that could be taken against such people. I believe that someone was found to be supplying glue-sniffing kits and was prosecuted under the procedures dealing with breaches of the peace. I am sure that in those cases, with enough will-power and ingenuity, action could have been taken.

Mr. Trotter: I understand that one of the traders concerned operated from a tricycle. I very much doubt whether he was a member of any trade body.

There are at present no laws to deal with the problem. The whole aim of the Bill is to close this loophole. I anticipate that when the Bill becomes law the police will visit those who are regularly supplying the substances and knowing what they are doing. They will be warned that if they do not desist they will be prosecuted. I believe that that will stop the trade. If, however, they continue with the practice after they have been warned, they will be prosecuted and they will go to gaol, as happened in Scotland.

Those who were prosecuted and gaoled under the Scottish law had been warned at a time when it was thought that the law also did not apply in Scotland. They took no notice of the warning. When told that they were carrying out anti-social, dangerous and wicked behaviour, they said, "We have not broken the law and there is nothing you can do." They continued to trade, but when it was found that under Scottish law an offence had in fact been committed, they were prosecuted and gaoled.

I believe that the police will not abuse the statute. They will warn those who are regularly, recklessly and deliberately supplying poison. If those people do not desist, they will be prosecuted and gaoled. The ordinary corner shopkeeper has nothing to fear from this necessary measure.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Copyright (Computer Software) Amendment Bill

Not amended (in the Standing Committee), considered, reported, without amendment.

Motion made, and Question proposed, That the Bill be now read the Third time.—*[Mr. William Powell.]*

11.46 am

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. John Butcher): May I begin by observing one of the usual courtesies of this House and explain to my hon. Friend the Member for Corby (Mr. Powell) that I have a pressing engagement in the midlands and therefore will not be present to hear his comments in summing up the debate. However, my hon. Friend the Under-Secretary of State for the Home Department will occupy the Front Bench and will take note of any new ideas and new issues that may emerge in the debate in order to feed that information back to the Department of Trade and Industry and to the Home Office.

I thought that it might be helpful to place before the House for the first time the results of the first comprehensive survey which has been undertaken by statisticians in the DTI into the size and performance of the computer software industry. On Second Reading, we all recognised the crucial and growing importance of the industry, but I thought it might be helpful to put that information before hon. Members so that we may have a framework against which to judge the economic implications as well as the implications for fair play and for proper protection for authors of software as proceedings are conducted through this House and the Upper Chamber.

The first survey of the computer services industry, including small as well as larger firms, shows a 20 per cent. increase in turnover in 1984, and that provisional estimate suggests that the industry—which is concerned with the development and application of software—increased its turnover from £1,750 million in 1983 to £2,120 million in 1984. The industry consists of approximately 15,000 firms, but 200 larger companies accounted for more than half its total sales. The statistics were collected from the DTI's regular quarterly survey of larger firms in the computer services industry, but during 1984 it was supplemented by a sample survey, including the smaller firms, taken from the Business Statistics Office's register.

It is interesting to note that about 30 per cent. of the firms regarded manufacturing as their primary market, 20 per cent. were mainly concerned with the distributive trades, and 20 per cent. with financial services. Of the remaining 30 per cent., about half saw the public sector as the main market for their services. A further £180 million-worth of software is also produced by companies whose main activity is in another branch of the economy —computer manufacture, computer games or computer-aided design machinery.

The combined output of computer services inside and outside the industry is therefore about £2,300 million. About £1,000 million is attributable to what can be broadly described as systems analysis, software and software maintenance. Data processing and database services represent rather more than a quarter of the total, and the balance includes consultancy, hardware maintenance and training.

[Mr. John Butcher]

I am delighted that that information came forward only this week. This debate has provided an excellent opportunity to place it before the House, not least because there are among hon. Members, including my hon. Friends and the hon. Member for Motherwell, South (Dr. Bray), several enthusiasts who favour the industry as one of the growth points in the British economy.

Needless to say, the Bill has no enemies in the House, to the best of my knowledge. The only enemies it may have are among the pirates themselves who, no doubt, if the Bill is passed, will not be looking forward to the implementation of measures similar to those that have been so effective for video piracy.

Dr. Jeremy Bray (Motherwell, South): Can the Under-Secretary tell us where the detailed results of the survey will be published? Can he assure us that they will be published in full? His Department has an extraordinarily bad record of publishing summary reports—for example, in January after a report on research and development—whereupon there is a two-year lag before the publication of the full report.

Mr. Butcher: I note what the hon. Gentleman has said. Obviously he cannot expect me to agree with the import of what he has said. However, I hope that he will recognise that this information, as a result of an internal survey by Department of Trade and Industry statisticians, has been placed before the House before anyone else has had a chance to see or comment upon it. That is proper, and should be the case. Of course, we are prepared to provide the background to the survey, the headlines of which I have given the House this morning. A copy will be put in the House of Commons Library so that hon. Members can check its validity, the basis on which the statistics were collected, and so on. I am happy to discharge that obligation as a believer, in the case of statistical analysis, in the principles of open government.

Dr. Bray: Will the survey be published in *British Business* in the ordinary way and, if so, when?

Mr. Butcher: I should be surprised if it were not published in *British Business* in the usual way. It is a survey of major importance and significance. I do not think that I am on weak ground in predicting that the survey could figure in *British Business* at the earliest opportunity. However, I hope that the best way of proceeding is to make it available to hon. Members who have an interest in the industry.

I commend my hon. Friend the Member for Corby (Mr. Powell) for introducing a Bill of major importance. It is of major economic importance, and is important to those who hitherto have been penalised for deploying their ingenuity and brain power in this growth industry. I repeat that, to the best of my knowledge, the Bill has no enemies other than among the pirates.

11.52 am

Mr. Nicholas Lyell (Mid-Bedfordshire): I am delighted to congratulate my hon. Friend the Under-Secretary who, I know, must depart, and my hon. Friend the Member for Corby (Mr. Powell) and his supporters on piloting the Bill so successfully towards its Third Reading.

I was interested to hear the up-to-date figures on the size of the computer industry and the fact that the computer software portion is now at or approaching a billion-dollar industry. Copying in breach of copyright—as it will be — of computer software by electronic means is extraordinarily easy and profitable. It has attracted to itself the same type of wide boy and fast buck operator who, in the past, has been attracted to the video nasty and video piracy. The Bill makes it clear beyond doubt that computer software will be covered by the Copyright Act 1956 and provides for adequate criminal provisions so that pirates who indulge in that nefarious activity get their deserts. Their pirated material can be searched, they can be brought before the courts, and adequate punishments will be available.

As my hon. Friend the Minister said, computer software itself, whether for business purposes or computer games, is the result of a great deal of time, trouble, investment and ingenuity by those who take part in this important and fast-growing industry. It is quite wrong that their efforts should be stolen by those who, for example, equipped with a twin-disc drive mini-computer, can run off a copy of a floppy disc on to a blank costing £1 or £1·50 for word processing purposes, which retails at about £300. They can sell it off cheap for £100, £150 or £175 and make a fast buck for themselves. It is equally wrong that some people in legitimate activities in the computer industry should use that pirated software as loss leaders for their hardware. I am sure that the moral effects of the Bill will help to stamp that out. If it continues, they too can be brought to book under the new provisions.

I congratulate once again the Federation Against Software Theft on the careful way in which it has marshalled the evidence that has convinced my colleagues —my hon. Friend the Member for Corby and my right hon. and hon. Friends in the Department of Trade and Industry and the Home Office—and myself that this is another example of where Parliament should act swiftly. It has acted swiftly. I hope that within minutes the Bill will obtain its Third Reading. I wish it a speedy passage in another place and on to the statute book.

11.56 am

Mr. Andrew Hunter (Basingstoke): If I recall correctly, two or three of the four or five of us now present in the Chamber sat through the heat of the debate on Second Reading on 22 February. My further recollection, which the Minister has just borne out, is that there was an all-pervading spirit of unanimity in our dealings that day. As my hon. Friend said, there was unanimous acceptance of the dire problem of software theft. There was a unanimous welcome for the Bill and congratulations, I must confess that I am somewhat tainted by personal envy of the powerful and persuasive way in which my hon. Friend the Member for Corby (Mr. Powell) presented his case. There was unanimous hope that the Bill would enjoy a speedy passage through Parliament. The reality of that hope exceeded my expectations. Delayed by the London traffic, I arrived for the Committee four minutes late to find that the proceedings had been completed.

Just as the Bill meets with widespread approval in the House so, not surprisingly, as we have heard, it meets with widespread and general support in the industry itself. On Second Reading we heard much about how software theft is a serious and immediate problem to the industry. In the intervening weeks, fresh evidence has come my way from the industry in my constituency which underlines the necessity for urgent and speedy action.

In the computer industry throughout the United Kingdom, software theft threatens innovation, jobs and investment. On Second Reading we heard how the phenomenal sum of nearly £150 million was lost by the industry last year—a breathtaking statistic that demands an instant and urgent response. During that debate we heard much about the various forms that the theft takes. To the lay mind, it is hard to distinguish between the terminology of that theft. There is counterfeiting, replication without permission, production of look-alike copies and so on. However, the basic point is that every aspect, area and category of a software business is affected by theft — games and micro-business software and commercial software packages. We were left in no doubt that there is a very serious problem that must be dealt with, and dealt with effectively.

In introducing the Bill, my hon. Friend the Member for Corby set it in the context of the computer software market in western Europe and Britain. He analysed the development of Government and public policy over the past decade or so to show why it is necessary to deal with the problem on its own rather than wait for more general Government legislation. Of equal if not greater significance was my hon. Friend's analysis of some of the difficulties under the present law. He spoke at length of the consequences for the industry of the present state of the law. It is that legal uncertainty that makes the present situation unacceptable and provides the justification for the Bill.

However, we must not delude ourselves that legal action on its own will solve the entire problem. Legal change is perhaps the most essential step, but there is also the whole area of technical deterrents to illicit copying. Perhaps we heard less about that on Second Reading than we should have done. I take up what my hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell) said, partly because it gives me another opportunity to praise the work of the Federation Against Software Theft. FAST has made much of the need for technical deterrents. I quote from one of its publications:

"No technical protection method, of itself, will prevent a determined thief from copying computer programmes and then selling them copyright-unpaid for his own profit. As the law stands there is small risk in this criminal activity. Instead, all the risk is borne by the Author and Publisher, who have made a substantial investment of skill, time and money. Unlike the thief, the Author and Publisher are potential sources of future software for the Consumer . . . FAST will not recommend an industry standard in this field, partly because that would concentrate the attention of would-be 'code-breakers'. However FAST is urging Authors and Publishers to investigate whether a technical protection system could reduce the vulnerability of their products, without causing an unacceptable reduction in user value or unacceptable increase in cost."

An industry that takes self-help seriously is doubly entitled to ask for the normal legal protection accorded to other forms of intellectual property. Technical deterrents clearly have a part to play, but all hon. Members who took part in the Second Reading debate acknowledged the urgent need for clarification and strengthening of the law.

The serious problem of software theft will be reduced significantly by the proposed amendments to the 1956 Act, and the effectiveness of the remedies will be increased. That is why we need the legislation. It is straightforward and not contentious, and I am sure that the House will accept it.

Clause 1 contains the simple assertion:

"The Copyright Act 1956 shall apply in relation to a computer program . . . as it applies in relation to a literary work"

Nothing could be much more direct than that. In one fell swoop the clause removes all doubt, uncertainty and ambiguity. It is what the industry wants. It provides the legal protection that will help to save the industry the £150 million a year that it is currently losing. In essence, clause 1 seeks to protect the software business in the same way as the Copyright (Amendment) Act 1983 sought to protect the video business. There is evidence that the video amendment legislation has provided considerable protection.

Clauses 2 and 3 bring into effect the provision of the 1956 Act for computer software programmes. Under the legislation it will be possible to apply to magistrates for a search warrant. That is a crucial power of law enforcement. It is the same as the power now available to deal with video piracy under the video amendment legislation. That legislation appears to have been immensely successful. It is estimated that two thirds of video piracy has been eliminated. If that statistic can be duplicated in computer software, there will be many smiling faces except among the pirates, and there is every reason to hope that the Bill will have a comparable impact on computer software theft.

Clause 3 provides for the penalties. I understand that at the moment there are no criminal penalties for computer software theft. Under the Bill, the penalties will be the same as those for any other breach of the Copyright Act . . . imprisonment for a maximum of two years and unlimited fines. Those are substantial deterrents. We are moving a long way from the days of the £40 fine under the Trade Descriptions Act 1968. I apologise in his absence to my hon. Friend the Member for Teignbridge (Mr. Nicholls) for referring by implication or innuendo to one of his constituents without giving him prior notice.

I am still as fervent in my support of the Bill as I was on Second Reading. Reduced to the barest essentials, it provides the industry with the legal protection that it wants. It is our job to give the industry that protection. On Second Reading, I made much of the importance of the computer industry to Basingstoke. It is partly because the computer industry features so prominently in my constituency that I wish it to flourish. The Bill will help the industry to flourish, and it has my total support.

12.7 pm

Dr. Jeremy Bray (Motherwell, South): I, too, should like to congratulate the hon. Member for Corby (Mr. Powell) on his introduction and handling of a Bill that seems likely to receive the early agreement of the House. It will make a useful contribution to tackling the problems of copyright and software theft. Simply by doing so, however, it will highlight the remaining software problems.

The hon. Member for Basingstoke (Mr. Hunter) was right to draw attention to the question of technical deterrents, but I would be sceptical about how far that will contribute to the solution of the problem. It is only likely to have an effect at a somewhat low technical level. High-grade protection of systems will be extremely difficult to provide. We shall need to seek a change in practice and organisation within the software field much more akin to the openness of the results of scientific research which is an acceptable and necessary part of technical progress in other areas. We have found that, in the patent system,

[Dr. Jeremy Bray]

much of the problem lies in getting at information, not in locking it up. Thinking that the software solution lies in locking it all up so that it is not accessible is probably the wrong direction.

As for the size and growth of the industry, I think that the Minister was anxious to help by referring to the statistical survey, but he has probably thrown in a great deal of confusion by infringing what seems to me to be the best practice of Ministers when handling the results of statistical surveys. Guidelines were set out by Sir John Boreham, the head of the Government's statistical service, in a recent issue of *Statistical News*. They firmly advise separation of the first announcement of a survey's results, which should be done by officials without any comment from Ministers, any comment by Ministers should be the subject of a separate press release. That separation is intended to prevent Ministers from picking up the plums which suit them politically and because the information is in danger of being misunderstood and misrepresented if not presented properly as a professional statistician would do. The key importance of this particular information is in planning manpower policy in the computer industry, especially manpower for the software industry.

I shall examine the figures that the Minister gave more carefully, but it seems that as he presented them they offered no guide by which it would be possible to judge the adequacy of the plans that the Government have announced for the production of qualified scientists and engineers in software. The supply has been miserably inadequate. So far, the increases in expenditure have been achieved by bleeding Department of Trade and Industry Votes, and others, to support the Department of Education and Science spend on the training of computer staff. I hope that the Minister will write to me and ensure that the full results of the survey are published as soon as possible so that we have better information on which to judge Government policy, especially on the supply of manpower to the software industry.

There will have to be a substantially increased effort by the Government in the development of major software systems and standards which are freely available publicly for common use as the framework in which application areas can develop. The Government rightly turned down the proposal of British Telecom and IBM to develop their own value added network.

Mr. Deputy Speaker (Sir Paul Dean): Order. I am sorry to interrupt the hon. Gentleman, but he is getting wide of the Bill. I have allowed a little latitude because I realise that the Minister wished to make a statement which was relevant to the background to the Bill. I therefore allowed the hon. Gentleman to comment as well. Strictly speaking, however, a Third Reading speech should deal with the contents of the Bill.

Dr. Bray: I apologise, Mr. Deputy Speaker. I was about to make the link with the problem of copyright in common user systems. The problem with the common user systems is to maintain their integrity in a form in which they can be properly described, developed and applied by a wide variety and level of user. Copyright has a part to play in that in maintaining the consistency of the different standards as they are produced. If a standard is offered by different manufacturers in their equipment, a necessary part of ensuring that software will run on different types of equipment is that it operates precisely, to the nearest bit of information, the same system that others use so that common additional software will operate reliably. I am not sure that we shall get from this Government a coherent scheme for the development of software which will provide those wider standards which can be used in value added systems and common user systems of the future.

I hope that the industry will turn its attention to the positive aspects of copyright—means by which unwise conformity to standards can be observed in the rapid spread of computer applications.

I hope that the Bill will not run into any problems in another place and that it will provide a foundation on which the wider problem of intellectual property in computers will be tackled by the Government. I hope, however, that it will not get too lost in the general problems of intellectual property, because computers will deserve continuing attention. It is right to tackle a problem with a private Member's Bill in this case, but I suspect that when the subject next comes up in the House it will have to be dealt with in a Government Bill. I have great pleasure in supporting the Bill on behalf of the Opposition and wish it a speedy passage.

12.16 pm

Mr. William Powell: With the leave of the House, I should like to comment on what has been said. I thank those who have spoken on what has turned out to be an easy passage for the Bill so far. I thank the hon. Member for Motherwell, South (Dr. Bray) for giving the Bill the wholehearted support of the official Opposition and for what he has said in our debates. I listened with interest to and agreed with a great deal of what he said today about the future of the software industry and the developments that must occur.

I should like to thank the hon. Member for Yeovil (Mr. Ashdown), who was kind enough to tell me that he would be unable to attend this morning, for wishing the Bill rapid progress to the statute book. I thank my hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell), who was the first Member to take up the cause of extending copyright law to cover computer software in his ten-minute Bill in July last year, which initiated the parliamentary process which has led to this Third Reading.

I also thank my hon. Friend the Member for Basingstoke (Mr. Hunter), who made a major speech today, as he did on Second Reading, and whose interest in and knowledge of the computer industry and its ramifications is second to none.

I thank my hon. Friend the Minister, whose assistance and co-operation has enabled the Bill to be produced in a widely acceptable form. He, my hon. Friend the Minister for Information Technology and officials in their Department have been of major assistance.

None of this would have been possible without contributions from many quarters in the House and, as has been stressed, from within the industry. There has been unanimous agreement in the industry that such a Bill is necessary to secure its survival and prosperity.

This is, of course, an interim measure because in due course it will have to take its place within the context of the wider revision of copyright law which is now being contemplated and which we analysed on Second Reading. It is also an interim measure because in itself it will not be sufficient to deal with all the many problems facing the industry as it develops.

One of the most important tasks is to educate the public to respect copyright. In an age in which the copying of materials is so easy, it is all the more important to ensure that authorship and the legitimate proceeds of authorship should be respected in computer software as much as in literary authorship and in video, to which the law was extended two years ago.

We had a very full Second Reading debate, which no doubt assisted the Bill's progress in Committee. My hon. Friend the Member for Basingstoke was, alas, all too right when he said that, due to unavoidable circumstances, he was late, but it never occurred to him that just a few moments delay would rule him out of the Committee stage which lasted all of seven seconds.

If the Bill receives a Third Reading today it will go to another place and, all being well, it will become law. But it is only a beginning. No one in the House or in the country should imagine that this is the end of the problem. I hope that the message will go forth from both Houses to pirates here and abroad that their behaviour will not be tolerated any longer. They have done immense damage to the industry and they are causing immense damage to our economy. They are doing immense damage to firms with a future that will be felt throughout the world.

This is a short, private Member's Bill, but it is surely also a major Bill which demands the approbation of the House.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Controlled Drugs (Penalties) Bill

Not amended (in the Standing Committee), considered, reported, without amendment.

12.23 pm

Mr. Keith Raffan (Delyn): I beg to move, That the Bill be now read the Third time.

The Committee Stage of this Bill was not quite so succinct as that of the Bill introduced by my hon. Friend the Member for Corby (Mr. Powell). Second Reading, however, went through on the nod, so this is the only opportunity to debate this important measure on the Floor of the House and it is right that the debate should be as complete as possible. It will also allow us to impress on the country the severity of the problem of drug trafficking and our readiness to tackle it.

This is not a partisan measure. It belongs to that rare breed which commands support from every corner of the House and I am proud to say that the 11 sponsors include representatives of every political grouping and every shade and faction within those groupings in the House. The Conservative climatic season is fully represented, from bone dry to saturated wet, and the hon. Member for Birkenhead (Mr. Field) will forgive me for commenting that on this occasion the Labour party is seen not so much in harmony as in unison, with the Healyite Right and the Bennite Left for once united. I am also grateful for the full support of the Government and I thank my hon. Friend the Under-Secretary of State and his officials for all their help and encouragement, especially in providing drafting facilities.

The Bill is brief but its potential impact, I hope, will be big. Its purpose is simple and straightforward — to increase to life imprisonment the maximum penalty available to the courts in sentencing people convicted of trafficking in class A drugs, principally heroin and cocaine. The Bill is not directed at addicts who pathetically push hard drugs to finance their habit. It is directed at the big boys — the Mafia-style drug dealers and godfathers of drug trafficking who are not addicts themselves but who are out to exploit addicts for financial gain.

The Metropolitan police estimate that 23 per cent. of targeted criminals in their area are now involved in hard drugs. Ten years ago those people would have stuck to armed robbery, but they now find dealing in heroin and cocaine far more lucrative. The Bill is concerned with that category of dealer — with the most serious offences, involving the most harmful drugs.

Why is the Bill needed? Again, the reasons are simple and straightforward. The existing maximum sentence of 14 years imprisonment does not match the seriousness of the crime. Large-scale trafficking in lethal drugs is, in effect, dealing in death. To me, there is absolutely no difference between murder by shotgun in the course of armed robbery and murder by heroin for financial gain. The existing maximum sentence is also insufficient to deter traffickers who may be released after just a few years to enjoy the proceeds of their evil trade. Often a fortune awaits them because seven-figure fortunes can now be made in a relatively short time.

By increasing the maximum penalty to life imprisonment, we hope to achieve two aims — to create a far

[Mr. Keith Raffan]

more effective deterrent, and to ensure that those who persist in trafficking in hard drugs will go to prison for a long time.

Mr. Robert Kilroy-Silk (Knowsley, North): Can the hon. Gentleman now answer the question that both he and the Minister were unable to answer in Committee? How many people convicted of trafficking in class A drugs have actually received 14-year sentences?

Mr. Raffan: If the hon. Gentleman will be patient, I shall be coming to that point later. It is a small number, and we are aware of that. I shall mention Lord Chief Justice Lane's guidelines in the Aramah case and his comment during that case that, sadly, few of the big fish have been caught. However, rather than break up my remarks and lose the thread, I shall deal with that later.

Sentences of life imprisonment, should the Bill be passed on Third Reading and eventually receive Royal Assent, will be buttressed by the decision of my right hon. and learned Friend the Home Secretary severely to restrict parole for drug traffickers sentenced to more than five years. I hope that the sentence will be further reinforced by the effects of legislation in the next Session to deprive drug traffickers of the proceeds of their crimes.

I read with interest of the visit made by my hon. Friend the Under-Secretary of State for the Home Department to the United States, and the comments that he made about it. He spoke of what he had learnt there and the possibility of introducing into British legislation a reversal of the burden of proof, and requiring the suspect to prove the legitimacy of his or her assets rather than those assets having to be shown to be acquired illegitimately by the legal authorities. This will be a contentious matter, but it is important that moves are made so that drug traffickers can be deprived of their assets and the astronomical amounts they are making from this evil trade. I look forward to hearing from my hon. Friend when he believes such legislation can come before the House.

The whole point of deterrence is to reduce the supply of drugs and so slow down the increase in the number of addicts. The measure of the problem can be clearly seen in the notified figures of heroine addicts for 1983. It is not melodramatic to say that we now have a heroin epidemic. In 1983, there were 3,550 notified heroin addicts, and that was 400 per cent. up on the figure for 1979. In 1983 there were 1,400 notified new addicts, which was 50 per cent. up on the figure for 1982. It is widely recognised that notified addicts are just the tip of the iceberg, and the number of regular users is much greater. It is estimated to be between 60,000 and 150,000.

The statistics may measure the problem, but they cannot measure the misery that the problem creates. I hope that the House will bear with me if I read some extracts from *The Listener* of January this year, following an effective programme on BBC 1, to which my hon. Friend the Under-Secretary alluded in Committee. The programme was called "Real Lives—Pushers". In that programme, two pushers were interviewed about the experience and physical effects of heroin addiction, and their feelings about selling heroin. The two pushers were called Chris and John, and when Chris was asked to tell the interviewer about the experience and physical effects, he said:

"When you first start smoking you vomit a lot—anything you eat you just vomit back up again straightaway and, as John said, you lose your appetite anyway. All you seem to need to get you through the day is your heroin. First thing you think of in the morning is your heroin and the last thing you think of at night is your heroin. There are also changes in your personality. I mean, I'd do things for money for heroin that once I would never have dreamt of doing — stealing, shoplifting, burglary, anything, it doesn't matter what it is. You'll even rob your mother and father. Personally, I haven't stooped that low, but most of my friends have. Then there's the lying. Your whole life's a lie. From the time you wake up in the morning until you go to bed you are just telling one lie after another to con people, to get money. Heroin completely changes a person to a totally different person, a bad person."

John, when he was asked about his feelings of guilt about selling the drug, said:

"I always feel guilty. People think you do it by choice. Nobody does it by choice except the dealers who don't smoke it, the ones who are making all the money. I do it because if I didn't do this, I'd be out robbing. I don't want to rob any more because I don't want to go to prison again. But you've got to have it. I've woken up on the morning and I've started crying because from the second you open your eyes it's like someone dropping a ton of bricks on you: 'Where am I going to get the money? I've got to have it, where am I gonna get the money?'"

It is those against whom the Bill is primarily directed.

Heroin addiction knows no barrier of geography, class or age. I came across a recent newspaper headline which read:

"The primary kids who fix at a fiver a time'.

It was sub-titled

"A glut in the supply of heroin has forced the pushers to seek even younger markets".

That headline does not come from some sensational Fleet street tabloid newspaper but from *The Times Educational Supplement* in an article last year on drug addiction among primary schoolchildren.

I shall quote from the article, because it illustrates the sheer misery caused by heroin addiction among very young children.

"Heroin dealers, anxious to dispose of a glut of the drug, began selling to younger and younger teenagers. 'They could see they're an easy market', Carole Woolley, Merseyside Drug Council's full-time advice worker, explained. Ten-year-olds are now offered 'starter packs' of low-grade heroin at £5 a time. 'The technique is usually the same', says Carole Wooley. 'A pusher will give the stuff free to a teenager three or four times running saying that it will make them feel good. When the child has got used to it, suddenly they find that they have got to pay. That is the start of the downhill slope'. As the addiction takes hold, usually over a period of weeks, children find themselves needing more and more of the drug. They may turn to shoplifting, mugging or even teenage prostitution to raise the money."

That is the extent of the problem. One of the main reasons for the dramatic increase in recent years is the change in the method of misusing heroin. There are many, especially children, who draw the line at injecting the drug but who are willing to smoke it, which is called chasing the dragon. They do so in the mistaken belief that it is less likely to lead to dependency.

It is important to impress anecdotal evidence upon the House and, I hope, through the House upon the public. I shall quote the most moving description that I have heard, from Detective Constable Brandon Barrow, of the Merseyside drugs squad of a typical routine heroin raid. It exposes the total degradation of heroin addiction and the disintegration of human lives to which it leads. The detective constable said:

"One case that will live with me for the rest of my life was just a routine raid in a house in search of heroin. I went to an address, together with another detective and a policewoman. I knocked on the front door of the house and I was allowed in by the male occupant. It was approximately 12 noon. I could see

from his demeanour that he was under the influence of some drug. Having gained entry, we found his wife in bed, in a similar state to him. After identifying ourselves to them we started to search the premises, which consisted of two bedrooms, a lounge and a bathroom and toilet. Unfortunately for me, I chose one of the bedrooms which appeared to be not in use. I entered the room and was immediately confronted with a smell that cannot be described. The windows had been sealed with tape, in a feeble effort to stop draughts. On the windowledge lay a number of dead flies all of whom at some time had had to suffer in the stench of the filth. The room was so full of rubbish that it was near-impossible to search. I heard a noise coming from one of the corners. In a cot was a baby. Aged eight months, she was lying on her back attempting to position the teat on a sauce bottle, which contained cold tea, into her mouth. She was wearing what I can only describe as a loin cloth over her lower parts. I reached into the cot to pick her up and saw that her little arms appeared to have no strength in them, making me think that they were broken. There was a large bruise on her face. Her nappy, if that's what you could call it, had obviously not been changed for some considerable time and, not surprisingly, there was a dreadful stench in the room. The excuse given for the bruising to her face was that she was a very active child who thrashed about in her cot. I immediately took the child to a local hospital and she was taken into care. The doctors told me that the reason for the lack of strength in the child was lack of love, having rarely been lifted out of the cot or ever received the cuddles that a baby normally receives."

That description of heroin addiction is far more effective than any statistical evidence in showing the sheer degradation that the appalling drug brings to its victims and how evil the trade in the drug is.

It is true that the seizure of controlled drugs has increased dramatically. In 1973, only 3·3 kilos of heroin were seized. Forty kilos were seized in 1979 and the estimated provisional total seized in 1984 is 294 kilos. The seizure of increasingly large quantities is a great tribute to Customs and to the police. However, it confirms the severity of the problem. Despite record seizures, the street price for heroin is more or less unchanged, and its purity is still high. A plentiful supply is still available. It is impossible to say how much is still entering the country. When we discussed the issue in Committee, my hon. Friend the Under-Secretary of State rightly said that the total was unquantifiable. It is difficult to know what percentage the amount seized is of the total, but the Minister conceded that it can be only a fraction.

Other evidence of the growing problem is the number of offences involving drugs. In the area covered by the north Wales constabulary, which includes my constituency of Delyn, in 1978 there were 292 drug offences, none of them involving heroin, but in the first eight and a half months of 1984 there were 826 drug offences, half of them involving heroin.

This is no longer an inner city problem. It is no longer restricted to the great metropolitan areas or even to the peripheral suburban areas of cities such as Liverpool. I hope that the hon. Member for Birkenhead will not mind me describing his constituency in that way. The constituency of the hon. Member for Knowsley, North (Mr. Kilroy-Silk) is affected as well. Heroin addiction has spread much further into the countryside and the small towns and, indeed, the small villages of north Wales.

The sentencing of drug offenders shows the courts' awareness of the need for firmer action. The proportion of drug offenders sentenced to more than five years imprisonment has doubled since 1978, from 3 per cent. to 6 per cent. In the guideline judgment in the Aramah case Lord Chief Justice Lane made it clear that heavier sentences should be imposed and to an extent that has been followed by the courts. Lord Lane advised that in cases involving the importation of any amount of class A drugs a sentence should seldom be for less than four years. For trafficking and amounts to the value of £100,000 or more the sentence should be seven years or more. For amounts to the value of £1 million or more the sentence should be 12 to 14 years.

For the actual supply of any amount a sentence should seldom be for less than three years for transactions of any amount. The nearer the source the heavier should be the sentence, up to levels similar to those for importers. But Lord Lane added that unhappily all too seldom the big fish among suppliers would be caught and that most prison sentences would be two years or less. I concede that point. That is why I, with my hon. Friend the Member for Bolton, West (Mr. Sackville), who made this point effectively in Committee, believe that it is important that the powers of the police and customs officers should be increased whenever possible. They have considerably strengthened their efforts to combat drug trafficking.

In Committee my hon. Friend the Under-Secretary of State mentioned the increase from 125 to 212 in the number of customs officers dealing with heroin alone and he spoke of a further increase of 160 over the next 12 months. We are also grateful for his assurance that he would not hesitate to recommend further increases if he were satisfied that there were still further difficulties in combating the problem.

Since 1 January 1985 every police force in England and Wales has had its specialist drugs squad. There are now 1,000 officers involved in some way in the investigation of drug offences. The regional crime squads are now spending at least half their time dealing with drug conspiracies.

Two other important innovations have been the now regular annual conference of the Association of Chief Police Officers where experience and information on tackling problems of drug misuse can be exchanged. The association has set up a committee to review arrangements for drug operations. There is also in New Scotland Yard a central drugs intelligence unit, drawing officers from all over the country and disseminating information that is gathered to all the police forces. That unit also has five customs officers.

As my hon. Friend the Member for Bolton, West emphasised in Committee, it is important that liaison between customs officers and police should be improved and increased and that there should be much more co-ordination of their activities. A further valid point that he made was that, as in the United States, the Inland Revenue should be brought more into drug investigations. Often the only signs of criminal involvement are large unaccounted-for assets. The Inland Revenue could help the police greatly in drug investigations.

There has been and must be an increase in the effectiveness of the police and customs officers, and an improvement in the co-ordination of their investigations. All the improvements that have been made so far are essential and welcome. Fear of detection can be as great a deterrent to crime as fear of punishment.

Parliament must ensure that the efforts of the law enforcement agencies are supported and reinforced wherever possible by making available to the courts, as this Bill does, penalties that will act as a genuine and effective deterrent to drug traffickers, and sentences that match the gravity of the crime of those caught and convicted of trafficking.

12.45 pm

Mr. Robert Kilroy-Silk (Knowsley, North): I congratulate the hon. Member for Delyn (Mr. Raffan) on choosing, as the hon. Member for Tynemouth (Mr. Trotter) did, a subject in a narrow area which has all-party support, and on negotiating it successfully through the labyrinth of Parliament to Third Reading, which it will receive today. He was extremely fortunate in that there was no Second Reading debate and only a small and uncontentious Committee stage, and now we have an interesting but clearly abbreviated Third Reading debate. Nevertheless, he is to be congratulated on having had the foresight to choose a subject which would command all-party support. I am puzzled, however, about the categories into which he fitted my hon. Friend the Member for Birkenhead (Mr. Field) and myself when he described the Labour Members who supported him.

The hon. Gentleman addresses the serious problem of drug abuse. All hon. Members have attested to that problem in terms of the increase in the availability of both heroin and cocaine. Both substances are now freely and easily available, certainly in all our major cities, and almost certainly in the major urban areas. Moreover, it is available inexpensively.

As the hon. Gentleman pointed out, the number of addicts has increased considerably. We know the number of those notified as addicts to the Home Office. Since 1979, during the lifetime of the Government, there has been a 400 per cent. increase in the number of heroin addicts notified in that way. None of us knows the number of drug abusers. Official and unofficial estimates vary from 50,000 to 100,000. Certainly all hon. Members are experiencing in their constituencies an increasing number of younger addicts of heroin and cocaine.

Three years ago it would have been extremely unusual for me to come across a young person who was a heroin or cocaine addict or a drug abuser in my constituency. It used to be rare for me to receive letters or representations from parents about the paucity of facilities in my area because their children were not drug abusers. Unfortunately, it is now an everyday occurrence to hear of, to know and to meet drug abusers, and to come across the more distressing feature of their anguished parents seeking help. It has even reached the stage when the *Liverpool Echo* can publish photographs of newborn babies who are addicts suffering from withdrawal symptoms of heroin because their mothers were addicts.

The hon. Member for Dudley, West (Dr. Blackburn) and his wife foster children. In Committee he gave a graphic account of the way in which he and his wife had to deal with the withdrawal symptoms of a baby whom they fostered, whose mother had been a heroin addict. That is a terrifying picture of the state that we have reached.

The problem is exacerbated by the amount of heroin, cocaine and other drugs that come into the country. The fact that seizures have increased dramatically during the past few years is a tribute to the effectiveness of Customs and Exise officers, but it also suggests that they are seizing a larger amount of a bigger overall volume coming through the ports. The fact that 300 kilos of heroin were seized last year suggests that it is only a fraction of the amount that is entering the country. In Committee the Minister said that that was nearly 20 per cent. of the amount coming in, but even if we take that as a reasonable estimate—I do not know on what it is based—we must not forget that a considerable amount of heroin is still entering the country and is freely available.

That is aided and abetted by the reduction in customs staff. I do not wish to make too much of the point, and the Minister will no doubt say that the number of uniformed staff has been reduced but that there are many more officers engaged in intelligence work. I accept the sense and importance of that. Of course it is much more important to have trained professional officers trying to identify sources and couriers, catch them and convict them, than it is to rely only on untrained, uniformed officers at the ports.

However, while acknowledging all that, it is still true that the more a person knows he is likely to be stopped and searched, even on a random basis, the more will he be deterred from bringing in heroin. Of course it will not stop the major pushers and the professional organisations, because enormous amounts of money are involved, but it may stop some of the smaller fry, who are also important in terms of the total volume of drugs entering the country. I regret that the Government have reduced our defences, inadequate as they were in the first place, so dramatically during their period of office. Given our open boundaries and the open nature of our society, we shall never prevent determined, professional, well-organised traffickers from bringing drugs into the country. We should never believe that that is possible, but the Government could have done more than they are now.

It is also true that more small-time pushers as well as addicts are being convicted of drug offences every year, and more of them end up behind bars without the services and facilities that are required. More crimes are also being committed by drug addicts, either as a result of hallucinations or delusions stemming from their addiction, or because they need the wherewithal to purchase drugs. Drug addiction leads not only to the destruction of young and adult lives, to enormous social pressures and family difficulties, but to a great increase in ordinary crime, which affects innocent, law-abiding citizens. There is also a massive increase in the cost to the Health Service, not least in terms of illness and death caused by drug addiction. Several hundred people die each year in the most horrifying and terrible circumstances.

There is a massive and increasing problem of drug abuse. Just as during our debate on the Intoxicating Substances (Supply) Bill, so it is relevant to say here that we need more education of youngsters and their families. Therefore, we need more training of social workers, teachers and other professionals, which in turn means that we need many more facilities and services, be they rehabilitation hostels, detoxification units or drop-in advice centres, than are currently available. It is a disgrace that many areas of Britain, including London, the home counties and the north-west of England, are completely bereft of facilities for drug abusers or their families. It is a disgrace that, under all Governments, we have not taken a greater interest in the deep and serious problems of drug abusers and their families and provided the necessary social, medical and rehabilitative services. As we said in the previous debate, the Government are providing about £10 million, but that is not enough. On other occasions, right hon. and hon. Members on both sides of the House have acknowledged that and made representations to the Government about it.

More importantly, the £10 million comes to an end in two years. Whatever that money is pump-priming now runs the risk of dying when that mony from the Government stops in two years. It is clear that we need not just £10 million as a one-off payment, but a continuing Government commitment to central funding for rehabilitative services for drug abusers.

What we really need to do—and this is what the Bill addresses itself to—is to catch those responsible for bringing the substances into the country and for subverting young people into becoming abusers. We need to catch and punish the traffickers. They are evil men and women who are making huge commercial profits out of the destruction of young lives.

In that context, incidentally, it may be relevant to point out that many of us greatly regret that the Minister is not yet able to announce when legislation will be introduced enabling the courts to take the assets of drug traffickers gained in the trafficking of drugs. It is not a new idea. It was put forward a long time ago with all-party acclamation. It was received with enthusiasm by the Minister and his Home Secretary more than 18 months ago. We are still waiting for the legislation to help deal with that problem.

If and when that legislation comes, presumably it will shift the onus of proof to the alleged drug offender to show that his assets were not obtained during the course of his trafficking in drugs, and I am not sure that that will receive the support of the Opposition. That is a matter to which we shall have to come back on another occasion, but it may be useful to point out now that the Minister should not assume that such a fundamental change in our criminal justice system and in the principle of an individual being innocent until proved guilty will obtain the support of the Opposition.

Mr. Gerald Bermingham (St. Helens, South): Does my hon. Friend agree that we already have the concept of the shift of proof in taxation matters, where the man is put to proof that the money that he has received has come from legitimate and earned income sources? This is not such a fundamental shift in our principles.

Mr. Kilroy-Silk: That may be so, but because a precedent exists in one area, that does not mean that it would be appropriate in another area. However, I do not propose to get involved in an argument about the merits of our fiscal system. We are discussing a Bill dealing with a very specific area. In any event, I have no doubt that we shall have that debate across party lines, and I am sure that there will be many hon. Members on the Government Benches who will take a different view from my hon. Friend the Member for St. Helens, South (Mr. Bermingham). But that is for another occasion, and it looks like being an interesting debate.

When I mentioned, incidentally, an area that seemed to arouse controversy, I was saying that we needed to do a great deal more in terms of prevention and of detecting and catching those responsible for trafficking in drugs. There is no doubt that we need more police working full time on this problem. I know that every police authority now has a full-time drugs squad. However, the number of police officers in each police authority area actually working full time in the drugs squad varies enormously. Given the size of my own county of Merseyside and of its drug problem, there seems to be a relatively small number of officers working full time on drugs inquiries when compared with other areas of the country. Perhaps more guidance should be given by the Home Office to ensure that the priority that the Government and Parliament accord to catching those who traffic in drugs is recognised by our chief constables and acknowledged in terms of the resources that they put at the disposal of their drugs squads. In that context, I should like to see more liaison between police forces and Customs and Excise investigative officers.

The Opposition do not oppose the Bill. We endorse its principle and wish to see it on the statute book as quickly as possible, though I am not convinced that it will make a major impact on the drug scene. First, I do not believe that many of those who come before the courts will receive life instead of 14 years' imprisonment. Many of those who are caught at the moment do not receive 14 years. The hon. Member for Delyn could not tell me, despite my repeated requests, how many drug traffickers had been sentenced to 14 years' imprisonment or less. The Minister could not answer that question in Committee. As he has been put on notice, he will no doubt have the answer, or an adequate reason as to why he does not have one. It is important. I do not suspect that many individuals will come into that category. Not many will receive life imprisonment, because not many receive 14 years at the moment.

Mr. Raffan: The hon. Gentleman's logic is somewhat astray—the intervention of the hon. Member for St. Helens, South (Mr. Bermingham) may have somewhat thrown him—because the fact that few maximum sentences of 14 years' imprisonment are not given at the moment does not mean that that will be the position in the future.

As my hon. Friend the Minister made clear in Committee, he expects that the Lord Chief Justice, should the Bill become law, will produce further guidelines. There is evidence that the guidelines that he produced in the Aramah case have been observed. The hon. Gentleman is being somewhat negative. He should wait and see how effective the Bill will be, rather than dismiss it before there has been a chance to implement it.

Mr. Kilroy-Silk: I am not dismissing it. If I were, I should be opposing it, and I am not. The Bill has gone through largely undebated, let alone opposed. It will go through unopposed today. It is reasonable in that context to make the point that if Parliament is saying that it wants to increase penalties it has to show that the penalties presently available are insufficient and not effective or strong enough. The only way to demonstrate that is to show that many people who should have been given life have not been so sentenced. We cannot show how many people have been given the maximum of 14 years, which is available to the courts at present. We should consider that point.

I accept what the hon. Member for Delyn says, with his convoluted logic. If we make the maximum life, it may act as a greater deterrent to drug traffickers. That is what we are talking about. We are not talking about catching more people or providing extra resources for the police and Customs and Excise. We are not doing any more on the ground. We are saying that when we have caught the drug traffickers, they may get life instead of 14 years. I do not dissent from that for the evil people about whom we are talking.

The only effect of the change of law might be to deter from drug trafficking because of the threat of life

[Mr. Kilroy-Silk]

imprisonment some people who would otherwise have trafficked in drugs because the threat was a mere 14 years. That is not a deterrent, but it is a matter of judgment and I hope that I am proved wrong. If the Bill saves one life, or the destruction of one family, it will have been worth while. I hope that it does more than that, but I do not believe that it will.

1.3 pm

Mr. James Couchman (Gillingham): The hon. Member for Knowlsey, North (Mr. Kilroy-Silk) has called into question the Government's determination to confront the drugs problem. I dissent from what he has said on that point, but only on that point.

I support the Bill wholeheartedly. I am sure that the introduction of draconian penalties for those who indulge in the filthy but lucrative trade of producing and supplying class A drugs will accord with the wishes of the public. I am sure that that will find a great deal of sympathy in the country. I congratulate my hon. Friend the Member for Delyn (Mr. Raffan) on introducing the Bill.

Everyone in the House must agree with the Bill in so far as it seeks to confront the enormous growth in the supply of hard drugs. As a Member of the House and as the parent of two teenage children I am worried about the possibility that my children might be dragged into that foul trade. The habit cannot be acquired or sustained without the production, supply and distribution of drugs. The dramatic increase in the supply in recent years was confirmed by the evidence given to the Home Affairs Committee this year by the customs and excise group of the Society of Civil and Public Servants.

Almost daily we read in the newspapers of dramatic seizures by the customs and excise and by the police. I pay tribute to the vigilance and success of those enforcement agencies—particularly to those dedicated and diligent officers quartered overseas who are pursuing inquiries in the countries of supply. However, I fear that the startling successes of the customs and excise merely highlight the growth of the trade.

Only yesterday customs officers at Heathrow seized 14 kilos of cocaine, valued at £2·5 million. That is thought to be the largest ever single seizure of cocaine intended for supply and sale in Britain. It is interesting that two foreign nationals—Brazilians—were arrested in connection with those offences. I shall say no more about it because it is now sub judice.

The highlighting of the big seizures merely demonstrates the extent of the problem. I understand that there are now major fears on the part of police and customs officers that cocaine abuse in Britain will explode, as it has in the United States. The latest seizure figure for cocaine in the United States, in the most recent year for which figures are available, is 33,000 lb—a growth from under 1,000 lb in a very few years. Last year customs officers in Britain seized 77 lb of cocaine, valued at £7·25 million. Yesterday's seizure tends to demonstrate that the growth in the supply of the drug is explosive.

There seems to be a view that cocaine—which has a following among those who might broadly be called the prominent people of the café society—is in some way more acceptable than the established heroin abuse. There is nothing to choose between them. The appalling growth of heroin abuse merely serves as a pointer to the potential growth of cocaine abuse. An increasing number of addicts are known to the police; there is an increasing amount of seizure.

Another extremely worrying factor is the apparent drop in street prices. That tends to confirm the fears expressed by the hon. Member for Knowsley, North that there is a dramatic increase in the availability of the drugs. Like the hon. Gentleman, I regret that the Bill does not include any measures to allow the seizure and forfeiture of the assets of those convicted of drugs offences. There is now a very sophisticated laundering of the illicit gains of those convicted of supplying and producing drugs, and only by seizing their assets shall we spike the laundering process.

I am also worried about the number of convictions of foreign nationals. There should be automatic deportation of anyone from another country who is convicted of the supply and distribution of class A drugs, and there should be no right of appeal.

Notwithstanding those reservations, I give the Bill my complete support. I am sure that we all worry about the drugs problem. It has no respect for social class, from the café society people that I mentioned to those in the public bars of working class pubs, this pernicious and evil trade is making its impact. I speak with some limited experience in that respect. I congratulate my hon. Friend again on introducing the Bill. I shall have absolutely no qualms about giving it my full support.

1.10 pm

Mr. Frank Field (Birkenhead): Like other hon. Members, I congratulate the hon. Member for Delyn (Mr. Raffan) on bringing forward the Bill. I was pleased that my hon. Friend the Member for Knowsley, North (Mr. Kilroy-Silk) made that point, but he was unfair to go on to say how limited the Bill's impact would be. No one who supports the Bill pretends anything other than that it is one small measure in attempting to deal with a grave problem. When we have had the chance to debate it before, we have pressed the Government on how comprehensive their policy is to try to beat the evil disease that is racking our society. Speeches have concentrated on the need to break up the centres of production, the supply routes and gates into this country, the pushing and the need to help those who are addicted.

However, today we are dealing with one small area, which is the penalty for those who are liable to make most out of the trade. I wish to give the Bill wholehearted support because it is a matter about which many of my constituents feel strongly. It is interesting that in meetings around the constituency, drugs is now the number one issue that people wish to discuss. Constituents are worried about the level of sentencing. They have another worry, on which the hon. Member for Gillingham (Mr. Couchman) touched. If people who make considerable profit out of the trade are given light sentences, they come out of prison to rich pickings. I point out that it is significant that three quarters of the Opposition Members present are from Merseyside constituencies. That shows the importance that we attach to the matter.

I ask the Under-Secretary to give us an idea about his proposals for dealing with the assets of those who have made considerable fortunes out of the drug trade. I should like to draw his attention to the fact that one does not have to be what is typically described as one of the big boys or girls in the trade to make a fortune. Let me illustrate that point. A couple of weeks ago I had a meeting in the north

end of Birkenhead at which the residents' association told me that one of the ordinary pushers had been given a good beating up five times by local people because they were so horrified at the role that that person was playing in pushing drugs in the area. To ordinary people like me, the threat of one beating up from the north end of Birkenhead would bring about a change in my behaviour. To risk not one but five such beatings and still push that trade tells us something about the gains that those people are making.

When I reported back on the Bill in the constituency, there was overwhelming support for it. Equally, however, people have suggested that if we are going to hand out tough sentences, we should also take measures to make sure that those who are little more than merchants of death in that trade do not profit by the horrors that they inflict on others. Therefore, my one contribution to the debate is to ask the Minister to tell us something more about his proposals and the experience that he gained in the United States, which we learnt about in *The Guardian* and *The Times* earlier this week.

1.13 pm

Mr. Gerald Bermingham (St. Helens, South): As a practising lawyer, I have come across the merchants of death in one capacity or another on several occasions. An anecdote was told to me by a friend, who is also a practising lawyer, which illustrates the moneys involved in that dirty and despicable trade. One of his clients received a sentence of five years for supplying a class A drug. The only thing that concerned that man after sentence was how he would safeguard his investments while he was in prison. It is wrong that people should make a vast amount of money—vast amounts of money are involved in the trade—cause other people misery, go to prison, and know that while they are in prison their money is being utilised, earning more and growing in size so that they come out to a fat little nest egg. I take the view—I hope that the Minister will reassure us on the matter—that those who are involved in the drugs trade, make money out of the misery and suffering of others, and are convicted for doing so, should be put to the test of having to explain where their assets come from. I refer, of course, only to those who have been convicted.

I would take issue with anyone who argued that we would be shifting the burden of proof and contravening the natural principles of justice. Do we allow the burglar, after conviction, to retain his stolen property? We do not. It is taken back. The equivalent of the proceeds of a burglary in the case of dealing in class A or class B drugs is the money received. There is no logical distinction between the drug pedlar and the burglar or car thief who has taken property that he should not have taken.

I stress that the Bill is concerned with the drug dealer, not the user, who belongs in a quite different category. We are talking about those who make money out of the sale of class A and class B drugs. If legislation were brought in to take away the proceeds of crime from the dealer after conviction, I would support it. There is no distinction in my mind between the position of a convicted drug dealer and that of a burglar, thief or fraudster who gains the property of others through criminal activity. The dealer gains the property of others—their money—by criminal activity. We should not deny the courts the right to take that money back, by putting the dealer to the test of having to reveal where his assets have come from. I suspect that a vast number of members of the Labour party share my attitude towards the convicted criminal and the proceeds of his crime.

Belatedly, I congratulate the hon. Member for Delyn (Mr. Raffan) on the content of his Bill. I welcome the availability of the life sentence for those convicted of class A drugs offences. For certain dealers a life sentence is the only justifiable punishment. Life sentences are available for manslaughter. They are rarely used but they are part of the armoury of the court. The Bill adds the life sentence to the armoury of the courts in the case of class A drugs. I do not expect that many people will receive a life sentence. Very few cases would merit such a sentence. However, the possibility should be there.

I welcome, too, the increase to 14 years as the maximum sentence in the case of class B drug offences. Recently I read with horror an article in *Police Review* advocating the legalisation of cannabis. Few people in this country would support that attitude. Cannabis is as insidious and as open to manipulation as any other drug. There seems to be an attitude of mind that cannabis is not very harmful. I invite anyone who takes that view to spend a day in Amsterdam to see what happened there when a relaxed attitude was adopted towards the drug trade. It got so completely out of hand that the police were unable to cope, and there was the spin-off effect of people experimenting with quick pleasure and rapidly turning to hard drugs. Amsterdam is now an absolute mess, as anybody who has been there knows.

People who deal in cannabis also make vast fortunes. When we hear of shiploads of £2 million or even £3 million-worth of cannabis being intercepted, we should ask why people are importing the stuff. It is because there is a market for it, and a quick profit is readily available. That profit is not taxed and it is not, at the moment, seized. If a Bill to legalise cannabis were ever introduced, I should resist it all the way, and I am sure that many other hon. Members would, too.

Drugs are addictive, manipulative and damaging, and ultimately they destroy those who use them. Drug dealers are evil and cunning and should be incarcerated for a long time. If I had my way—I hope that the Minister can give us an assurance on this—when they came out of prison they would be bankrupt. There should be no profit in the sale of substances which cause such misery.

1.20 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): I congratulate my hon. Friend the Member for Delyn (Mr. Raffan) on bringing forward the Bill, on securing such widespread support for it, and on the eloquent way in which he proposed its acceptance in Committee and again today. He has done an excellent job.

The problem of drug abuse is a matter of increasing concern and is central to my work at the moment. I have recently returned from the United States, where I learnt a great deal about their problems. It would be instructive for the hon. Member for Knowsley, North (Mr. Kilroy-Silk) to make such a pilgrimage, as I am sure that his understanding of the problem would deepen if he went there.

It has been noted that the Americans are as interested in how we are tackling our drugs problem as we are in knowing how they are tackling theirs. I was told more than once that they are surprised, not that we have a bad

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problem, but at how long it has taken us to get one. America has had a serious problem with drug misuse for several decades, but it has intensified as cocaine has entered parts of the community which previous drug habits did not. The problem in some other western European countries, such as the Netherlands, Italy and West Germany, started before ours and is worse than ours. I say that not out of complacency but to put our problems in perspective.

One of the lessons to be learnt from the United States is that there is no one lever on the wall which can be pulled to resolve the drug abuse problem. The matter must therefore be addressed in many ways. There must be interventions at each link in the long chain that leads, in the case of cocaine, from South America or, with heroin, for the most part from Pakistan, to the user. We have to disrupt the supply in the country of origin, at ports and airports and as it is distributed.

Although the Americans are spending between $1·5 billion and $2 billion at federal level on dealing with drug abuse this year, 20 per cent. was the best estimate that I could get from the Drug Enforcement Agency of the amount of cocaine that it is intercepting. We must all keep trying as hard as we can to disrupt the flow of drugs, but we can never take all drugs away from customers. In a free society there will always be some people who can get around the inevitably limited restrictions on the importation of a product.

Unless one is prepared to erect the barriers of totalitarianism, one cannot check every individual entering the country, intercept every package and search every container. No free society can do that, so we must give increasing attention to taking the customers away from the drugs. That is why we have been anxious to expand facilities for the treatment and rehabilitation of long-term addicts and have made direct funds available for that purpose. *[Interruption.]* I am trying to answer questions put to me by the hon. Member for Knowsley, North. No doubt he put them merely for the record and is not particularly interested in the answers, but it would be a good deal easier for me to make my speech if I could have his attention.

We have sought to give impetus to treatment and rehabilitation in two ways: first, funds are available through the DHSS central funding initiative; secondly, we have sought to apply proper pressure to health authorities to ensure that in carrying out their duty to provide comprehensive health care for their communities a fair proportion of funding is directed to the treatment of drug misuse. The Department is making efforts in that regard. About £700 million in increased cash is being made available to the Health Service this year, of which some £60 million to £70 million is actual growth money, and it is right that a fair proportion of that should go to improve these facilities.

I appreciate the gravity of the problem on Merseyside, where I shall be spending all day Monday. I do not have my programme with me, but I believe that I shall be visiting the constituency of the hon. Member for Birkenhead (Mr. Field). I shall be opening a new facility provided by Merseyside regional health authority, and I know from my friendship with the chairman that that authority is deeply concerned about the situation.

Both we and the Americans are also using prevention campaigns and trying to educate people to recognise the misery of drug abuse. My hon. Friend the Member for Delyn quoted tellingly from the extremely helpful BBC television programme and the article in *The Listener*. Who could read about the misery of that addict's life without feeling that no one should have to go through that, and that even a teenager feeling rebellious and disenchanted with society should not willingly put himself at that kind of risk.

However much Governments may do, as both we and the Americans recognise in the forewords to our statements of strategy—it is Government's duty to set the framework—the drug menace will be turned back only when the energies of the whole community are directed towards eradicating it. That can be done in many ways. There is a need to build better relationships between parents and teenagers so that teenagers can talk candidly to their parents about the pressures to which they are subjected. People should be prepared to co-operate to the maximum extent with the police and the authorities in making it clear that drug pushers will not be tolerated in their communities. There is far more knowledge in the community about what is happening on the drugs scene than is ever revealed to the authorities.

If we are to defeat the pushers, I believe that even the user-pusher, for whom one may have some sneaking sympathy, must go to prison, along with the more cynical pusher who is in it purely for the money. Whether the motive for spreading the habit be cynical greed or the need to feed one's own habit, anyone who is prepared to try to interest others in drug taking deserves to be taken out of the community. That is the only defence mechanism that the community has.

I wished to put our efforts in context because I believe that we are evolving a comprehensive policy. In recent months we have intervened in all those ways, and more is to come. We have expanded the capability of the customs, and we will not hesitate to increase the numbers of customs officers if the threat from heroin and cocaine continues to grow. The value of intelligence and the impetus that is put on knowing what is happening is clearly evidenced by Operation Rattlesnake, which was concluded yesterday, when 14 kilos of cocaine were seized as a result of many months of effort.

There will always be room for the random stopping of people coming through customs, because experienced customs officers, pooling information with drug enforcement authorities in other countries, will be aware of what is going on. I was delighted to learn of the high level of co-operation between the United Kingdom and the United States in these matters. Any experienced officer on duty in the green channel will have an idea of the profile of the potential drug pusher. He will always make a large find by having the experience to say that someone is behaving suspiciously.

However, in the end, if we are to get more of the people organising this, and not just the mules, who are literally two a penny and will run the stuff through an airport for a fee, we shall have to rely on intelligence. There has to be the maximum transparency between police and customs. We have not only to lay down a database from which careful exploration of these conspiracies can be made, but we must have experienced analysts able to analyse what is happening, what that tells us and how that enables us to get down to the heart of the practical job of smashing these conspiracies.

The police role against drugs needs always to be enhanced. The hon. Member for Knowsley, North took a somewhat one-dimensional view of the police role in talking only about drugs squads. Drugs squads have an important role to play at individual force level, including some of the specific work on the distribution network of drugs within the community, but the size of the drugs squad should not be taken as evidence of the commitment of the police force to the eradication of drugs, because that ignores two dimensions.

The first is the extent to which, on the instigation of Her Majesty's Chief Inspector of Constabulary, and the Association of Chief Police Officers, so much attention is being given to educating every policeman, and not just those who are in the drugs squad. This is particularly directed to the officers on the beat so that they are able to intervene helpfully in the drugs problem in their neighbourhood. It is not good enough to say that the drugs squad is the expert part of the force, and that the rest of the force gets on with other work. We all know that drugs are not a problem on their own. People involved in drugs are often involved in crime either because they are criminals or because they become criminals to feed their habit.

Secondly, major criminals who have hitherto earned their living from counterfeiting or robbing banks have moved into major drugs distribution as a way of making even richer pickings. That is why it is crucial for the House to recognise that up to 50 per cent. of the time of regional crime squads is spent investigating major drugs distribution networks. That is the way it should be. Drugs should be treated as a mainstream police activity, because it is certain that mainstream criminals are involved.

If there is to be an answer to the drugs problem, it can come about only by the will of the whole community to resist it, and the ability of people to say no. In the end, that is the key to it. It is the willingness at all levels of society — inexplicable to those of us outside — to become involved in drugs that is so frightening. The hon. Member for St. Helens, South (Mr. Bermingham) will find how desperately frightening it is when he goes to America next week. I wish him and his colleagues on the Home Affairs Select Committee all success on that visit. He will be as horrified as I was to learn of the extent to which cocaine has penetrated not just to the deprived ghetto areas, where one can argue, as the hon. Member for Knowsley, North did, that deprivation causes drug addiction, but to the achievers in society. These are successful people with a high income—the yuppies as I think they are sometimes called. The influence of such people—often bankers and executives, who go to the smart consulting rooms of the leading cocaine specialists whom I saw in New York—on the drug scene is causing the problem.

I was told that one of the leading groups telephoning the cocaine hotline consisted of airline personnel, and that makes one realise how serious is the threat to the community. That crucial personnel, whose spot-on behaviour is vital for the mechanisms of a sophisticated society, are robbed of their energies, abilities and concentration by drugs is one of the most frightening things. It is even more frightening in many ways than the fact that unsuccessful people escape from their misery into drugs, although that is troubling enough.

In erecting barriers against drugs, it is essential to have a framework of law and penalties which enable sentences of imprisonment to be visited on drug dealers which are commensurate with the gravity of the offence and enable a warning to be sent to those who might become involved that the courts will not overlook such behaviour and that it will be visited with severe sentences of imprisonment.

We know, as my hon. Friend the Member for Delyn has told us, that, within the existing range of penalties, the Lord Chief Justice has constructed a careful set of guidelines for the courts, which were promulgated in September 1982. I believe that the guidelines have been highly successful. In 1978, 15 people were sentenced to over seven years' imprisonment for drug offences. In 1979, the figure was 20. It was 16 in 1980 and 31 in 1981, of whom three were sentenced to 14 years. There were 28 in 1982, of whom one was sentenced to 14 years' imprisonment.

In the first year after the Aramah judgment, 61 people were sentenced to more than seven years' imprisonment, of whom two fitted into the Lord Chief Justice's principal category of 12 to 14 years in prison for trafficking in class A drugs to the value of more than £1 million. However, neither of those persons received 14 years' imprisonment. One was sentenced to 13 years and the other to 12.

I do not have the figures for 1984, as they will not be available until the summer. However, I have taken a sample of some of the cases which have been heard this year, and those who believe in stiff penalties for these offences will be encouraged to learn that this very month at the Inner London Crown court three people who were involved in one importation of 12.78 kg of heroin were each sentenced to 14 years' imprisonment. In February, at Maidstone Crown court, three principals in a heroin smuggling syndicate were dealt with following a 6 kg seizure last year. They were sentenced to 12 years, 12 years and 10 years respectively.

As recently as yesterday, an American woman who sought to import cocaine to the value of about £250,000 received eight years' imprisonment and an experienced High Court judge, Mr. Justice Kenneth Jones, made it clear that that was precisely the sort of sentence which those running drugs in from America could expect. On the same day, at Reading Crown court, an Indian involved in heroin smuggling was sentenced to seven years' imprisonment. When a circuit judge said the other day that the courts had declared war on the drug smuggler, there was much evidence — we read it in our newspapers every day — to show that he was right. I warmly congratulate the Lord Chief Justice on giving a lead, as I do the judiciary on so faithfully following it.

We are bound to make value judgments on gravity in the criminal justice system, but it is wrong that individual acts of murder, for example, or some offences not involving murder, should merit life imprisonment if drug trafficking, which involves death and misery on a large scale, does not. As my hon. Friend the Member for Delyn said, that must be the underpinning case for introducing life imprisonment for trafficking in class A drugs.

Within the 14-year tariff, the Lord Chief Justice is compelled to have a wide bracket when dealing with offences involving drugs to the value of £1 million or more. We know from the Rattlesnake operation that amounts that are worth more than £1 million are being intercepted. We know, too, that the tariffs for bank robbery and armed robbery are often higher than those for drug offences. That is because there is no restriction of 14 years for those offences. When the Bill becomes law, as I hope and pray it will speedily, those involved in offences

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in which a large quantity of drugs has been discovered will merit life imprisonment. In many instances a lot of money will be lying around and it will be clear that the Crown will not be able to take possession of it whatever effort is made to do so. Those who are now sentenced to the maximum term will be released within 10 years even without parole. A decade of one's life may seem worth while in the judgment of some if one has millions of pounds, dollars, Swiss francs or another currency stashed away to live on.

The penalty of life imprisonment and the determination of successive Home Secretaries to make that stick, enables the courts to deal for the first time with people who have cleverly salted away assets which, however hard we try, will be difficult to get hold of. It will also allow the tariff all the way down the scale to be lifted up. It is not for me to offer advice to the Lord Chief Justice, but I imagine, knowing of his identification of drugs as one of his principal worries in exercising his criminal jurisdiction, that as soon as the Bill becomes law he will take the opportunity of another case such as that of Aramah to lay down fresh guidelines. I am equally sure that his colleagues will, with equal vigour, ensure that those guidelines stick as well as they have made the Aramah guidelines stick.

This is an area in which it is crucial to make clear the good and bad aspects of the situation. If we are to get on top of the drugs problem, we shall only do so by candour and by recognising the scale of the difficulties that we face. It is clear that sending people to prison is important if they are major dealers, but that it is not the end of the exercise while we do not have the most effective way of confiscating assets.

There might be some misunderstanding about what can be done at the moment. It would be wrong, just because we are focusing on finding a new and more effective way of confiscating assets, to think that ways do not exist to deprive people of the profits of their crime. They do. As recently as the Criminal Justice Act 1972 a mechanism to make serious offenders criminally bankrupt was introduced. That was carefully thought out and went through the House, to a great deal of acclaim. It is regrettable that for one reason or another it is not much use and is regarded as a rather blunt instrument, but it is there and can be used.

The courts also now have the option of imposing unlimited fines. The confiscation of assets does not need to be by way of a confiscation order. If it is known that someone has £1 million stashed away, there is no reason not to fine him that amount and rely on the enforcement procedures. That can be done by the courts today, so it must not be thought that the courts are impotent to deal with assets.

Equally, the Inland Revenue has a role to play. Although it took a long time, it was almost certainly worth while, in the judgment of us all, that some years of pursuit of the principals in the Operation Julie case led, as I understand it, to the Inland Revenue recovering almost £500,000.

All those steps can be taken by the court today. What cannot be done as effectively as we would want is to deal with the fact that the sophisticated international criminal does not have a large deposit account in his name in a high street bank so that anybody on a moment's investigation can find it. He is involved in a sophisticated enterprise and the money may be in a country unaffected by the conspiracy. It may be in assets, passed to other criminals or laundered through a multiplicity of accounts, as the Americans will tell the hon. Member for Knowsley, North when he goes to the United States. We must find more sophisticated ways of tracing assets, and that is what we are directing our attention to.

In the world of fantasy which the hon. Gentleman will occupy at a moment's provocation, he seems to think that all this is easy. It is interesting to note that in goading us to find the answer he was rather short on solutions himself. Having latched on to one possible solution which appeared in the press yesterday as a result of my debriefing on my American trip — that there might be some utility in reversing the burden of proof — the hon. Gentleman, having called for effective measures, was quick to say that if that were introduced it might be too effective for the liking of the Opposition. Happily, there are independent spirits on the Back Benches in the shape of the hon. Member for St. Helens, South and others who, I dare say, will give that a fair wind.

The business of tracing assets requires a number of things. It requires the ability to find mechanisms to go through and uncover a complicated system of dealing in which the successful Mr. Big will have become involved, and a high level of co-operation between various countries. That is why we are working so hard with the Americans and through the Pompidou group — the Council of Ministers' group on the misuse of drugs, which we now chair — to find mechanisms to ensure that our orders are given effect in other jurisdictions.

Above all, there may need to be changes in banking arrangements so that there is transparency in appropriate cases. The Inland Revenue may need to be more greatly involved in the police work to uncover drug conspiracies. Those are major points. I know that when the hon. Member for Knowsley, North tries hard he is capable of being fair. He will recognise that these matters cannot be carried out at the drop of a hat. They merit careful thought. The worst step that we could take would be to rush into arrangements which we think will be successful, but which are only half thought out.

I am determined that we shall make progress on this matter. I do not regard my hon. Friend's Bill as the last word on the matter, but it is a crucial contribution to the efforts that we are all making to get on top of the drugs menace. I commend the Bill to the House.

1.45 pm

Mr. Raffan: I should like to make some brief comments on the speeches that have been made today. I wish in all good humour to apologise to the hon. Member for Knowsley, North (Mr. Kilroy-Silk) if I upset him by my description of the Labour party. I admit that it was a gross over-simplification to suggest that there were only two factions. I did not intend to do that.

I agree with most of the hon. Gentleman's comments. He made a valid point when he referred to the increased amount of heroin seized being as much a reflection of the fact that increasing amounts are entering the country as of the increasing effectiveness of the police force. There is no room for complacency. We must be eternally vigilant and do all that we can to improve the effectiveness and the co-ordination of the police and customs officers. The Bill is no substitute for that.

It is unfortunate to play the old numbers game about customs officers. There is no doubt that my figures and the Minister's answer show that an increased number of customs officers, whatever their overall total number, are directing their efforts solely towards drug trafficking. All hon. Members must be extremely careful and responsible in their comments about customs officers. It is important that we do not say or do anything that could possibly lower their morale or raise the morale of drug traffickers. I hope that hon. Members will be responsible in that respect, because the House must give those officers every support.

I agree, as, did the Minister, with the remarks of the hon. Member for Knowsley, North about random stopping. In Committee, the hon. Gentleman referred to the three hours that it took to search a Boeing 737 and its passengers. If every plane coming into Heathrow or Gatwick were stopped and searched, there would be tiers of aircraft up to 50,000 ft. waiting to land. That would be impossible. By its nature, random stopping cannot be highly effective in the sense that it cannot stop the trade dead.

There are many other aspects of the problem, including the medical and educational aspects. Last month the Minister produced a pamphlet on tackling drug misuse, which has been most valuable and which brings everything together. He is leading a co-ordinating team of Ministers from different Departments who are considering all the different ways of tackling drug misuse. I am only sorry that the name of my right hon. Friend the Secretary of State for Wales is not mentioned, although the name of one of the Under-Secretaries of State for Scotland is. Perhaps we can bring that matter up at Welsh Question Time and find out whether he has been attending those meetings. I hope that he has.

Another important aspect raised by the hon. Member for Knowsley, North is that of sentencing and Lord Chief Justice Lane's guidelines. The hon. Gentleman is being unfair in harping on about the numbers who receive the maximum sentence. The guidelines have proved effective. Although not as many drug traffickers have received the existing maximum sentence as he would have wished, as the Lord Chief Justice said, there are great difficulties in catching the big fish. Obviously, as my hon. Friend the Member for Bolton, West (Mr. Sackville) said in Committee, we cannot sentence them until we catch them. It is a valid point, but I do not believe that sentencing is at fault.

We must detect the major dealers, and my hon. Friend the Minister made an effective point about the sophisticated methods of detection in the United States, which I have no doubt are duplicated here. The major drug dealers—the merchants of death, as the hon. Member for St. Helens, South (Mr. Bermingham) rightly called them—are sophisticated operators. They are not running sweetie shops. We need highly sophisticated operations and legislation to deal with them.

My hon. Friend the Member for Gillingham (Mr. Couchman) was disappointed that there is no clause in the Bill relating to the forfeiture of assets. The hon. Member for Birkenhead (Mr. Field) also believed that it might have been useful to include such a clause. We had discussions about it, but the feeling was that it would be sad to endanger the Bill by including a clause that might be contentious and inadequate.

My hon. Friend the Minister and my hon. Friend the Member for Gillingham mentioned sophisticated laundering operations. In order to deal with them, we need highly effective legislation, which should not be drawn up hurriedly, although I hope that it will be introduced in the next Session. That Bill will obviously be much longer than this one, and it must be sophisticated if it is to work. My hon. Friend the Minister referred to the present bankruptcy legislation, which is rather a blunt weapon. It would be sad if any legislation on the forfeiture of assets were also blunt.

There was an omission in my opening speech, which I wish to correct now. It might be invidious to single out any of my supporters for the help and encouragement that they have given me, but I shall do so, because the hon. Member for Birkenhead has give me considerable support and help, and I wish to pay tribute to him. His commitment to the problem is well known in the House, and he was the instigator of an important early-day motion that was tabled last autumn. I am extremely grateful to him for his assistance.

The Bill is no magic cure, as the hon. Member for Birkenhead said. The problem of drug misuse is highly complex, extremely serious and ever-growing. There would be no point in the Bill if it were seen simply as the Tory Right on a rampage of retribution. The fact that I introduced it shows that it is not a Tory Right measure anyway. The hon. Member for Knowsley, North was right to say that there are many aspects to the problem, including prevention, treatment and rehabilitation. However, as my hon. Friend the Minister said, no lever can be pulled which will suddenly, miraculously and at a stroke resolve the problem. The Bill covers just one aspect of deterrence, which in itself is just one part of prevention.

I hope that the hon. Member for Knowsley, North's suggestion that the Bill will have no impact will be proved wrong. It is unduly negative to say that now. It is a modest Bill, but it can do something, and surely we should do anything that we can.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Prohibition of Female Circumcision Bill

As amended (in the Standing Committee), considered; reported, without amendment.

1.53 pm

Mrs. Marion Roe (Broxbourne): I beg to move, That the Bill be now read the Third time.

I am delighted that we have reached this stage of the Bill's progress because there has been pressure for such a measure for several years. I am grateful to all those who have assisted me. The purpose of the Bill is to make it clear beyond doubt that the practice of female circumcision should be illegal in Britain. Although, as the law stands, it might be argued that to perform such an operation constituted an act of actual bodily harm, there is no precedent detailing this. The degree of abhorrence of these procedures felt by all can leave no room for uncertainty. The Bill, though short, is both concise and exact and achieves that purpose.

Female circumcision is an act of mutilation performed upon young girls and women. The Bill seeks to include all the various methods adopted, from the most simple, known as sunna, to the most radical, infibulation. To achieve this, the working of the Bill, as set out in clause 1(1), has had to be of a catch-all nature. Obviously there is no desire so to leave the Bill that it interferes with legitimate medical operations, and clause 2 makes this clear. With your permission, Mr. Deputy Speaker, I shall return to that shortly.

Accordingly, any act of mutilation is included in clause 1, which creates the offence itself. This is then extended to include the aiding and abetting of another in self-mutilation. As I mentioned in Committee, this is a direct analogy with the Suicide Act 1960. No offence is committed by a person performing such a violent act upon herself. In our society, such prohibitions, echoing faintly the notion of burying suicides in unconsecrated ground, are not felt to be appropriate. But the weak need the protection of the law from those who would exploit their weakness. If these practices are to cease in this country, the law prohibiting them cannot have potential loopholes.

In accordance with the basic principle of the criminal law, the Bill therefore provides that to aid and abet the offence is also itself an offence.

The penalties envisaged underline the detestation of female circumcision in this country. The Bill does not regard the offence as one to be treated lightly.

Since the discussion of the Bill in Committee, I have received a letter from Professor Macnaughton, president of the Royal College of Obstetricians and Gynaecologists. In it he sets out the views of the college:

"Firstly, we are at one with you in seeking to prohibit female circumcision of any kind being performed in this country. However, there are a variety of surgical operations that are necessary for the physical and mental health of women, which have nothing whatever to do with circumcisions performed for traditonal or cultural reasons. I wish to make it clear that the College would be opposed to any statutory limitations on these legitimate procedures."

The operations to which Professor Macnaughton refers can be divided into two categories—those dealing with physical health, of which cancer is an example, and those dealing with mental health.

The Bill does not seek to interfere with a patient's right to receive legitimate or ethical surgery, and therefore clause 2 excludes such operations from the scope of the Bill.

There has been some discussion of the nature of exclusions for reasons of mental health. In a very small number of cases surgery is required for reasons other than physical illness. Obviously these fall into a category which is a form of cosmetic surgery, often resulting from the distress caused by a perception of abnormality.

The problem in a previous incarnation of the Bill proved insurmountable, as the word "abnormality" was used without real regard to its definition. In practice it must be right to leave that to the judgment of the individual doctor. This consideration is essential.

There is no doubt that if a woman was deluded or imagined that there was something wrong with her, it would be good professional practice not to offer surgery but to persuade her to accept psychiatric treatment. This is a view that could adopted with all forms of cosmetic surgery, but is surely best left to the professional judgment of a doctor. Such cosmetic surgery is a long way, both qualitatively and quantitatively, from female circumcision.

The purpose of the Bill is to prevent the custom of female circumcision, not legitimate, ethical and surgical procedures. The exclusion therefore of reasons of mental health needed careful drafting. There was no point in passing a Bill that created an offence if, in a later clause, it was so poorly drafted that it allowed unlimited exemptions. Accordingly, it is worth examining precisely the offence and the practice that we find so abhorrent.

The Bill seeks to prevent the ritual mutilation of the female genitalis, hence the deliberate inclusion of the words "custom or ritual" in clause 2. We cannot create an offence and then say that the act constituting that offence is exempt from the Bill. Such legislation would be nonsense. The provisions for exemptions for reasons of mental health must ensure that reasons of custom or ritual are not justified.

We cannot allow female circumcision to occur on the ground that a woman's health would suffer if she did not conform with the prevailing custom of her community. Such an argument knows no bounds—we would have allowed suttee in this country a century ago. Would we allow it now were it still the prevailing custom in India?

The Bill has its roots in the protection of children. It stands four square behind the United Nations declaration on the rights of children of 1959, which asserts that children should have the possibility to develop physically in a healthy and normal way in conditions of liberty and dignity.

The Bill seeks to prevent an appalling practice which leads to no physical benefits and is associated with a number of health hazards, including haemorrhage, pain, shock, infection, septicaemia and long-term obstetrical problems.

We in Britain are not alone in our desire to act. Other European countries, including Sweden, have banned the practice. In Kenya, it is illegal, as are all but the simplest procedures in the Sudan.

There is no doubt that at the same time as legislation there must be a process of health education among those people who still perform the acts. I am grateful to my right hon. and learned Friend the Minister, who confirmed in

Committee that his Department would consider sympathetically any applications for grants for that purpose, but we cannot allow that consideration to prevent the Bill from becoming law. I therefore commend the Bill to the House.

2.2 pm

Sir Geoffrey Finsberg (Hampstead and Highgate): I congratulate my hon. Friend the Member for Broxbourne (Mrs. Roe) on her luck in the ballot and on bringing forward this important Bill. May I apologise to you, Mr. Deputy Speaker, for not being able to remain until the end of the proceedings.

I want to give the Bill my support because it concerns an issue that came across my desk when I was in the Department. It is one that I viewed with the greatest sympathy, but there were then, as my hon. Friend said, many difficulties. The medical profession was not perhaps as helpful as it has now turned out to be. The Department tried to get the matter working, but it was not possible. I am delighted that, clearly with the aid of my right hon. and learned Friend the Minister for Health, that has now been possible.

I congratulate my hon. Friend, and I hope that the Bill will rapidly become law.

2.3 pm

Ms. Jo Richardson (Barking): I also congratulate the hon. Member for Broxbourne (Mrs. Roe) on her Bill, of which I am a sponsor. She has done a good service by introducing it. I hope that today we shall see the completion of its stages in this House. As she said, the subject has had a somewhat chequered legislative career. In many respects, we all understand the problems which gave rise to the complexities of legislating on this difficult subject

There is no doubt that there is enormous abhorrence of and anxiety about the practice. At the same time, as hon. Members will know, some black women feel that clause 2(2) could be considered to have racial overtones as it forbids the use of mental stress as a reason for those who wish to have female circumcision for ritual or custom as against those who use mental stress as a reason because of difficulties with deformed or enlarged genitalia. I hope that we have been able to convince them that there is no such intention behind the Bill.

It must be put on record that even now the Royal College of Obstetricians and Gynaecologists is not, as far as I am aware, 100 per cent. satisfied with the formulation of the Bill. Indeed, it gave me a revised amendment which I tabled unsuccessfully in Committee. The Commission for Racial Equality also has some reservations about this portion of the Bill. However, I have been unable to find any other way of changing it. Perhaps the noble Lords will have a look at it.

I underline the hon. Lady's hope that the Minister of Health will confirm what his colleague the Under-Secretary of State said in Committee two weeks ago. He said that he recognised that black women face very serious pressures in all sorts of ways because of the practice in their own community, and that they needed health counselling and health education. He undertook to look at that aspect with sympathy.

It was only by chance that before coming into the Chamber this morning I saw a letter to me from the director of the Foundation for Women's Health research and development—the organisation called FORWARD. It is a very reputable organisation with distinguished sponsors, including Dame Josephine Barnes, Lord Kennet and Baroness Lockwood. The director, Mrs. Stella Efua Graham — who, in her correspondence with me, has welcomed the Bill—sent me a copy of the letter that she sent to the Under-Secretary of State on 18 April picking up the point that he made in Committee, when he said that he would look sympathetically at accepting

"applications from any organisations for funding to cover such activities."—[*Official Report, Standing Committee C*, 3 April 1985; c. 16.]

She points out that, in the name of FORWARD she asked for support from the DHSS in late 1983, but received no response.

Mrs. Graham is putting forward — as she has in the letter — three projects which could very well receive funding and support from the Department. It would help in terms of health education and health counselling, and would be seen by those who may be worried about the matter as a sensible way of having a public health programme alongside the legislation that we are discussing today.

Although I am not trying to bounce the Minister into an answer on the project, I hope that, when he has an opportunity, he will discuss the application with his hon. Friend. It would go a great way towards reassuring people who would genuinely like to outlaw the practice altogether but who see the difficulties of women, of their mothers and of their prospective husbands in dealing with a problem which has been so much a part of their culture and practice.

I reiterate my congratulations to the hon. Lady and hope that, when the legislation becomes law, the Department will deal with it in the most sensitive possible way and not in a nasty, draconian way, because the Bill will cause some problems and one would not want legislation to drive the practice underground in a way that none of us would welcome.

2.9 pm

The Minister for Health (Mr. Kenneth Clarke): I happily join in the congratulations to my hon. Friend the Member for Broxbourne (Mrs. Roe) on the way in which she has so skilfully steered the Bill through the House to its present stage. I agree with my hon. Friend the Member for Hampstead and Highgate (Sir G. Finsberg), who was a colleague of mine in the Department until recently, that it proved an intractable and difficult problem when it came to drafting legislation. My hon. Friend the Member for Broxbourne has come close to leading us to a solution.

I am sure that the Bill will be welcomed by the public because publicity about those operations has aroused general indignation. Although we believe that female circumcision has been carried out in only a handful of cases in this country, it does not mean that there are not compelling reasons for legislation to make sure that there are no more such operations here. The mutilation and impairment of young girls and women have no part in our way of life. I am glad to know that that view is shared by representatives of the ethnic minorities who live here. That is why the Government warmly welcome the Bill, and have, indeed, welcomed it throughout its passage.

I agree with my hon. Friend the Member for Broxbourne that it is arguable that the procedures known as female circumcision are already against the criminal

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law in this country, but that is by no means certain. We have not had a case to provide a precedent. I am sure that the House would prefer that we had definite legislation making it clear in statute that it is contrary to criminal law.

The problem that arose in the early stages of the Bill was to make sure that one discriminated between female circumcision and other legitimate surgery, because in straight anatomical terms there is little difference between the operation known as circumcision, or some forms of it, and other desirable medical practices. The present drafting of the Bill, as a result of work in Committee, meets that aim and will proscribe the activities that we wish to proscribe without damaging the decision of those who wish to carry out legitimate surgery on their patients.

The hon. Member for Barking (Ms. Richardson) mentioned the Royal College of Obstetricians and Gynaecologists. A copy of the latest letter sent by the president to my hon. Friend the Member for Broxbourne has been given to me. It may not have reached the hon. Member for Barking yet. My hon. Friend quoted a passage from Professor Macnaughton's letter. He concludes by saying:

"The College will be happy to comment on any amendments that are suggested and I can confirm that the College would approve of your Bill as amended by the Standing Committee."

That may mean that the college is now satisfied that any possible problems have been sorted out. While I am sure that their Lordships will wish to look at the Bill, I hope that they do not embark on amateur draftsmanship of their own and get the Bill back into complications that might run the risk of frustrating its purpose.

Like all those who have spoken so far, particularly the two hon. Ladies, I share their view that there is no question of racism in the Bill or anything of that sort. I am satisfied that it is necessary to make the references to custom and ritual for the reasons explained by my hon. Friend the Member for Broxbourne. All the sponsors of the Bill and all those associated with it are plainly not only not guilty of any racialist views, but many of them, including the hon. Member for Barking, play a prominent part in combating racism and trying to make sure that no elements of racial segregation find their way into our law. It is the need for careful drafting that caused those references, and there is no need for people to be suspicious of them.

I agree that the Bill should be seen only as a necessary part of a wider health education campaign to eradicate that practice in this country and abroad. We do not underestimate the importance of education and counselling among the communities in which female circumcision has been a custom for millennia. Groups are now at work among those communities providing just such counselling and information services. We share their aims and commend the work that they do.

The hon. Member for Barking is ahead of me in reading copies of correspondence addressed to my hon. Friend the Under-Secretary of State. He made a helpful offer in Committee that we would look at any applications for grants. We shall do so as quickly and sympathetically as possible.

I conclude by renewing my congratulations to my hon. Friend the Member for Broxbourne on her success in having brought the Bill this far. I commend the Bill to the House, and hope that its passage through another place will be equally successful.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Charter Trustees Bill

Not amended (in the Standing Committee), considered; reported, without amendment.

Motion made, and Question, That the Bill be now read the Third time, *put forthwith pursuant to Standing Order No. 58 (Third Reading) and agreed to.*

Bill accordingly read the Third time, and passed.

Hill Farming Bill

Considered in Committee; reported, without amendment.

2.17 pm

Mr. Robert Jackson (Wantage): I beg to move, That the Bill be now read the Third time.

This is a simple Bill. It is a Bill to save the bilberry. Farmers in upland areas need to be able to burn heather and grass so that their livestock are able to benefit from fresh heather and grass. That procedure creates difficulties for wildlife in the upland areas, and it has therefore been necessary, since the passage of the Hill Farming Act 1946, to regulate the burning of heather and grass. It has been found that in practice other species may be damaged by the burning, especially bracken, vaccinium and gorse, and it has therefore been thought necessary to introduce a Bill to enable the Minister to control the burning of those species. The Bill is widely welcomed by those concerned, and I hope that hon. Members will give it their support.

2.18 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. John MacGregor): I congratulate my hon. Friend the Member for Wantage (Mr. Jackson) and thank him for introducing the Bill. As he said, the Bill will extend the powers available to Ministers to make regulations controlling moorland burning, which is very important for agricultural management.

The Bill will bring three new plant species—gorse, bracken and vaccinium, or the bilberry—into the same category as heather and grass. The need to make this change was another profit of the discussions held by the heather and grass burning working party, which observed that the burning of moorland vegetation affects adventitiously a number of other plant species which grow in close association with heather and grass. Chief among these are gorse, bracken and vaccinium.

In addition, some farmers choose deliberately to burn certain of these species either to control or to eradicate them. As the potential risks and consequences of the burning of these species are similar to those of the burning of heather and grass, the working party argued that a loophole in the present controls needed to be closed. I am persuaded by this argument and am delighted that the Bill gives us the opportunity to bring about the necessary changes. It therefore has the support of the Government.

Any system of control is meaningless unless it is backed by some sort of penalty. The Hill Farming Act already includes a fine of up to £400 for a breach of the present regulations, and my officials in the regions are under instruction to follow up reports of illegal burning. Last year there were only two such reports. We have also

written recently to chief constables asking for their co-operation, by making sure that police officers in rural areas are aware of the legal requirements. We therefore have a mechanism for enforcement which, I am pleased to say, has rarely to be applied to the full, but which provides an appropriate back-up to our main aim, which is to encourage sensible burning through sound advice. This year, as in previous ones, our publicity campaign will include radio announcements and press notices, issued at regular intervals throughout the year and designed to achieve this end.

It is perhaps premature to talk of the type of controls that we might apply once the Bill becomes law, but we would want to use these new enabling powers as soon as the necessary subordinate legislation can be drawn up. I see here a further opportunity for consultation with the working party, since subtle differences might exist in the growing charactristics of the three new species and in how they are best dealt with. I believe that it will also be important to extend the heather and grass burning code which the working party has produced and which is widely circulated, so that suitably fuller advice on moorland burning is available. However, I do not regard these as protracted matters and I hope that subordinate legislation might be laid before the House fairly quickly once the Bill becomes law.

I am delighted to be able to commend this Bill to the House, because, although it is short and simple, it marks yet another important step towards achieving a balance between the needs of conservation and the needs of agriculture, which the Government have already done much to further.

Question put and agreed to

Bill accordingly read the Third time, and passed.

Agricultural Training Board Bill

Considered in Committee; reported, without amendment.

2.22 pm

Mr. Thomas Torney (Bradford, South): I beg to move, That the Bill be now read the Third time.

This is a modest Bill which I hope will enable the Agricultural Training Board to offer its unique training expertise overseas to the benefit of the United Kingdom.

As many hon. Members know, the Agricultural Training Board, which was established in 1966, provides training for the commercial agriculture and horticulture industries in Great Britain. Many of the board's activities centre on short craft skills courses for agricultural workers. It has great expertise in the development of those courses and the training of instructors. It also undertakes management training and organises farming apprenticeships and other youth training. Its skills are highly regarded by the farming industry in the United Kingdom.

The board has powers under section 5 of the Agricultural Training Board Act 1982 to teach workers from overseas the methods of agriculture in the United Kingdom, but those powers do not enable the board to carry its expertise overseas. Its ability to do so would be especially useful in the involvement in major export contracts in the agricultural sector such as the installation of irrigation schemes and the setting up of other agricultural businesses, such as complete dairy units, in areas like the middle east. The training of local staff to run such new systems is a vital part of the total export package, and the participation of the board could improve the United Kingdom's chances of gaining contracts and materially helping employment in the United Kingdom.

I hope that the board will be able to operate profitably overseas and that its involvement in such work will be of great benefit to the United Kingdom. There are safeguards to that effect in the Bill. I hope also that the board will be able to use its commercial expertise and to maximise its revenue so that any profits that are generated can be used for the material benefit of training in the United Kingdom.

The Bill also has the subsidiary purpose of strengthening Ministers' formal rights of access to the board's books and records. There is already an agreement that such access will be given, but this power will bring the Agricultural Training Board into line with the current guidelines for public bodies.

The Agricultural Training Board is outstandingly effective in promoting training techniques in agriculture. I hope that this modest measure will enable the board to help to promote British agricultural expertise and business worldwide. I commend the Bill to the House.

2.25 pm

The Minister of State, Ministry of Agriculture, Fisheries and Food (Mr. John MacGregor): It is most gratifying that the hon. Member for Bradford, South (Mr. Torney) has been able to progress this useful Bill so fast. I congratulate him on introducing it and on the speed with which he has got it through the various stages so far.

As the House knows, the Agricultural Training Board was established in 1966 under the Industrial Training Act 1964, together with many other training boards in other industries. Subsequently, the board was transferred to the

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responsibility of the Ministry of Agriculture, Fisheries and Food and its powers were consolidated in the Agricultural Training Board Act 1982.

The board provides a vital training role for the commercial agriculture and horticulture industries in Great Britain. It is largely funded by a grant in aid from the Ministry of Agriculture, Fisheries and Food, amounting to more than £7 million in 1984-85. The development of short craft skills courses and the training of instructors is undertaken by the board, while the organisation of most individual training courses is carried out by a network of 600 farmers' training groups. The strength of this group activity, and the board's expertise in organising them, is of particular interest to developing overseas countries, as the hon. Gentleman has emphasised. In addition, the board undertakes management training and organises farm apprenticeships and other youth training. The board's skills are highly regarded by the farming industry.

In 1982, the then board chairman suggested that the board's training expertise could with advantage be made available overseas. Ministers agreed in principle on the understanding that such activities would be undertaken by the Agricultural Training Board in collaboration with the private training sector and that this would not lead to any dilution of domestic training effort. That is most important. As the hon. Gentleman has pointed out, clause 1(2) of the Bill imposes on the board a requirement to act commercially in the exercise of its overseas functions so that at an early date it can show that expenditure on overseas work can be met from revenues received. That is a most important provision, as we do not wish the United Kingdom agriculture industry to suffer any diversion of funds from its training in order to meet the needs of others, however deserving, outside the United Kingdom. The board has had substantive discussions with private sector consultants through the British Consultants Bureau on this basis, and I understand that a good understanding has been reached.

The 1982 Act does not, however, enable the board to engage fully in overseas activities. The hon. Gentleman's Bill would therefore empower the board to undertake work which Ministers have agreed is desirable. It would remove the restraint on providing training for employment overseas to permit the board to provide training courses and teaching and advisory personnel as well as advice and to charge for those services. Through the requirement to keep separate accounts under clause 1(3), the Bill also provides an assurance for agriculture that there is to be no diversion of funds from the United Kingdom to overseas activities.

Although the board has not yet been authorised to do work overseas, there is considerable evidence that there would be a demand for its services. It has received requests for consultancy and training advice and activities, and there is a steady flow of orders for its publications.

I was also pleased to see that the opportunity had been taken in the Bill to incorporate a further amendment to the Agricultural Training Board Act 1982 to give the Government a formal right of access to the board's books and records. As has already been said, there is already an agreement between Ministers and the board, and it is reaffirmed every year when grant in aid is given that such access should be given.

The Bill is welcome. The ATB has great expertise in the sector within which it operates. As a public sector body, it must first provide a high service and value for money for its customers in the United Kingdom. It is most important that the public and private sectors collaborate in a positive fashion to promote our interests abroad. Agricultural expertise in this country is second to none and many areas of the world would benefit from it.

I highly commend the Bill to the House.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

SOLICITORS (INDEPENDENT COMPLAINTS PROCEDURE) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 May.

MINIMUM WAGES ETC. BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 May.

SPORTS FIELDS AND RECREATIONAL FACILITIES BILL

Order read for resuming adjourned debate on Question —[25 January]—That the Bill be now read a Second time.

Question again proposed.

Hon. Members: Object.

Mr. Deputy Speaker (Mr. Ernest Armstrong): Second Reading what day? No day named.

EMPHYSEMA (COMPENSATION OF COALMINERS) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

NORTHERN IRELAND (TERMINATION OF JURISDICTION) BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 May.

WORKING CONDITIONS OF GOVERNMENT TRAINEES BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 26 April.

PROTECTION OF THE RIGHTS OF THE ELDERLY IN HOME OWNERSHIP BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 26 April.

HIGHLANDS AND ISLANDS DEVELOPMENT BOARD BOUNDARIES AMENDMENT BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

RECREATIONAL GARDENING BILL [LORDS]

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 26 April.

BETTING, GAMING AND LOTTERIES (AMENDMENT) BILL [LORDS]:

Read a Second time.

Motion made, and Question proposed, That the Bill be committed to a Committee of the whole House.—*[Mr. Greenway.]*

Mr. Deputy Speaker: I draw the attention of the House to the fact that it is unusual to take the Committee stage without notice. Is there any objection?

Question put and agreed to.

Bill immediately considered in Committee; reported, withour amendment.

Motion made, and Question, That the Bill be now read the Third time, *put forthwith pursuant to Standing Order No. 58 (Third Reading), and agreed to.*

Bill accordingly read the Third time, and passed, without amendment.

POLITICAL PARTIES (INCOME AND EXPENDITURE) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. John McWilliam (Blaydon): With the leave of the hon. Member concerned, Friday 5 July.

Second Reading deferred till Friday 5 July.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Tuesday 23rd April, proeedings on the business selected in pursuance of paragraph (2) of Standing Order No. 6 (Arrangment of public business) shall, if not previously concluded, lapse at Seven o'clock and shall be counted as a half day as provided by that Order.—*[Mr. Nubert.]*

Soccer Violence

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Neubert.]*

2.34 pm

Mr. Tony Banks (Newham, North-West): I shall declare my interest in this matter while the shed end is vacating the Chamber. I have been a regular football supporter for about 30 years. The first full season that I spent watching Chelsea was the 1954-55 championship year. Under the inspired chairmanship of Ken Bates, I look forward to a repeat performance of that division one championship in the near future. As I have since moved myself to Newham, I go to watch West Ham as well as Chelsea. I am the vice-president of Clapton football club in my constituency, which is one of the oldest and most distinguished amateur football clubs in the country.

The subject of British soccer generally is of sufficient interest to merit a full parliamentary debate. When the Government produce their report, I hope that we shall get just such an opportunity.

Crowd trouble inside and outside football grounds is not a recent development and is not confined to Britain. The problem should not be overdramatised by politicians and the media. However, more people have become aware of the problem and it has increased in seriousness. The Prime Minister is far from being the first politician to express concern. The right hon. Lady's instant-response approach could create almost as many problems as it solves. If the Prime Minister had not seen the hooliganism at the Luton-Millwall match on television, I doubt whether we would have had so many Ministers running around trying to find immediate solutions to deep-seated and complex problems.

I hope that the Minister has studied the report of Norman Chester's committee, which was produced in 1968, the White Paper on sport and recreation, which was produced by the previous Labour Government, the 1976 report of the working group on football crowd behaviour, a committee chaired by the late and much-lamented Frank McElhone, and the 1984 report on football violence from the Association of Metropolitan Authorities. If the Minister can find the time to add to that reading list, he might like to read my own paper on the subject, which was written when I was chairman of the GLC's general purposes committee in 1975. This is a way of showing that the problem of crowd violence at football grounds has been analysed to death over the past 15 to 20 years. Unfortunately, successive Governments, the football authorities and the clubs have failed comprehensively to deal with it properly. There have been too many knee-jerk reactions and far too little real action.

I do not believe that there is any one identifiable cause for football violence. Different outbreaks occur for differing reasons. Local solutions based on local knowledge but with Government support are far more likely to be successful.

The problem should be confronted at two distinct levels. The long-term approach should be aimed at dealing with the decades of neglect within the sport itself. The short-term approach should be designed to contain the immediate menace of increasing crowd violence that is created by a small and unrepresentative element. There is

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disturbing evidence coming to light which shows that the most serious violence in football is being efficiently organised.

It is only comparatively recently that professional football has become aware that it is in competition with other forms of mass entertainment and, in comparison, is losing out pretty badly. Those who go regularly to football matches know that terraces open to the weather, insufficient seating and primitive refreshment and sanitary arrangements remain the rule rather than the exception. Any serious supporter knows just how appalling conditions remain in most of the 92 league clubs.

Since 1979 the Prime Minister has been to just two matches, and they were both cup finals. She was lucky to get the tickets. Perhaps she will tell me her source. I do not know how many league clubs the Minister has been to, but it is important that politicians who will be making decisions and recommendations should base those on some element of personal experience.

Virtually all football league clubs need to be modernised. That is best done through partnership arrangements between clubs, local authorities and Government agencies, together providing the large-scale funds that are needed to establish sports and social complexes based on the individual grounds.

Local authorities already give grants to a wide range of cultural bodies. I can speak as a past chairman of the arts and recreation committee of the GLC. I have never been able to see any rational argument for excluding footboll clubs, which represent a major working-class cultural activity, from receiving local authority grants. When I argued that particular case in 1975, it was caricatured as soccer on the rates. We have opera, theatre, ballet and recreation on the rates, so why not professional football?

Much could be achieved in terms of general ground improvements and the more intensive use by commuities of football grounds, but it requires imagination as well as resources. None of that is original, because closer working between local authorities and football clubs is already well under way. In Manchester, both Manchester city football club and the city of Manchester recreation department have been involved in the past five years in a football and community programme. It is probably the most highly developed scheme in the country and shows the positive benefits of a long-term relationship between football clubs and local authorities. In that particular scheme, I understand that something in excess of 100,000 people have taken part, 70 per cent. of the courses and competitions that are organised are aimed at the 8 to 18 age group and 85 per cent. of the people taking part have come from the local communities.

In London the GLC has been pushing ahead, as one would expect from a well-run Socialist and progressive authority. In the past two years we have developed several major initiatives with football league clubs. The provision of the all-weather pitch at Fulham was in exchange for the club guaranteeing a minimum of 500 hours of community use of the pitch for six years. A programme of community use is already well developed and it is used by school children, the unemployed, and people with disabilities, and there is a highly imaginative programme involving a senior citizens' club. In a short time that club has become an important resource for the local community instead of a woefully under-used facility.

A recent scheme announced by the GLC involves close co-operation with Arsenal football club, using the club's indoor training facilities for the benefit of the local community. Such things can be done and the Government should encourage local authorities to work on those partnership arrangements with clubs. Their grounds represent an under-utilised asset within our communities where such assets are badly needed.

Public funds should not be used to reinforce private gain. Therefore, I would look for radical changes in the way in which clubs are presently owned and organised. If football clubs were owned and run by a more representative section of supporters, the problem of crowd trouble would disappear in the long run. Football should look to the way in which cricket and rugby union organise themselves. That is the way that professional football should go. It is only in football that directors can act like 19th century mill owners. Regrettably, it is the worst elements of Victorian attitudes that survive in the way that our premier national sport is run.

Those are some of the long-term problems. Let me now deal briefly with the immediate problems we face. No one can doubt that soccer crowd violence is on the increase. The bad publicity that the sport gets is clearly affecting the gates and therefore the economic ability of the game to deal with its problems. It is a reinforcing cycle. The violence is partly a reflection of our increasingly violent society. Therefore, it is nonsense to single out football violence.

I shall make some brief suggestions because I wish to give the Minister plenty of time to reply. As it is a short debate I shall make out a list and if the Minister cannot respond to them all when he replies, perhaps he will respond to me in the usual way, as he has done in the past.

First, all football league matches should be played on Sunday mornings. That would undoubtedly upset some people, but it would do much to eliminate the problems of alcohol inside the grounds. Secondly, ground, should be all seating, covered and divided into small secure sections with closed circuit television. I know that it is easy to say that, but such ground improvements and security measures would cost the game millions. If the Government are not prepared to provide the cash, they should make low or no-interest loans available to professional football clubs through a national funding agency.

Thirdly, if, as I hope, we move towards the concept of football clubs organised as social clubs, admission by club membership card would be compulsory without any erosion of civil rights, which straightforward identification cards at present represent. I read today in *The Standard* that the chairman of Luton football club is pushing such an idea.

Fourthly, where clubs have singularly failed to minimise the dangers, they should be penalised in a much more draconian fashion. League points should be deducted. Clubs should face compulsory relegation or even expulsion from the league if they persistently fail to deal with problems when help is being offered to them to deal with such problems.

Fifthly, I should like to see courts giving more custodial sentences and community work orders on match days for offenders. The sort of thing that gets right up the nose of the average football supporter is having to weed someone's garden when an FA cup match is being played.

Sixthly, increased policing inside the ground should not be a charge on the clubs. Many people are not aware that in London clubs must pay the Metropolitan police for their presence inside the ground. That should not be the case. The charge should fall on the public purse. Clubs could encourage many more of their supporters to act as voluntary stewards as a form of self-policing.

Seventhly, in London the Commissioner should set up on a trial basis football community policing teams. These would be specialised police teams which would travel regularly to away games to brief the local police force and attend the game with their supporters. If the Commissioner ever gets the scheme off the ground, he may wish to enrol me as a special constable, it seems to be a good job. That would assist the police greatly in maintaining effective policing inside the grounds. Those police teams would soon get to know the regular fans and, therefore, could identify those who were attending only to cause trouble.

In conclusion, if the Government genuinely wish to eliminate soccer violence and to help restore the image of this important international sport, they must show political will and financial commitment. The Government take a lot of revenue from the game. Pools promoters, television, and Fleet street all make big money from football. As a football supporter, I believe that the clubs have a right to expect much more of the wealth that their sport creates to come back into the game for the benefit of the much-abused and vilified football supporter.

2.43 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Neil Macfarlane): I am grateful for the constructive way in which the hon. Member for Newham, North-West (Mr. Banks) has approached this important subject. I am at one with him on many of the points that he raised. I only hope that, when *Hansard* is published, he will circularise his speech to as many of those who are responsible for running our great national games as possible. His comments were extremely helpful in the overall context of this national problem.

I confirm that I have read all the documents which the hon. Gentleman enumerated at the beginning of his speech. However, I am oblivious of his report, which I shall certainly read if he would kindly send my office a copy. I shall sit down and study it. There is much to be read on this important topic.

I can also confirm that since I started watching football in the early 1950s—as an Essex dweller, I began at Leyton Orient—I have visited about four fifths of all first and second division football grounds at some stage or another during the past 30 years.

As the hon. Gentleman rightly said, disorder at football matches is by no means a new or recent phenomenon. The problem has been with us for many decades and it affects many countries. It is interesting to note, for example, that Millwall's ground was first closed as a disciplinary measure in 1934, and suffered the same fate in 1947, 1950 and 1978. If he were here, the right hon. Member for Birmingham, Small Heath (Mr. Howell) would acknowledge that the problem was prevalent during his two terms as Minister with responsibility for sport. He will remember some of the more serious incidents that took place during that period. In 1975, in Paris, when Leeds was playing Bayern, and in 1977, when St. Etienne was playing Manchester United, thousands of pounds worth of damage was caused inside and outside the grounds, and many people required hospital treatment. Again in 1977, England fans in Luxembourg caused £15,000 worth of damage to the stadium and went on a rampage through the city. All this, unhappily, is familiar reading for us.

In their book, "Hooligans Abroad", the Leicester university researchers gave some vivid examples of crowd disorders abroad not involving British fans in support of the argument that football hooliganism is not purely a British disease. In Lima, in 1964, when, in a match between Peru and Argentina, the referee refused to allow a goal to the home side, a riot followed in which 318 people were killed and more than 500 were injured. In Turkey, in 1974, fans of two club sides fought with pistols, knives and broken bottles for days after the end of a match between the two teams. Before troops restored order, cars were burnt out, 600 spectators were injured and 44 were killed. We have seen more recent examples in South America. In Argentina, the national association had to implement a nine-day ban on prfessional football.

Of course, that the problem is not new does not mean that there is an excuse for inaction. It is worth highlighting what the Government have done so far. On law and order, we have strengthened the powers of magistrates through the Criminal Justice Act 1982. The courts can now require parents and guardians to pay fines, costs and compensation for offences committed by young persons and children. The Act has also given the courts greater flexibility in the sentencing of young offenders, providing a new sentence of youth custody and doing away with the limitations on custodial sentences on young offenders. The power to impose community service orders was amended to bring offenders aged 16 or over within the scope of the scheme. We have introduced new custodial measures to deal with young offenders convicted of violent crimes, and doubled the maximum fines available to magistrates. We have also considerably increased the number of attendance centres.

I established a liaison group involving all the concerned agencies and authorities, and four Government Departments, to prepare for the three home countries' participation in the World Cup finals in Spain in 1982. As we were successful in eliminating incidents of hooliganism through close co-operation in all the regions of Spain, I extended the remit of the liaison group, led by the Football Association chairman, to co-ordinate policy and precautions for domestic and international matches. Officials from my Department serve on that liaison group, as do officials from the Home Office, the Department of Transport and the Foreign and Commonwealth Office.

We have ensured that embassies and consulates support the Football Association and clubs in planning matches abroad. Consular staff attend meetings with the Football Association's liaison officer, together with stadium authorities, clubs' staff and the local authorities to ensure, so far as possible, that the necessary security precautions are taken. We have, through the Football League, focused league clubs' attention on the need to take precautions, highlighting the segregation of opposing supporters and the importance of pre-match planning, especially if the clubs are known to have problems.

We have agreed with the liaison group a "blueprint" listing the precautions which should be taken for domestic matches. This was circulated to league clubs last August in time for the new season. It revised existing recommendations, and for the first time ensured that

[Mr. Neil Macfarlane]

recommendations on segregation and the movement of crowds became mandatory under the Football Association's guidelines.

Following serious incidents of violence towards the end of the 1983-84 season, the Government established a working group of officials from the Departments concerned to review what further options were available to tackle the problem. The group's report was published last August as a consultation document. With ministerial colleagues and the Football Association I have since met 17 representative organisations to discuss the report and its recommendations. The organisations, together with many other bodies and individuals, have also submitted a mass of written evidence for our consideration. The report and the consultation on it formed the basis for our most recent considerations following the serious violence at Luton and Chelsea.

Although the recent violence has focused our attention on the domestic scene, the aspect of the problem which has perhaps troubled me most since my appointment in 1981 is the effect that violence by English supporters abroad has on the good name of this country. Clearly there is more than just national pride at stake. The hon. Gentleman touched upon this. There are more tangible economic casualties both in loss of exports and contracts for British companies to carry out work abroad, and particularly if any club is banned or invited to play behind closed doors by the governing body of European football, in which case there could be serious economic loss to the club.

To help tackle this problem, the Government, through the Council of Europe, promoted the recommendation on the reduction of football violence. In my visits to many European footballing capitals and my discussions with Ministers over the past two years I have found that all accept that this is not purely an English problem.

The recommendation calls for joint action among European countries and sets out the precautions, based on the European Football Association's ground rules, to be taken by the clubs and the authorities.

I first called for the recommendation at the informal working party of sports Ministers in Paris in January 1983, following which a working group chaired by one of my officials was set up to draft these recommendations. I also attended the informal working party of sports Ministers meeting in Rotterdam later in 1983 at which the recommendation was discussed fully and agreed. The recommendation was adopted formally by the Committee of Foreign Ministers in March 1984.

The Government have since taken the lead in the implementation of the agreement. At their fourth conference, held in Malta in May 1984, the European Ministers responsible for sport passed a resolution which I proposed in which they undertook to do all in their power to ensure the full implementation of the recommendation and to draw it to the attention of their respective national football authorities and the European Football Association.

I have also written to my ministerial colleagues abroad in advance of matches involving English clubs pointing out the potential dangers and drawing their attention to the recommendation. On the whole, efforts since have met with co-operation and constructive responses. We shall continue to take the lead on the international front in efforts to build on what has been achieved so far.

I have mentioned briefly the most recent developments following the serious violence at Luton and Chelsea. I was present on 1 April when my right hon. Friend the Prime Minister, together with other colleagues, met representatives from both the Football Association and the Football League to discuss soccer spectator violence. I have already informed the House that it became clear from that meeting that the football authorities shared the Government's commitment vigorously to combat violence at football matches.

They agreed to re-examine urgently the Football Association rules governing discipline and the responsibility of clubs with a view to changing and strengthening them. They agreed to accelerate the introduction of closed circuit television, especially at grounds where problem matches are played. They agreed to ensure that perimeter fencing was in place and effective in those grounds. They agreed to investigate a practical scheme of membership cards for Football League, Football Association and European and international matches, in discussion with the European Football Association as necessary, reporting back to me within six weeks. They agreed to consider the introduction of more restrictions on the issue of tickets for problem matches—which should be ticket only. Should there be more flexibility, such as Sunday morning kick-offs? I am convinced that such arrangements should be considered by all those clubs. They also agreed to encourage more and better family enclosures at League grounds. They agreed to deal severely with any bad example set to supporters by players' behaviour on the pitch. They agreed, in advance of the Government's proposed legislation, to take action under existing powers to deal with the problem of alcohol at matches.

The Government will give the strongest possible support to the football authorities, and we are prepared to take action in many ways. It is clear that the Football Association and the Football League are the governing bodies of football in this country. They have to run their own sport, as all sports are run through the 140 governing bodies which we support in one way or another. They are responsible for generating their rules and for setting standards of behaviour both on the pitch and elsewhere. They must put their house in order, but we shall do all we can to help. We shall ensure that we take action in the following ways. Legislation will be introduced in England and Wales to control the sale of alcohol at grounds and on transport to grounds along the lines that have been successful in Scotland. I pay tribute to the report of the late Frank McElhone in 1976 which has become the guiding light for legislation in Scotland and for us.

Under the Safety of Sports Grounds Act 1975 designation will be extended to clubs in divisions three and four of the Football League. Initially, it will be to grounds with a record of crowd violence. The guidelines and the green code will be reviewed.

The public order White Paper based on our conclusions following the review is to be published shortly, and our proposals for legislation in the autumn. Some new proposals will assist in preventing and controlling football hooliganism.

My right hon. and learned Friend the Home Secretary will be discussing with the police what improvement can be made to their effectiveness in dealing with football violence—in particular, in obtaining evidence to bring more serious charges where appropriate.

My right hon. and learned Friend is encouraging magistrates to make full use of their powers, including detention and attendance centre sentences. I endorse what the hon. Gentleman said about the importance of young people, who have nothing to do with watching and enjoying football—our national sport—but who seek to disrupt games. I am convinced that it would be an effective deterrent if they were certain that they would be put away on a Saturday afternoon at an attendance centre when a match was on. Many other people would perceive it to be an effective deterrent.

We shall do all that we can to ensure that everyone understands the full range of legal sentencing available. We shall encourage bail conditions forbidding attendance at matches and we are drawing attention to the Court of Appeal guidelines on sentencing violent offenders.

Mr. Banks: Is the Minister prepared to recommend to his right hon. and learned Friend the Home Secretary some examination of the idea of specialised police teams to deal with the problem of soccer violence?

Mr. Macfarlane: I shall draw that important point to my right hon. and learned Friend's attention. It is something that he would have to consider, but it may well have a part to play.

I have not heard from the Opposition parties on our spectator violence report despite my suggestion that they might make comments and observations. I told the House some months ago that 17 organisations and authorities had provided evidence and opinions. I should welcome any contribution or commitment that the hon. Gentleman could give and I would convey it to my right hon. and learned Friend.

For matches abroad, we shall consult other Governments about giving better publicity to and perhaps strengthening last year's Council of Europe recommendation on football violence which I have already mentioned. We shall review how the diplomatic service can help in identifying troublemakers. We are considering arrangements for people convicted overseas to serve their sentences in this country. We shall seek to discourage travel agents from setting up special schemes for problem matches.

The hon. Gentleman made several points that I shall cover in correspondence with him. Our football clubs could become the focal point of many communities. They could develop and generate facilities. The Sports Council has helped in many cases. The urban aid programme and the derelict land grants scheme, in addition to normal local authority expenditure, have helped many football clubs to develop as the focal point for young people in the community.

When I consider the number of people who attended professional football matches in the 1950s compared with the present time, I believe that the time is long overdue for urgent action. The great weight of public opinion is behind everything that we do. We must approach the problem in many ways.

I pay tribute to the tremendous contribution made by the Football Trust, which is financed by the pools promoters and the spot-the-ball competition. It has provided the better part of £20 million for ground improvements, not just under the Safety of Sports Grounds Act 1975, but for all-weather pitches for youngsters, not just for the club members but for the people within the community. Football must now somehow compete with the ever-increasing demand of public attention and competition from alternative sports.

What we are seeking to do represents a substantial package of new measures from the Government to support the new tough line that the Football Association and Football League have agreed to take. We must take urgent action with a package of measures as we approach the close season.

Those people involved in professional football and those responsible for clubs must sit down and rigorously examine what they want to do to see how they can save our great national game domestically and internationally——

The Question having been proposed after half-past Two o'clock and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at four minutes past Three o'clock.

House of Commons

Monday 22 April 1985

The House met at half-past Two o'clock

The Clerk at the Table informed the House of the unavoidable absence, through illness, of MR. SPEAKER *from this day's sitting.*

Whereupon MR. HAROLD WALKER, THE CHAIRMAN OF WAYS AND MEANS, *proceeded to the Table and, after Prayers, took the Chair, as* DEPUTY SPEAKER, *pursuant to the Standing Order.*

Oral Answers to Questions

WALES

Education Expenditure

1. **Mr. Terlezki** asked the Secretary of State for Wales what the per capita expenditure on books, educational equipment and materials was in *(a)* South Glamorgan and *(b)* Wales for the most recent period of 12 months for which figures are available.

The Minister of State, Welsh Office (Mr. John Stradling Thomas): In 1983-84 South Glamorgan's expenditure per pupil on books, educational equipment and materials in primary and secondary schools was £26·10. The Wales figure was £28·20.

Mr. Terlezki: I am grateful to my hon. Friend for giving such a good reply. I hope that that expenditure will lessen the scaremongering by the Labour party in the House and in South Glamorgan. Is he aware that the Labour party says that we do not spend as much as we should on education? The record shows that we are spending as much as we can on it in South Glamorgan.

Mr. Stradling Thomas: I entirely agree with my hon. Friend. So much for the parrot cry of "cuts". Although education resources have been held level in Wales, the number of pupils in schools has declined markedly—by more than 12 per cent. between 1977 and 1984. That is not consistent with allegations about cuts.

Mrs. Clwyd: Why have the Government £8 per head less to spend per secondary school child in Mid-Glamorgan, which is already bearing the brunt of Government cuts in other respects, than they have to spend per child in England? Does that mean that children in Mid-Glamorgan must get on their bikes and go to England to receive a decent education?

Mr. Stradling Thomas: No, not at all. In fact, the figures for Mid-Glamorgan are much better than the hon. Lady implied.

Sir Raymond Gower: Is my hon. Friend aware—I have informed his Department of this — that I have received a number of letters from the parents of pupils after letters had gone out from schools alleging that the shortages of books and other materials have been due to fairly recently imposed financial constraints? Does not my hon. Friend's answer suggest either that this is nonsense or that, at best, the shortages must be due to maladministration by or maldistribution among schools?

Mr. Stradling Thomas: I entirely agree with my hon. Friend. It is up to the education authorities to determine how much to spend on school books and equipment as part of their day-to-day running of the education service. There is no doubt that it is difficult to manage these resources, but that is not an argument in favour of cuts. There have not been cuts. In fact, there has been an increase in expenditure on education.

Llanwern Steelworks

2. **Mr. Roy Hughes** asked the Secretary of State for Wales if he has had any recent discussions with the chairman of the British Steel Corporation concerning future investment at Llanwern steelworks.

The Secretary of State for Wales (Mr. Nicholas Edwards): I met the chairman most recently in February for a wide-ranging discussion.

Mr. Hughes: Will the Secretary of State confirm that no concast project has been authorised for the 1985-86 financial year? Is this not a poor reward for the record breaking performance at Llanwern in recent years? Bearing in mind all the delays that have occurred, will the right hon. Gentleman seek an urgent meeting with the corporation's chairman to ensure that this project is given the go-ahead without delay and that resources are provided for it?

Mr. Edwards: The hon. Gentleman implied that the steel corporation had decided not to go ahead with concast during that financial year. The chairman has made it clear to me that he is very much aware of the importance of concast. We discussed the thorough consideration which the British Steel Corporation is giving to the way in which future investment will take place. Decisions on the corporate plan for that financial year have not been taken.

Mr. Grist: Will my right hon. Friend hazard a guess as to how much of the investment in Llanwern has been endangered, or at the very least delayed, by the recent miners' strike?

Mr. Edwards: The BSC chairman recently estimated the cost of the strike for the BSC in 1984-85 to be £175 million. It is too early to judge the final figure, but that money could have been used to reduce losses, to reach profitability sooner and to provide the sort of investment which the Labour party has just urged on us. Of course, throughout that strike the hon. Member for Newport, East (Mr. Hughes) encouraged the miners.

NHS Facilities (Gwynedd)

3. **Mr. Best** asked the Secretary of State for Wales if he will make a statement about the provision of National Health Service facilities in Gwynedd.

The Parliamentary Under-Secretary of State for Wales (Mr. Wyn Roberts): Health services in Gwynedd have been much enhanced by the opening last year of Ysbyty Gwynedd. Substantial redevelopment started at Llandudno general hospital last week. A new subsidiary

renal unit is being established and managed for the health authority by Travenol Laboratories. All these developments are being funded by the Welsh Office.

Gwynedd health authority's provisional revenue allocation for 1985-86 is £46·45 million. This represents growth of 4·7 per cent. over its 1984-85 allocation and includes the balance of the revenue costs of Ysbyty Gwynedd. Additionally, £991,000 has been allocated to it from capital funds for its discretionary use.

Mr. Best: My hon. Friend will know of the great concern felt by the people of Gwynedd over two issues. I refer first to the ambulance service and to the need for proper provision, given the particular problems of Gwynedd, where there are many remote rural areas. Will my hon. Friend say something about the funding for that? There has been a very good initiative from my right hon. Friend the Secretary of State over the renal dialysis unit, but does my hon. Friend agree that it would be a cruel deception if the people of Gwynedd, who want it so much and who rely so heavily upon having such a unit, found that it did not come to pass?

Mr. Roberts: My hon. Friend asked about the ambulance service, and I assure him that the revenue resource allocation formula takes account of the district's topography. I understand that there is no case for a special allocation in respect of Gwynedd's ambulance service, but the matter is being considered by the resource allocations working group. It is looking at the effects of sparsity on the formula. There is no question but that the subsidiary renal dialysis unit will go ahead. A contract has been concluded between Travenol Laboratories and the health authority, and it is very much hoped that the unit will open this summer. Of course it will be very much to the benefit of NHS patients in Gwynedd.

Mr. Wigley: May I press the Minister further about the ambulance service? Is he aware that the pressures on it are very great and that some ambulances have done far more mileage than vehicles with such duties should do? Moreover, is he aware that the greater centralisation arising from the opening of Ysbyty Gwynedd puts greater pressure on the service? It is vital that there should be additional ambulance facilities. Will the Minister give that matter his urgent attention?

Mr. Roberts: I appreciate what the hon. Gentleman is saying, but that is very much a matter for the resource allocations working group. That group comprises representatives of the Welsh Office and of every Welsh health authority. It is very much a matter for it.

Dr. Roger Thomas: Is the Minister satisfied with the cervical cytology recall system in Wales? When can we expect the system in that part of the world to be fully computerised?

Mr. Roberts: We are looking at the system as it operates in all the authorities in Wales. We have set up a special group, which is examining the matter. Whatever changes are required will be made. Of course, we look forward to computerisation.

Pupil-Teacher Ratios

4. **Mr. Hubbard-Miles** asked the Secretary of State for Wales if he will state the average pupil-teacher ratio in schools in Mid-Glamorgan for each year from 1978-79 to the latest available date.

Mr. John Stradling Thomas: From 1978-79 to 1983-84, the average overall pupil-teacher ratios for Mid-Glamorgan schools year by year were 18·7: 1 in the first three years and, thereafter, 18·9, 18·3 and 17·5.

Mr. Hubbard-Miles: I am grateful to my hon. Friend for that reply, which shows that resources are being made available not only to maintain the standards of education in Mid-Glamorgan but to improve them. Is he aware that the district auditor's report showed that Mid-Glamorgan could save £2 million by reorganising its school meals service and its staffing in higher education?

Mr. Stradling Thomas: Yes, I am aware of the report. It pointed to ways in which savings could be made by education authorities. Only last week it was reported that a scrutiny of Mid-Glamorgan's school meals and further education services had revealed areas where significant savings could be found. I hope that the authority will act on the recommendations.

Mr. Roy Hughes: Is the Minister aware that it is absurd to harp on about the teacher-pupil ratio in Mid-Glamorgan when a recent Welsh Office report shows that many families there have difficulty in feeding and clothing their children so as to be able to send them to school in the first place? Is he also aware that they are further disadvantaged by poor housing and lack of public transport? What is being done about those basic issues?

Mr. Stradling Thomas: I welcome the improved education facilities. The report shows that standards are not dictated by financial resources alone. The inspector's findings suggest that a great deal depends on how the resources are managed. The rest of the hon. Gentleman's supplementary question goes much wider than the main question.

Local Authorities (Expenditure)

5. **Mr. Wigley** asked the Secretary of State for Wales what was the final outturn of local authorities' current and capital spending in Wales for the financial year 1984-85; and how this compares with the Government's projections.

Mr. Nicholas Edwards: Final outturns for 1984-85 will not be available until early 1986. The latest estimates indicate that current spending in the year will exceed the Government's planning total by about £30 million. The provision for capital spending looks like being exceeded by between £10 million and £20 million.

Mr. Wigley: Will the Secretary of State accept that those figures of £30 million and £10 million are relatively small in the context of local government expenditure in Wales and certainly would not have justified the draconian measures that were taken by the Government to curtail the powers of local authorities? Will he further accept that the major problem facing people in all parts of Wales is unemployment and that capital expenditure by local authorities offers a good tool to try to generate jobs? Will he go back to the Treasury to see whether further funds can be made available in terms of capital expenditure approvals for local authorities in Wales?

Mr. Edwards: I have on previous occasions pointed out that it is because of the relative constraint by local authorities in Wales on current spending that we have been able to obtain substantial additional capital provision for those authorities. That will continue to be the case, bearing

in mind the relationship between the control of current spending and the amount of capital that we can make available.

Sir Anthony Meyer: Is my right hon. Friend aware that the restriction to 50 per cent. of the capital receipts that local authorities may spend is causing a disproportionate amount of resentment? Will he make representations to the Chancellor of the Exchequer that this restriction should be lifted as soon as the economic situation permits?

Mr. Edwards: We debated this question at considerable length in the House recently and I have nothing to add to what I said then, except, as I say, that there has been substantial additional capital provision in Wales, where the capital provision per head of the population is nearly double that in England. The accumulated resources, if they were all spent in a single year, would cause difficulties; they will be available for spending by local authorities over the next few years.

Mr. Rowlands: Has the right hon. Gentleman seen today's *Western Mail*, which contains a story about a secret report which his Department has on deprivation and need in the Rhymney Valley? Will he make that report, whatever it is, available at least to the authorities concerned? Will he then decide to spend the money necessary to meet the needs and deprivation of our communities?

Mr. Edwards: The hon. Gentleman should not believe everything that he reads in the *Western Mail* about secret reports. That report was commissioned by the Welsh Office and carried out by UWIST. Copies of it were provided to the local authority concerned and to the local authority associations. It was part of the work carried out by the Welsh Office to enable better decisions to be taken and for the future consideration of planning allocations to take proper account of these matters. As for the state of housing in the area, it is clear that much more has been spent by the present Government than was ever spent during the last period of the Labour Administration.

Mr. Roy Hughes: Bearing in mind that there are to be 1,000 redundancies at Courtaulds, over 800 redundancies at St. John's, Maesteg and 750 redundancies at British Petroleum, what additional resources have been made available to local authorities to enable them to cope with the heavy additional welfare problems with which they will be confronted?

Mr. Edwards: The total provision for local authorities has been announced. When considering urban allocations, the urban programme, urban development grant and other specific matters that arise from time to time we shall take particular note of closures of the kind referred to by the hon. Gentleman.

Dairy Farmers

6. **Mr. Geraint Howells** asked the Secretary of State for Wales if he has any further plans to help dairy producers in Wales; and if he will make a statement.

Mr. Nicholas Edwards: The industry has already welcomed the measures announced on 28 March giving effect to a package of measures allowing greater flexibility in quota management. Over half—54 per cent.—of Welsh dairy producers will benefit from the measures taken to restore to base year 1983 levels quotas totalling less than 200,000 litres.

Mr. Howells: I am sure that the Secretary of State is well aware, although he will not admit it, that the outgoers scheme is a complete shambles and that the best thing his Government could do would be to scrap the scheme and start afresh. What advice can the Secretary of State give the dairy farmers of west Wales who are dependent upon the extra allocation of quota which is not now available to them?

Mr. Edwards: Far from being a complete shambles, the scheme will enable us to provide a quota for smaller producers at 1983 levels and also to deal with cases of hardship. It is because all the quota that we would like to include in the outgoers scheme is not included that on 15 April my right hon. Friend the Minister of Agriculture, Fisheries and Food announced that it would be reopened. Producers who did not apply in 1984, and those who did not accept the initial offer, will be able to apply. The scheme is to remain open until Friday 3 May 1985. I hope that it will provide additional quota. The more quota that we can obtain from the scheme, which has been continually criticised by the hon. Gentleman, who has alleged that in order to obtain this quota farms are having to be taken out of production, the better it will be for farmers. Some farms must be taken out of production in order to allocate quota to the many farmers who are in real difficulties.

Mr. Raffan: Will my right hon. Friend undertake to look into the particularly distressing case of Tom Stephenson of Sylvaen farm near Flint and get his Department to recognise that it was an implied term of the compensation agreement made with Mr. Stephenson that because of the effect of the Holywell bypass on his former farm his milk quota would be transferred to his new farm?

Mr. Edwards: As my hon. Friend knows, we have left these issues to be settled by the tribunal which has been established under the regulations. However, I shall look at the case that my hon. Friend has mentioned, especially as it apparently involves negotiations with my road department. We are considering very carefully whether further provision can be made to deal with those special hardship cases which do not fall within rules which have been applied so far by the tribunal.

Rate Capping (South Glamorgan)

7. **Mr. Gwilym Jones** asked the Secretary of State for Wales what penalties he has imposed upon South Glamorgan county council as a result of the rate increases in 1981-82, 1982-83, 1983-84, 1984-85 and 1985-86, respectively.

Mr. Nicholas Edwards: A local authority incurs rate support grant penalties, not because of rate increases, but only as a consequence of spending in excess of its expenditure target. South Glamorgan suffered a grant penalty of £234,532 in respect of the financial year 1981-82. It has incurred no penalty since.

Mr. Jones: The penalty in 1981-82 mentioned by my right hon. Friend is hardly surprising as, coincidentally, the rates for that year went up by 54 per cent. South Glamorgan county council's latest rate increase is the

highest in south Wales. Does my right hon. Friend agree that the massive rate increases in South Glamorgan during the last four years have been a very significant factor in job losses?

Mr. Edwards: South Glamorgan's rate increases have varied from year to year. What my hon. Friend has said may be right, taken over a period. However, there have been individual years when the rate increase has been kept down. Nevertheless, it is unquestionably true that high rate increases make it more difficult for industry and business and deter job creation.

Job Creation

8. **Sir Raymond Gower** asked the Secretary of State for Wales how many new jobs have been created since 1979; and what are the job prospects for the next year *(a)* in Wales and *(b)* in the area of the Vale of Glamorgan.

Mr. Nicholas Edwards: Comprehensive information on the number of jobs created is not available. Since May 1979 projects for which offers of selective financial assistance were accepted, or which were allocated Government-financed factories, promised to provide over 72,000 jobs; but that figure takes no account of the substantial number of new jobs not involving SFA not taking place in Government advance factories. The latest published figures show that between March and September 1984 there was an increase of 12,000 in the number of people in employment in Wales and between June 1983 and June 1984 there was an increase of about 24,000 in the number of self-employed in Wales. The recent announcements by BP and Courtaulds represent a very severe blow, but that has to be seen in the context of rising investment throughout Wales. In Clwyd alone SFA offers made since the beginning of 1983 promise over 4,800 new jobs and in Wrexham projects involving over 1,500 new jobs have been announced in the past year. Only last week I opened the latest in a string of new high technology companies which will provide an increasing number of new jobs in the Vale of Glamorgan.

Sir Raymond Gower: I thank my right hon. Friend for that information, but is he satisfied that the Vale of Glamorgan area is receiving a fair proportion of the grants which have gone into the Principality, particularly those from the EC, of which the Vale of Glamorgan area does not seem to have received a fair share?

Mr. Edwards: That really is not true. There is no doubt that the number of new companies coming into the Vale of Glamorgan area or sites immediately around it is considerable. There have been a large number of recent announcements and new openings. As I said, I opened one such factory only last week and I know a number of other cases which are under negotiation.

Dr. Marek: Is the Secretary of State aware that the total amount of dicell acetate yarn production in the United Kingdom is about 14,000 tonnes per annum and that the Courtauld plant at Wrexham produces approximately half of that? Is he further aware that if that plant closes the company proposes to increase production by 33 per cent. in its remaining factories in England? How much longer will the right hon. Gentleman allow the dismemberment of our industry and infrastructure in Wales? What will he do to try to help keep acetate yarn production in Wrexham?

Mr. Edwards: When the hon. Gentleman talks about dismembering industry in Wales, he must also take account of the 1,500 new jobs in Wrexham from projects announced within the past 12 months. The loss of the Courtauld plant in Wrexham is a sad blow, but a large number of new factories are opening. I have discussed with the chairman of Courtauld the measures which the company can take to help. In particular, I have expressed the view that the company should support the local enterprise trusts and the enterprise zone with senior personnel, in the way that the Thomson group did so successfully in Neath. We shall also be discussing with local authorities any further special measures that are needed.

Mr. Harvey: I entirely reject the Opposition's approach of throwing money at jobs, but is my right hon. Friend aware that there is concern on the Conservative Benches, too, about the level of unemployment in Wales? Will he consider making representations to Courtauld to see whether the decision on the Wrexham plant can be reconsidered?

Mr. Edwards: I have already discussed the matter with the chairman, and I cannot hold out any prospect that the company will change its decision. We have given substantial financial support to previous investment by the company. Again I must emphasise that we have only recently given substantial financial support to companies such as Sharp, Laura Ashley, Metal Box and F. W. Bender, all of which are setting up in the area and taking on people, and all of which will make a positive job contribution in the months and years ahead.

Mr. John Morris: Since the Government took office, has not the number of jobs created or projected for west Glamorgan been dwarfed by the job losses? Did not the Government, like Pontius Pilate, wash their hands of the proposed closure of BP Oil at Llandarcy? Will he now give an assurance that BP Chemicals at Baglan Bay is not in jeopardy? How far are those plans affected by the Government's change of philosophy about regional assistance for capital expenditure?

Mr. Edwards: The right hon. and learned Gentleman will be aware that the area benefits from the highest levels of support under the present regional policy. I am told by the company that the works at Baglan are not immediately affected by those measures.

Mr. Morris: Immediately?

Mr. Edwards: I cannot make forecasts about industrial changes that may take place many years ahead. We are talking about the immediate consequences of that decision. I questioned the company's senior management on that point. We have recently made substantial investment to assist the plant, which is doing good business at present. I have no reason to believe that the decision at Llandarcy will affect the position at Baglan at present.

Mr. Best: Is my right hon. Friend aware that the prospect for further jobs in Wales is inextricably linked with small businesses' prospects of prosperity? Is he further aware that those businesses want access to venture capital more than anything else? Will he report on the development of the welcome addition to that access of the Welsh Development Agency's institutional and venture capital unit?

Mr. Edwards: We must certainly encourage the development of new small businesses. We recently had a successful venture capital conference in Cardiff, which was attended not just by the Welsh Development Agency, which has launched its own fund, but by a number of other major venture capital organisations. I am glad to say that there is a great and rising level of interest by the growing venture capital market in what is going on in Wales.

Mr. Abse: The Secretary of State for Wales talks about incoming investment. Will he explain why the LSI Logic factory, which was due to come into my constituency, has been whipped away to Germany, with the loss of 1,000 jobs, because of his incompetence and failure to deal with the Treasury and obtain sufficient funds to allow the company to make a commercial judgment? How dare he tell us that he is looking after inward investment when, in the light of the blows now descending upon Wales, he lacks the confidence to stand up to the Germans and to obtain for us a factory which had almost reached the point of coming into Cwmbran?

Mr. Edwards: I shall give the company chairman's answer to the hon. Gentleman's question. The chairman wrote to me:

"Our conclusion, to site this first European plant elsewhere in Europe, was arrived at, after much debate, as the Welsh site and proposal were very attractive. The final decision was based on a combination of market, commercial and financial considerations. I wish to emphasise that for our company, this is only the first of several plants in Europe, and Wales will rank very high in our future plans when we are ready to decide on the next European location.

In particular, I appreciate your personal involvement and commitment to bringing high technology industry to Wales. You are clearly on the right path, and I anticipate a similar revival to what we have seen here in the State of Massachusetts in the past ten years."

Mr. Raffan: Following the devastating announcement of a further 595 redundancies at Courtaulds Greenfield in my constituency, in addition to the 202 announced last autumn, will my right hon. Friend do his utmost to impress upon Courtauld that it cannot just up and walk away from a community and a work force which it has described as first class and which has served it so well over 50 years? If the company will not reverse the decision, will my right hon. Friend impress upon it the need to phase in the redundancies to lessen the devastating impact on the local community? Will he consider the possibility of a joint venture with the company to generate local employment? Will he accelerate the urban aid programme to clear derelict land and accelerate SFA applications from companies thinking of coming into the area? Will he impress upon the WDA the distinctive needs of my constituency and urgently consider the designation of Delyn as an EC textile closure area?

Mr. Edwards: My hon. Friend has, I know, fought gallantly for the plant for a considerable period. We are dealing here with a capital reduction by Courtaulds which goes back to 1977 and has taken place stage by stage. I have already made representations of the kind for which my hon. Friend asked to Sir Christopher Hogg and have pressed on him the responsibility that the company owes to the area. I particularly hope, as I have already mentioned, that it will appoint senior personnel to assist in the development, and that the company will play its part in making land available in the enterprise zone. When we examine the urban programme, SFA applications and the other matters raised by my hon. Friend, the needs of the area will be very much in our minds.

Mr. Ray Powell: How can this industrial and commercial rapist of Wales come to this House and say that he is on the right lines when, at the weekend, he announced that 700 jobs are to go at Courtauld, and 830 jobs in Maesteg will be lost by the closure of St. John's colliery? He talks about the Laura Ashley company coming into the area, which will mean about 500 jobs in the pipeline in a few years, but on the same day he announces the closure of Borg Warner in Kenbig Hill. Yet he can come here with his usual incompetence and talk to us about new jobs coming into Wales. An investigation needs to be conducted into the closure of factories and units throughout Wales, and particularly at Maesteg in my constituency.

Mr. Edwards: The new overseas investments attracted to the hon. Gentleman's constituency in the Bridgend area in general last year include Invacare, Aerian, Align-Rite, Biomet—and the Chronar corporation, which I opened last week. Between them they promise about 1,200 jobs. Those people will owe nothing to the hon. Gentleman's assistance and encouragement. Indeed, he encouraged a coal strike that did great damage to employment prospects in Wales.

Mr. Barry Jones: Do not the losses of Clwyd textile jobs, west Glamorgan petrochemical jobs, Gwent microchip jobs and south Wales coal jobs—2,300 job losses in nine days, according to a BBC commentator—point to an urgently needed change in Cabinet economic policies?

With regard to Courtauld, why did the right hon. Gentleman not protest strongly at such sudden closures, with their distressing social consequences for Wrexham and Deeside? What is the right hon. Gentleman prepared to do to secure a change of mind by Courtauld, which seems to have acted without any regard for the generations of loyalty by the people of north-east Wales? We feel let down. Our workers, who have responded magnificently on both productivity and demanning, have been betrayed. We look to the right hon. Gentleman to fight to help the people of north-east Wales on the Courtauld redundancies. He should show more care for rising unemployment throughout Wales.

Mr. Edwards: I would have been rather more impressed by the hon. Gentleman if he had reminded the House that in 1977, at the time when he was a Minister in the Welsh Office, the Castle works at Flint closed with the loss of 1,500 jobs, and almost simultaneously Courtauld closed another plant at Dowlais, Merthyr, with the loss of 400 jobs. The hon. Gentleman should acknowledge that the decisions are taken by companies which have to deal in an internationally competitive world. They are not taken by Governments.

I protested to the chairman of Courtauld about the way in which the announcement was made. In fairness to him, I have to say that he had warned me over several years that the future of the Courtauld plant was at risk. Indeed, the hon. Member must have known that perfectly well if he was doing any sort of job as a Member of Parliament. About a year ago, the chairman of Courtauld, when lunching with me, told me that the future of the plant was

hanging by a thread. None the less, Courtauld made a massive investment in the plant over the past two or three years. Unfortunately, that investment was not enough to save the plant in a fast changing world market.

Council House Sales

9. **Mr. Knox** asked the Secretary of State for Wales how many council houses have been sold to sitting tenants in Wales since May 1979.

Mr. Wyn Roberts: A total of 41,166 council dwellings were sold to sitting tenants in Wales between May 1979 and 31 December 1984. In addition, 2,374 dwellings were sold by the Cwmbran development corporation and Mid-Wales development.

Mr. Knox: To what extent have local authorities benefited financially from those sales of council houses?

Mr. Roberts: Between March 1980 and December 1984 net receipts from sales amounted to about £177 million, which has enabled housing investment programme allocations to be increased and has given local authorities the scope to enhance their programmes from the portion of receipts that they are allowed to retain.

Mr. Anderson: Does the Minister not feel just a little annoyance at the Conservative party's obsession with the sale of council houses and its lack of concern about the construction of council houses to meet the great demand that we have in Wales?

Mr. Roberts: The hon. Gentleman knows only too well that the sale of council houses does not affect the totality of the stock that is available. He also knows that those who are buying their council houses would otherwise have remained as sitting tenants. The success of our campaign to sell council houses clearly shows the desire of people in Wales to own their own homes.

CHURCH COMMISSIONERS

Stipends

21. **Mr. Greenway** asked the hon. Member for Wokingham, as representing the Church Commissioners, how many members of the clergy received stipends for the first time in 1984 and in each of the preceding 10 years.

The Second Church Estates Commissioner, Representing Church Commissioners (Sir William van Straubenzee): There were 404. Information is not available for all of the preceding 10 years, but for 1983 the figure was 423 and for 1982 it was 385.

Mr. Greenway: I thank my hon. Friend for those figures. Do they not represent a disturbing but slow decline in the number of clergy available in this country, and does that not have serious long-term implications for the life of the Church? Secondly, will my hon. Friend comment on the fact that divorced and separated wives of clergymen are living in penury because proper provision is not made for them?

Sir William van Straubenzee: Courtesy to the hon. Member for Birkenhead (Mr. Field) means that I must not answer the second part of my hon. Friend's question. I am sure that we can make quick progress.

With regard to the first part of his question, my hon. Friend asked me in his original question to give the number of clergy receiving stipends for the first time. That is not necessarily the same thing, as he already knows. Of course, I would very much wish to see a sharp increase in the number of men offering themselves for ordination.

Mr. Cormack: Does my hon. Friend agree that vocations might be increased if certain right reverend prelates stuck to politics rather than straying into unsound doctrine?

Sir William van Straubenzee: I am certain that it is very much better for a good shoemaker to stick to his last.

Listed Buildings

22. **Mr. Chapman** asked the hon. Member for Wokingham, as representing the Church Commissioners, if the Church Commissioners will initiate discussions with the Secretary of State for the Environment seeking the removal of the ecclesiastical exemption of listed buildings belonging to them.

Sir William van Straubenzee: In July 1984 the General Synod, by a large majority, expressed the view that the ecclesiastical exemption should be retained. The commissioners are of the same view. They have made it clear that they are ready to explore ways of improving the existing system.

Mr. Chapman: As a number of much respected environment groups have expressed reservations about the workings of the ecclesiastical exemption system, may I welcome my hon. Friend's reply and encourage the Church Commissioners to have talks with such groups, including the Victorian Society, as there seems to be at least a lack of information and perhaps quite a lot of misunderstanding about how it can be shown that the ecclesiastical exemption system has strengthened rather than weakened the protection of particular Church buildings?

Sir William van Straubenzee: I am obliged to my hon. Friend. Through the Pastoral Measure of 1983 the House gave oversight of these matters to the Church Commissioners in the belief that pastoral as well as heritage considerations were involved. In support of what my hon. Friend has said, it is interesting to note that the National Heritage Monitor of 1983 points out that a listed Anglican church has a three times better chance of avoiding demolition than a secular listed building.

Widows

23. **Mr. Peter Bruinvels** asked the hon. Member for Wokingham, as representing the Church Commissioners, what financial provisions are made by the Church Commissioners for the widows of clergy; and how much financial support was given in each of the past five years.

Sir William van Straubenzee: A widow receives half the pension entitlement of her husband. For full service, that amounts to £2,175 per annum. The commissioners' support for widows' pensions annually since 1980 was £3·6 million, £4·2 million, £5·2 million, £6 million and £6·7 million.

Mr. Bruinvels: I thank my hon. Friend for that very detailed reply. Does he agree that the work carried out by the wives while their husbands are in situ is a splendid example of dedication, and that provision for them in the unfortunate event of their being widowed should take

account of those many years of unpaid work? Will the Church Commissioners seek to improve the amounts paid to widows?

Sir William van Straubenzee: It is the continuing intent of the Church Commissioners to make money available for improvements. The entitlements—I stress that they are entitlements—now turn upon two thirds of full service pension for a serving man. My hon. Friend will be aware that, in addition, widows are eligible for an augmentation grant if their total income, excluding state benefit, is less than £3,625 per year.

Church Land (Molesworth)

24. **Mr. Willie W. Hamilton** asked the Member for Wokingham, as representing the Church Commissioners, if he will make a statement on the Church's land ownership at Molesworth, and the progress made in selling it to the highest bidder.

Sir William van Straubenzee: This is glebe land belonging to the Peterborough diocesan board of finance and the commissioners' consent would be necessary in the event of the diocese putting forward proposals for its sale.

Mr. Hamilton: Has not CND made a higher bid than the Ministry of Defence for this land? As the proceeds would go to the payment of clerical stipends, does the hon. Gentleman agree that it is deplorable that the Church Commissioners seem to be in political alliance with the Ministry of Defence in a rather disreputable way?

Sir William van Straubenzee: Untypically, the hon. Gentleman seems not to have grasped the situation. At present, no decision is before the Church Commissioners. With respect, therefore, the hon. Gentleman is not entitled to make any judgment about the commissioners' view, because they have not yet had to form a view.

Mrs. Kellett-Bowman: If the Ministry of Defence bid did not succeed, would it not become a matter for compulsory purchase, and would that not be to the detriment of the clergy?

Sir William van Straubenzee: I am afaid that I do not know the answer to that question. It would be for Ministers at the Ministry of Defence to say whether there would be a compulsory purchase order. Personally, I am not aware of any such suggestion at present.

Mr. Deputy Speaker (Mr. Harold Walker): Mr. Frank Field.

Mr. Field: Is the hon. Gentleman aware——

Mr. Deputy Speaker: Order. I was calling the hon. Gentleman to ask question No. 25.

Mr. Field: I wished to ask a supplementary on this question, Mr. Deputy Speaker.

Mr. Deputy Speaker: I am sorry, but I am calling the hon. Gentleman to ask question No. 25.

Clergy Marriages

25. **Mr. Frank Field** asked the hon. Member for Wokingham, as representing the Church Commissioners, whether the Church Commissioners were invited to submit evidence to the working party on the break-up of clergy marriages.

Mr. William van Straubenzee: No, Sir, but representatives of the commissioners have attended all meetings of the working party and have offered information and advice as and when required.

Mr. Field: Does the hon. Gentleman agree that when the report is published on what the Church should do about the broken marriages of clergy, the commissioners will have to provide funds rather than mere advice? Will those funds be forthcoming?

Sir William van Straubenzee: I think that we must wait and see what the working party recommends to the House of Bishops and what action the House of Bishops decides to take. I remind the hon. Gentleman, however, that the commissioners are statutorily bound by this House in terms of the objectives for which their funds may be used.

WALES

Wages Councils

10. **Mr. D. E. Thomas** asked the Secretary of State for Wales what assessment he has made of the effects of the abolition of wages councils on employment prospects in Wales.

Mr. Nicholas Edwards: There is substantial evidence to support the view that a freer wage market would result in more jobs, especially for young people. There is no reason to suppose that these findings do not apply in Wales. Any evidence submitted contradicting this view will be taken into account in our consideration of the responses to the consultative paper.

Mr. Thomas: Clearly, the Secretary of State's Department is innumerate in this area, as in many others, though not that of education. Does he accept that no more than 450 jobs will be created, that they will be low-paid jobs, and that the whole intention of the scheme to abolish the wages councils is to create sweated labour among young people in Wales and elsewhere?

Mr. Edwards: I do not accept the hon. Gentleman's figures. I do not know whether they have the smallest validity. The hon. Gentleman will be able to include those figures in the representations that he may make on our consultative paper, and they will be given due weight.

Sir Raymond Gower: Have wages councils been successful in maintaining high wages?

Mr. Edwards: No, they have not. In addition, they have prevented the creation of many jobs which might otherwise have been brought into existence.

THE ARTS

Musical Education

26. **Mr. Meadowcroft** asked the Parliamentary Under-Secretary of State answering in respect of the Arts what information he has as to assistance currently available to enable children to continue learning to play musical instruments after they leave school.

The Parliamentary Under-Secretary of State for the Environment (Mr. William Waldegrave): The Arts offer a wide range of amateur and professional

opportunities to enable children to continue learning to play musical instruments. Local education authorities provide courses at sixth-form colleges; and support is provided through the mandatory grant system for those taking degree-level courses at universities and polytechnics.

Mr. Meadowcroft: I know from previous exchanges that the Minister is sympathetic towards my point. Is he aware that many good local authorities, including Leeds, assist young people at school by providing instruments, but that there is no provision after the young people leave school? The problem is shuffled back and forth between the Department of the Environment and the Department of Education and Science, on the ground that it is a leisure facility and an aspect of continuing education. Will the Minister take some responsibility for drawing the matter together and helping young people who wish to continue to learn to play an instrument after they leave school?

Mr. Waldegrave: As the hon. Gentleman recognises, this is a matter for either the Department of the Environment or the Department of Education and Science. The role of the Office of Arts and Libraries can only be that of a co-ordinator. However, I shall draw the hon. Gentleman's suggestion to the attention of my noble Friend.

Billericay Arts Society

27. **Mr. Proctor** asked the Parliamentary Under-Secretary of State answering in respect of the Arts what Arts Council funds are available to Billericay arts society in the financial year 1985-86; and if he will make a statement.

Mr. Waldegrave: The Arts Council funds only activities of a professional nature; but the Regional Arts Association will consider sympathetically any request for project funding.

Mr. Proctor: Will my hon. Friend encourage, help and advise the arts society in its attempt to transform a historic building, 108 High Street, Billericay, into a modern and thriving arts centre and in particular to gain private sector sponsorship for this worthwhile venture?

Mr. Waldegrave: I shall be happy to give every encouragement that I can. The scheme is admirable. The expertise required probably rests mainly with the Regional Arts Association or with the Arts Council; but if there is anything that the Office of Arts and Libraries can do to help, it will be delighted to do so.

Mr. Cormack: So that the honest burghers of Billericay and other places north and south of Watford may enjoy performances of a high professional calibre, will my hon. Friend discuss with our noble Friend the somewhat shortsighted attitude of the Arts Council, and indeed the Government, towards the National Theatre's touring activities?

Mr. Waldegrave: Wide though my brief is on the affairs of Billericay, it did not take fully into account their relationship to the National Theatre. I have repeatedly defended the Arts Council's general strategy. The citizens of Billericay have benefited from this strategy, because the Regional Arts Association has had a 29 per cent. increase in its funding this year. Devolution to the provinces really means something.

Concerts (Pensioners and Children)

29. **Mr. Greenway** asked the Parliamentary Under-Secretary of State answering in respect of the Arts if the Minister for the Arts will make money available for concerts of artistic worth for pensioners and children; and if he will make a statement.

Mr. Waldegrave: It is for the Arts Council and not for my noble Friend to allocate funds to arts bodies. Funded orchestras and other arts bodies normally put on concerts that are open to all who wish to attend; but most venues offer seats at concessionary prices for children, students and pensioners.

Mr. Greenway: Is it not sad that some concerts for children and pensioners have been cut out as a result of reduced spending? Does my hon. Friend agree that those two categories should have priority? Will he consider the possibility of direct funding for concerts for pensioners and children?

Mr. Waldegrave: Experiments in encouraging the access of specific groups have nearly always proved less effective than the ordinary system of concessionary tickets. Most concert halls and theatres have such schemes.

Mr. Robert Sheldon: Will the Minister be making representations about the proposed takeover of the Bournemouth Symphony Orchestra by Bristol?

Mr. Waldegrave: The right hon. Gentleman might feel that I have some interest in this matter. The Bounemouth Symphony Orchestra has always been partly funded by Bristol and I know of no firm proposals to change that. I shall write to the right hon. Gentleman about the latest situation if he would like me to do so.

Sir David Price: Is not the point that, uniquely, the Bournemouth Symphony Orchestra tours the whole of its region and goes in for community music? Is that not the answer to the question of my hon. Friend the Minister for Ealing, North (Mr. Greenway)? We think in terms not of pensioners or school children but of the community as a whole. The more our big orchestras get out into smaller communities, the better for the purpose behind my hon. Friend's question.

Mr. Waldegrave: I agree with my hon. Friend. When the Bournemouth Symphony Orchestra comes to Bristol, there are normally concessions for the types of groups to which my hon. Friend the Member for Ealing, North (Mr. Greenway) referred.

Mr. Faulds: Will the Minister try to get home to his noble Friend the enormous value of concerts for pensioners and children, in a recreational sense for pensioners and in an educative sense for children? Will he add to his representations the value of taking concerts and other artistic manifestations out to factories and such areas, as was done by one of our late lamented Glasgow friends with great success?

Mr. Waldegrave: I am happy to agree with the hon. Gentleman. I have been to one of the children's concerts which are occasionally held at the Colston Hall, Bristol. They are marvellous occasions. There is nothing in the present arrangements which makes it impossible to have such occasions.

Mr. Peter Bruinvels: Why are concerts and events for the ethnic community funded, when concerts for children and pensioners, certainly in Leicester, seem not to be?

Mr. Waldegrave: A local authority might choose that as the best local priority. Some interesting West Indian artistic things are funded in my constituency, and many of them are funded under the aegis of the Manpower Services Commission.

Mr. Buchan: Does the Minister agree that the most interesting artistic development in the House for a long time is the fact that every Tory Back Bencher is now beginning to feel the squeeze arising from the Government's policy? Does he further agree that pensioners and children are not alone in suffering under the present Government in regard to concerts, as the entire musical and threatrical world has suffered? As for taking the arts to factories, why are trade unions being excluded from the pound for pound scheme in sponsorship?

Mr. Waldegrave: I was not aware of any properly organised project being excluded. If any is, I shall look into the matter and write to the hon. Gentleman. I do not think that, as the project is funded, anyone is excluded because of who he is. The hon. Gentleman misinterprets the questions that I have been asked by my hon. Friends. I detected no fear or trepidation, but the normal Conservative party and Government interest in these matters and a proper relationship between the spokesman and the Back Benches.

Mr. Cormack: Can my hon. Friend encourage two birds with one move by discussing with his noble Friend the possiblity of a special grant for the National Youth Orchestra to give a tour of concerts for pensioners?

Mr. Waldegrave: That would kill or, rather, entertain two birds with one pipe. I shall report my hon. Friend's suggestion to my noble Friend, who will undoubtedly say that such funding is a matter for the Arts Council.

WALES

Home Improvement

11. **Mr. Rowlands** asked the Secretary of State for Wales what is his latest estimate of the number of outstanding home improvement grant applications made under the provision allowing payment of 90 per cent. of the cost of the work.

Mr. Wyn Roberts: During the two-year period when 90 per cent. rates were generally available for repair and intermediate grants, 141,000 applications for grants of all types were submitted. Local authority returns indicate that 50,000 of these are still outstanding.

Mr. Rowlands: While most authorities are able to do something about statutory intermediate grants, are not thousands of elderly people—some of them in their 80s—who are awaiting basic repair grants receiving letters stating that they will have to wait two or three years? Will the hon. Gentleman think about a special additional fund to unlock repair grants for old people's properties before it is too late, or does he want to go down in history as the Minister who gave guarantees relating to grants but that people died before they received them?

Mr. Roberts: The rate at which this backlog will be cleared depends to a significant extent on the action of individual local authorities. Considerable sums of money are being spent on grants—£80 million last year and £107 million the year before—and there is scope for substantial expenditure within this year's gross capital figure of £147 million. Over the last three years we have spent £230 million on private sector renovation—four times as much as the total spent during the whole period of the last Labour Administration.

Mr. Foot: In view of the huge backlog which has now built up in the home improvement queue, will the hon. Gentleman review the matter afresh? This is an immediate way in which some assistance could be given to deal with desolating conditions in the Rhymney Valley. Other valleys are similarly affected. At the same time as considering the possibility of a much larger house improvement scheme, will the hon. Gentleman also consider restoring the full housing programme to its 1979 level, which would mean many more houses and people in jobs?

Mr. Roberts: I must remind the right hon. Gentleman that during the Labour Government's period of office the average spend was £29 million per annum over their five-year period, compared with our £72 million per annum over the last five years. However, I take the right hon. Gentleman's point. We are reviewing improvement grants and will be publishing our proposals shortly.

Mr. Harry Greenway: On a point of order Mr. Deputy Speaker. I rise respectfully and deferentially. You called each of the questions set down for the hon. Member answering for the Church Commissioners. However those questions began a minute late and finished a minute early, even though some hon. Members still wished to ask supplementary questions on that important subject. Will you take account of the fact that questions to the hon. Member answering for the Church Commissioners are now held once every six weeks instead of once every three weeks? Will you also consider the possibility of allowing those questions to run full time on another occasion, because the spiritual health of the nation is important? I am not sure——

Mr. Deputy Speaker: Order. The hon. Gentleman has made his point. The frequency of questions to the hon. Member answering for the Church Commissioners is a matter not for the Chair but for the usual channels. No doubt the hon. Gentleman's remarks will be conveyed to the Leader of the House. The hon. Gentleman must recognise that every hon. Member who tabled a question to the hon. Member for Wokingham (Sir W. van Straubenzee) had his question answered. There were many other questions on the Order Paper awaiting oral answer, and hon. Members were waiting patiently for their turn. I must have equal regard to their interests and rights.

Mr. Peter Bruinvels: On that point of order, Mr. Deputy Speaker——

Mr. Deputy Speaker: On the same point of order? I thought that I had dealt with it.

Mr. Bruinvels: While in no way seeking to challenge the ruling that you have just given, I merely wish to point out that in our country a terrifying number of clergymen are now getting divorced——

Mr. Deputy Speaker: Order. The hon. Gentleman must not ask me the question that he would like to have asked the hon. Member for Wokingham (Sir W. van Straubenzee).

Mr. Frank Field: Further to that point of order, Mr. Deputy Speaker. A large number of hon. Members wished to ask supplementary questions to Question No. 25, and I wished to ask a supplementary question to Question No. 24. I do not wish to challenge your ruling, but is there not all the difference in the world between getting an answer and supplementary questions being asked by other hon. Members?

Mr. Deputy Speaker: Order. I understand the hon. Gentleman's point but he had one question answered, and for him to want two questions to be answered consecutively when other hon. Members have waited throughout the whole of Welsh Question Time without having a chance to have their questions answered is not reasonable.

I remind both the hon. Gentleman and the House that it is a matter for the discretion of the occupant of the Chair who is called to ask supplementary questions. I hope that hon. Members will not challenge my discretion. I am trying to do the job as fairly as I can to make sure that the time is shared out fairly. We should now turn to the main business of the day.

Opposition Day

[10TH ALLOTTED DAY]

The Welfare State

3.35 pm

Mr. Michael Meacher (Oldham, West): I beg to move,

That this House calls upon the Government to withdraw its plans to abolish the State Earnings Related Pension Scheme and its proposals to cut back other key benefits as part of its callous dismantling of the welfare state designed to provide even bigger tax handouts for the rich.

Mr. Deputy Speaker (Mr. Harold Walker): Order. I have to tell the House that I have selected the amendment in the name of the Prime Minister.

Mr. Meacher: The motion sets out the demand that we place before the House on behalf of 10 million pensioners, 3·5 million unemployed, 3 million disabled persons and millions of others who may suffer sickness, bereavement or other misfortune.

The welfare state, while it needs genuine reform and improvement, remains for the British people the ideal of dignity and security against want in the face of economic and other adversity over which the individual has no control. It is against the destruction of that ideal, the intensification of the means-test state without dignity and the dismantled security that we raise our voice today.

In reply to our motion the Government's amendment is astonishing, not only in its unbounded smugness but in being demonstrably inaccurate and false from start to finish. It begins by noting

"the Government's commitment to improving the . . . Health care systems in this country as shown by increased spending on the National Health Service".

I have news for the Government. Spending is going down, and that is official. Sir Kenneth Stowe, the permanent Secretary at the DHSS, confirmed last week to the Select Committee that current expenditure on the NHS in the last year fell.

The Government's amendment continues its self-congratulation by noting

"increased benefit levels for pensioners and others".

The truth is that by ending the earnings link in the uprating of pensions the Government have lowered the pension for a married couple by £5 a week, every week, below what it would have been if Labour's formula had been continued.

The Government's amendment then refers to their

"reducing the burden of taxation and National Insurance contributions".

That is a rum one. In fact, under this Government, the rate of national insurance contribution has increased by 50 per cent. and the burden of taxation has increased by the equivalent of about 9p in the pound on average for the whole population, except those earning over £20,000 a year.

The Government's amendment, obviously unable to find anything to say about the Government's social security and health policies that is both positive and truthful, falls back on the Goebbels lie by referring to

"the Opposition's plans to end mortgage tax relief".

As I made unequivocally clear at the time, and since, the paper that I presented last week was a discussion document and not a Labour party policy document. It is only malicious and fabricated press reporting that has implied otherwise. For the Prime Minister to reiterate such scurrilous misrepresentation is despicable, and it demeans her office.

It ill becomes the Tory Government to raise hackles about mortgage tax relief when, in the so-called Fowler reviews, they are about to abolish not only housing benefit for almost everyone in employment but all supplementary benefit mortgage payments for the poorest families struggling to buy a home. There could be no better proof that the Tory party was founded by the rich, of the rich and for the rich.

Mrs. Elaine Kellett-Bowman (Lancaster): Is the hon. Gentleman aware that many low wage earners in my constituency are buying their houses with mortgages? What can possibly be scurrilous about the Prime Minister drawing attention to the hon. Gentleman's outrageous suggestions even though he did not particularly want them published?

Mr. Meacher: I made it absolutely clear that we would continue with a system of housing aid, both for those in rented accommodation and for owner-occupiers struggling to buy a house. The only difference between our two parties is that the Labour party would aim to improve the level of housing aid for the poorest families, while the Tory party is apparently determined to abolish supplementary benefit mortgage aid.

Mr. Tony Marlow (Northampton, North): The House would not want the hon. Gentleman to be misrepresented. He has a wonderful opportunity to set the record entirely right. Can he tell the House that in no circumstances whatever would a Labour Government tamper with mortgage interest relief, particularly for those on above average incomes?

Mr. Meacher: That is a remarkable statement. The hon. Gentleman has some gall in raising that point when we know that because of the recent, 4 per cent. rise in interest rates monthly payments for those with a £30,000 mortgage increased by £57·60 a month. If the hon. Gentleman wants to assist owner-occupiers, he should have a word with the Government Front Bench and the Chancellor of the Exchequer. I have made it absolutely clear that we would continue the system of housing aid both for those in rented accommodation and for owner-occupiers.

The Secretary of State for Social Services (Mr. Norman Fowler): I am not sure that the hon. Gentleman has entirely answered the point made by my hon. Friend the Member for Northampton, North (Mr. Marlow). What precisely was the status of the considered report which the hon. Gentleman put forward? What is the hon. Gentleman's personal position? Does he actually support the proposals that he put forward a week ago?

Mr. Meacher: The status of the document has been made absolutely clear, as the right hon. Gentleman would know if he had listened to what I have said, as opposed to listening to what has been said by certain members of the press, who have been determined to misrepresent my statement because of their hostility to the Labour party. That is scarcely new. I have made it absolutely clear that

[Mr. Meacher]

it was a Green Paper, a discussion document, for serious discussion of a serious issue. I put the document in that vein, and I hope that it will be treated in that vein.

Mr. Frank Field (Birkenhead): Does my hon. Friend realise that there is considerable support from the Labour party for the ideas that he outlines in that discussion document?

Mr. Meacher: I believe that that is so. I believe that, when people know the purpose of that document, which is to take 8 million people who have been reduced to means tested poverty out of that degrading system, and realise all its implications—anyone is free to see that document, and I hope that it will be treated seriously—they will take a different view. I believe that electorally it has substantial vote winning potential.

Mr. John Butterfill (Bournemouth, West) *rose*——

Mr. Ralph Howell (Norfolk, North) *rose*——

Mr. Fowler *rose*——

Mr. Meacher: I shall not give way, except to the right hon. Gentleman..

Mr. Fowler: Does that mean that the hon. Gentleman stands by the proposals that he made a week ago? From what he has just said, he does.

Mr. Meacher: The Secretary of State should listen to my words. I should like to know whether he intends to abolish supplementary benefit mortgage payments for the poorest families struggling to buy houses and who are on supplementary benefit. That is a rather important question for millions of people who may otherwise lose their homes.

Mr. Dave Nellist (Coventry, South-East): Will my hon. Friend give way?

Mr. Meacher: I shall not give way, as I would rather get on.

Mr. Nellist *rose*——

Mr. Deputy Speaker: Order. The hon. Member for Oldham, West (Mr. Meacher) has said that he will not give way. I hope that the hon. Member for Coventry, South-East (Mr. Nellist) heard that.

Mr. Meacher: The Government have sought to justify this attack on the welfare state on the ground that the social security budget is growing out of control. It is growing, but not because of higher benefits—quite the reverse—but because the Government's other policies are forcing huge numbers of people into dependency. There are now more than 8 million people in supplementary benefit poverty in Britain, which is double the number in 1979. Nearly half of the increase in costs comes from the trebling of unemployment. Huge cuts in housing investment have greatly increased homelessness.

Mr. Butterfill: Will the hon. Gentleman give way?

Mr. Meacher: I shall not give way at the moment. Homelessness has swelled the budget for board and lodging payments. Supplementary benefit board and lodging payments have also been used improperly, and on a substantial scale, to finance an explosion of private sector homes for the elderly. The administration of all these and other claims has added a further £250 million to the budget.

The real answer to the growing social security budget is not to cut benefits. Indeed, the hon. Member for Derbyshire, West (Mr. Parris) could not even live for a week on supplementary benefit, and that is before it is cut even further. The real answer is to change the Government's policies which cause the poverty in the first place and which are multiplying the number in poverty every year. Nor need there be a lack of funding for the welfare state if the Government were so minded. Public expenditure constraints did not prevent the Government from finding another £2·5 billion with which to fight the miners, from finding £3 billion for the Falklands, or from finding another £12 billion over this decade for the defence budget, for Trident. It is all a matter of priorities——

Mr. Charles Kennedy (Ross, Cromarty and Skye): Will the hon. Gentleman give way?

Mr. Meacher: For this Government, perhaps more than any other Tory Government, the welfare state and the abolition of poverty always come near the bottom of their list of priorities. Nor, contrary to the Government's constant propaganda, is Britain even a high social spender. Indeed, according to a parliamentary answer on 19 November 1984, it is, with the exception of Greece, by far the lowest social spender on health care and social security in the whole of the EC. Moreover, a recent OECD report also shows that the growth rate in welfare spending overall in this country has been one of the lowest of all the 24 countries that make up the OECD.

The real motivation behind the Fowler reviews is the obsession with redistribution from poor to rich, which is the indelible hallmark of the Tory hard Right gathered round the Prime Minister. Two months ago I asked the Library to calculate the total value of the social security cuts since 1979. I have its letter with me. It estimated the value at £8,200 million. In addition, by taxing unemployment benefit for the first time, the Government have clawed back another £2,700 million from the unemployed since 1982. Therefore, since 1979, social security has been cut altogether by no less than a staggering £10,900 million—enough to provide every pensioner with an extra £22 a week every week this year and to provide every unemployed family with an extra £62 a week every week this year.

The money did not go to the pensioners or the unemployed. It went to the rich. In every Tory Budget since 1979 the higher rate tax band has been raised disproportionately, capital gains tax and capital transfer tax have been eased and the investment income surcharge, a tax exclusively on those with Stock Exchange holdings in excess of £100,000, has been reduced and has now been abolished.

Using the Chancellor's Budget statement Red Books —any hon. Member can do the same exercise as I have done—it is clear that the cumulative value of the tax handouts, almost exclusively concentrated on the richest 5 per cent. of the population, can be calculated at £12·9 billion. The closeness of that figure to the total of social security cuts is no accident. Pensioners, the unemployed, the sick, widows and the disabled, all the have-nots, have been squeezed to provide further enrichment, on a truly

massive scale, for the haves, who were already rich. It is a despicable philosophy, of which the Conservative party should be ashamed.

Mr. Kennedy: There will be much sympathy among the poorest groups in society for the hon. Gentleman's attack on the Government in that respect. Will he clarify a point on the question of finance, as he is arguing that money is available to alleviate poverty? Why was the shadow Chancellor of the Exchequer unable to come out with a costed, agreed programme on behalf of the Labour party at the time of the Budget, and why did the hon. Gentleman not provide a costed programme when he launched his semi-official document last week? How much would his programme cost?

Mr. Meacher: My right hon. Friend the Member for Birmingham, Sparkbrook (Mr. Hattersley) produced a far more detailed alternative Budget than is traditional. It was provided in very considerable detail indeed, and the hon. Gentleman might care to study it. I wonder whether he has even read it. As for my statement, I presented as a consultative document a 50-page paper, and detailed costings will certainly be presented. If the hon. Gentleman wants independent costings, he can find them this week in *The Economist*. The costings are not entirely accurate, but they are approximately right—a subject to which I shall return.

The Prime Minister, far from being ashamed, is no more capable of shame than she is of compassion. That is why this anti-welfare state drive of robbing the poor to pay the rich is now being brought to a climax. The Treasury wants £3 billion to £4 billion of tax cuts out of these reviews, and it will get them. The Secretary of State has been about as effective in defending the welfare state as General Custer was in his last stand. The Chancellor wants £4 billion to dole out as tax reliefs in the run-up to the next election. That is the whole purpose of the Fowler reviews, and the Secretary of State has been a pushover in letting the Chancellor have exactly what he wants.

The reviews were fixed from the word go. Three of the four major reviews were chaired by Government Ministers. So much for independence. The fourth was led by the chairman of the London Brick Company — presumably chosen because of his intimate knowledge of housing benefit. Of the so-called two independent members of the review into children and young persons benefits, Mr. Parry Rogers, of the Institute of Directors, was forced to declare an interest when the institute gave evidence recommending the abolition of child benefit. The other, Mrs. Barbara Shenfield, just happened to have contributed to an Adam Smith Institute pamphlet opposing the welfare state. The Institute of Directors features again in providing one of the two so-called independants on the supplementary benefit review — presumably chosen because of his vast experience of poverty.

So much for independent reviews. They were packed with Tory members. The nil extra cost constraint imposed by the Treasury enforced a pure cost cutting exercise and the short time scale precluded serious analysis.

We do not know how hard the Secretary of State fought in the Cabinet committee, but we know that he has lost every battle down the line. The leaks that I have established from journalists are undoubtedly authentic— [HON. MEMBERS: "Oh."] The Secretary of State is entitled to deny any of the points that I am about to make, and I look forward to hearing whether he denies any of them. From these leaks it is clear that the state earnings-related pension scheme, which would have doubled pensions in real terms by 1998, is to be abolished, with the result that at least 2 million pensioners will remain in means-tested poverty. All the supplementary benefit additional payment for diet and heating are to be abolished, including the £5 heating allowance for the over-85s, and all the supplementary benefit single payments for clothing and furniture are to be ended. Housing benefit, which has already been cut by this Government by £200 million, is now to be cut by up to a further £2,000 million, which will literally double the rents of hundreds of thousands of occupational pensioners and low-paid families.

Supplementary benefit mortgage interest payments are to be abolished for the poorest families struggling to buy a house, which can only have the effect of forcing thousands of unemployed claimants and one-parent families out of their homes and on to the streets. There can be no other consequence of that action. Unemployment benefit, which has already been taxed by the Government, and where the earnings-related supplement has already been abolished, at an average loss to the unemployed of £16 a week, is now to be reduced from 12 to six months, although 1·25 million claimants have already been deprived of it because they have been unemployed for more than a year.

Sixteen to 18-year-olds are now to be denied supplementary benefit in order to conscript them on to youth training schemes, even though the employers are opposed to the idea because they do not want to train reluctant trainees. The death grant is to be axed, the maternity grant is to be axed — except for the very poorest — and the maternity allowance is to be means-tested for the first time. Family income supplement is to be ended and replaced by family credits, which will reduce the benefit for many families by up to £10 a week and transfer the benefit from the wife to the husband.

This is not a review of the welfare state. It is a massacre of the welfare state. It represents the ending of the principle of entitlement, it represents an intensification of poverty on an unprecedented scale, and it represents a deterioration back to the means-test state of the 1930s. This is not a new Beveridge. These reviews represent the revival of the mass unemployment, mass poverty and mass dependence on means-tested benefits from which the Beveridge report was intended to rescue this country. It is not a radical reconstruction of the welfare state that is about to be carried through by the Government. It is a radical dismantling of the welfare state. It is the new poor law.

Nowhere is that more unmistakable than in the Government's plan to axe the state earnings-related pension scheme, and nowhere is it more dishonest or cynical. On 20 May 1983, conveniently just a few days before the last general election, the Prime Minister gave a solemn and binding pledge in a letter to my hon. Friend the Member for Pontypridd (Mr. John), when she said:

> "Nor are there any plans to change the earnings-related component of the state pension."

That pledge is now being betrayed.

No less binding, however, was the pledge give by the Secretary of State, when he said:

> "My aim in setting up an inquiry is not to call into question the fundamental pensions structure that was established in the 1970s with all-party agreement, and to which I was a party." —[*Official Report*, 23 November 1983; Vol. 49, c. 360.]

[Mr. Meacher]

I am glad to see that the right hon. Gentleman nods his assent. How he can renege on such a clear and unequivocal promise without resigning, I do not know.

The arguments that the Government have given for the abolition of the scheme simply do not hold water. They claim that the scheme cannot be afforded because of the growing number of pensions. The truth is that that number will fall steadily over the years into the next century. The worker-pensioner ratio will improve over the next 30 years. The Government's independent adviser, the Social Security Advisory Committee, recently said:

"At this distance in time we do not think there can be solid grounds for altering the scheme now for fear of all the worst outcomes occurring steadily for 40 years."

The scheme could only not be afforded if economic stagnation continued uninterruptedly for the next 40 years. Perhaps, for all I know, that, privately, is the expectation in the minds of some Ministers. It is not consistent for the Secretary of State, when he is trying to convince the nation of the burden of pensions, to assume, as he did in his recent paper "Population, pension costs and pensioners' incomes", an economic growth rate of 1·5 per cent. a year, while at the same time — the Chancellor of the Exchequer, when he wants to preen himself, as he so often does, on the Government's economic success, speaks, as he did on 31 January and in the Budget debate, of growth "continuing at 3 per cent. a year". — [*Official Report*, 31 January 1985; Vol. 72, c. 499.]

That is simply not consistent.

The truth is that the Government want to destroy Labour's state earnings-related pension scheme—which I repeat, is the best deal that pensioners have ever had — because of the Prime Minister's obsession with increasing the private sector and limiting the role of the state. As the hon. Member for Brentwood and Ongar (Mr. McCrindle)—I am glad that he is present—has rightly pointed out, those on low incomes, who predominate in the state earnings-related pension scheme, are precisely those who are least able to make adequate provision for themselves in the private sector. Indeed, I go further than the hon. Gentleman. The state earnings-related pension scheme came into being in the 1970s precisely because of the failure of the private sector in the 1950s and the 1960s to provide pensions above the poverty line for over half the population.

This act of ideological vandalism against the state earnings-related pension scheme ignores the fact that the state pension scheme is inherently better than any private scheme could ever be, because only the state, unlike any private scheme, can give a proper copper-bottomed guarantee against inflation. Only the state scheme, and no private scheme, can ensure that job mobility is not impeded and that insuperable problems of pension transferability do not arise.

Anyone who destroys the earnings-related pension scheme is the enemy of the pensioner. I vow that the Labour party will fight to preserve that scheme and will take that fight to the country. If the Tory wreckers do destroy it, I give this pledge: because the scheme is the best yet devised for the low-paid, for women and widows, and for guaranteeing protection against inflation, the Labour party will restore it as one of our foremost priorities on winning the next election.

Mr. Tim Yeo (Suffolk, South): As the scheme, unlike private schemes, is not a funded scheme, will the hon. Gentleman tell the House and country whether he proposes to meet its colossal costs after the year 2000 by raising income tax to 50p in the pound, by doubling the rate of national insurance contributions, or by raising VAT to 25 per cent.?

Mr. Meacher: The best calculation that the Government Actuary can make—I recommend that the hon. Gentleman should look at this independent source — is that there might be an increase in the level of employers' and employees' contributions to 16 to 20 per cent. The present level is 17·6 per cent. In other words, there will be a small difference between even the maximum increase in the level of contributions and that which exists now. It is perfectly affordable.

The real issue is whether Britain has a Government who can ensure an adequate level of economic growth, not continuing economic stagnation, and the expenditure of £20 billion a year on keeping 3·5 million people unemployed. If we can change the Government, there is no reason why we cannot afford the scheme.

What we are seeing in the Fowler reviews is the ugly face of welfare capitalism. It is camouflaged by the right hon. Gentleman's claim that his objectives, as he will no doubt say again today, are the targeting of aid, simplification and improving work incentives. Each of those conceals a different reality.

"Targeting" is a Tory code word for more means testing and for taking more money from the not quite so poor working class to give it to the very poor in the working class, while the rich on £40,000 a year sweep up the increased tax handouts.

"Simplification" is a euphemism for more cuts and more rough justice. It does not even overcome the fundamental drawbacks of means-tested benefits which the Secretary of State identified in a letter to the Child Poverty Action Group on 30 May 1984 as being

"complicated to legislate for, administer and understand, and generally the most expensive benefits in terms of manpower needed to administer them."

"Improving work incentives" is Fowler-speak for saying that the poor need the spur of their poverty in order to escape it, while for the rich it is the rate for the job and no amount of handout is too much.

Like the rampaging Federation of Conservative Students, these reviews are stained with the goose-step of the new Right. For them—they are well represented in the higher reaches of the Tory party and Parliament—the only acceptable recipients of welfare are the destitute and the deranged and even the most meagre of state benefits fosters irresponsibility. For them to be unemployed is to be workshy. For them, child benefit encourages feckless breeding, and teenage benefits erode traditional parental controls. It is an ugly philosphy, put forward by an increasingly authoritarian party. It is a callous and compassionless view of society which is rejected by the great majority of the British people.

The Labour party has a different philosophy of care and compassion, of dignity and security against want without stigma. For the pensioners we would restore the link with earnings which the Government so meanly took away——

Mr. Patrick Nicholls (Teignbridge) *rose*——

Mr. Meacher: No, I shall not give way.

We would preserve and strengthen the state earnings-related pension scheme to ensure that the lower paid get the best possible deal in retirement, which otherwise they will not get. For families, we would retain and improve child benefit as the single most important protection against family poverty and against the poverty trap. For the growing army, brought below the state poverty line by Tory policies—it is a growing army of 8 million—we would seek to bring to an end the present degrading supplementary benefit system whereby millions of claimants are herded into offices every week to be dealt with by overworked and underpaid staff in a bureaucratic system fraught with complexity, delays and frustrations on all sides.

For both tenants and owner-occupiers struggling to buy their houses we would consolidate the provision of housing aid, not decimate it as the Government are planning to do. For the disabled, a vital but all too often forgotten group, a new component is needed — a disability costs allowance—to compensate for the extra costs of living arising from disability. But it will inevitably be expensive and its implementation, as for other objectives, must depend on our economic success in reducing the over-swollen army of the unemployed, which is our highest priority.

None of that will be brought about by a Government who regard the welfare state with disdain, nor by a Prime Minister who has made it clear that she regards claimants as scroungers and the unemployed as workshy. That is why the Tory dismantling of the welfare state has now become not just a major political issue but a fundamental reason why the Labour party, which believes in the welfare state, will be returned to power at the next election.

4.9 pm

The Secretary of State for Social Services (Mr. Norman Fowler): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

"notes the Government's commitment to improving the Social Security and Health care systems in this country as shown by increased spending on the National Health Service and increased benefit levels for pensioners and others; supports the Government's aim of reducing the burden of taxation and National Insurance contributions especially for the lower paid; notes the Opposition's plans to end mortgage tax relief and increase income tax and National Insurance contributions; and congratulates the Government on having set in hand the most thorough review of the Social Security system for 40 years."

One of the endearing features of the hon. Member for Oldham, West (Mr. Meacher) is that the weaker his case, the more strident he becomes. There is one difference about his speech today. Normally, he sets up a smoke-screen to disguise the fact that the Opposition have no policy. Today, he has set up a smoke-screen to disguise the fact that the Opposition have found a policy, and that is the policy that he put forward last Monday. I shall come to it in a moment.

First, I shall set out the facts of the Government's policies. On social security, we are paying higher pensions to more pensioners than ever before. We have increased benefits for the long-term sick and disabled by 30 per cent. We have raised child benefit and one-parent benefit to the highest real value. In the Health Service, more patients are being treated than at any stage in its history. The hospital building programme has been restored after the Labour Government's savage cuts in the capital programme. New forms of treatment are being made available.

Today, I am publishing a report that shows that the cost of heart transplants, for example, are lower and the benefits greater than had previously seemed likely. I shall be seeking expert advice on how the Health Service should approach the issue of expanding transplantation in the light of that report.

In terms of cash provided, the Government are spending over £40 billion a year on social security, over £17 billion a year on the National Health Service and, with local government, some £3 billion on personal social services. In addition, the increased efficiency of the National Health Service is now releasing substantial extra resources for patient care. Last year, health authorities in England, by managing their activities more effectively, were able to release £100 million for developing patient services. I have approved plans for health authorities for the coming year which will release a further £150 million for patient services.

My Department alone uses over 40 per cent. of total public spending. Against that background, it is ludicrous for the hon. Gentleman to charge that in some way the Government are presiding over the dismantling of the welfare state. We are committing record resources to the welfare state, but, what is more, we are seeking to ensure that those resources are used to more effect than ever before.

The Government are prepared to have their achievements in office and their policy proposals compared with the previous Labour Government's record and with the plans which are now coming forward from the Labour party.

Mr. Jack Dormand (Easington): I am grateful to the Secretary of State for giving way so early in his speech. As the picture that he has painted is so different from our experiences in our constituencies, despite what he has said, does he feel that there are any weaknesses or deficiencies in the National Health Service, and, if so, what are they?

Mr. Fowler: All Governments face incredible problems in the Health Service. Unlike the hon. Member for Oldham, West, it has never been part of my case to pretend that by waving a financial wand all the problems of the Health Service—new forms of treatment, waiting lists and hospital building—magically will be resolved at once.

The Government are now putting to effect more resources than ever before. We are also seeking to ensure that the Health Service uses those resources to better effect. It is a question of the practical policies needed to fulfil the ideals that the hon. Member for Easington (Mr. Dormand) and I share.

The same charges were made in 1982, 1983 and 1984, in the Opposition's almost annual debate on the dismantling of the welfare state. Until now, the only distinction of the hon. Member for Oldham, West is the rather unlikely one of sounding even more hysterical than the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). Now, for the first time, the Opposition have put forward their policies. For the first time, we are dealing not just with generalities from the Opposition—the hon. Gentleman has set out the policies that he would like to see a Labour Government adopt. Last Monday an official statement said:

[Mr. Fowler]

"Michael Meacher 'Shadow Secretary of State for Health and Social Security' produced his 'considered response' to the Government's review of social security and published two chapters of a full scale book which he intends to publish."

Nothing that I say should be taken as dissuading the hon. Gentleman from following his published plans. To be fair, the press has been rather hard on the hon. Gentleman, because it takes considerable character to produce the kind of report that he published last Monday. The hon. Gentleman has exposed, clearly and frankly, the ambitions and aspirations of a future Labour Government. The direction of their policy is now clear, and, to put it in language that the hon. Gentleman has used time and time before, he has lifted the veil on Labour's secret manifesto. He has set out what Labour would do in power, in contrast to the evasive generalities with which we have had to deal until now.

In the light of that, let me take the hon. Gentleman's comparison. Let us compare what the Government are doing with what the hon. Gentleman wants to do. The Government take the view that control of public spending is essential on economic and social grounds. Economic collapse and high inflation affect most the weakest in our society. If one needs any proof and establishment of that, one has only to return to the period between 1974 and 1979 when prices increased by 110 per cent. That was disastrous news for thousands of pensioners.

The hon. Gentleman has set out a plan for social security which he estimates would cost £7 billion a year. Even on the information that he has provided, it is clear that the cost would be at least twice that—an addition of well over £15 billion to public spending. His plan for the disability costs allowance, which he repeated again in his speech, would cost upwards of £4 billion. His plan to give an educational maintenance allowance to all those aged over 16 still at school would cost up to £1 billion. His income maintenance benefit could involve spending billions of pounds—£2 billion extra on benefits for the unemployed and £1 billion more for single parents. Even on the hon. Gentleman's own costings, the inevitable consequence of his policies would be a massive increase in income tax and national insurance contributions.

Mr. Meacher: I am sure that it gives the right hon. Gentleman great pleasure to indulge in references to handouts from Conservative Central Office, but I assure him that most people are likely to take a great deal more seriously the kinds of independent costings made by *The Economist*, which is in no way a Left magazine. Its view is that the total costings would be under £7 billion, of which £4 billion would be accounted for by the abolition, under the consultative document — as a Green Paper proposal—of the married man's tax allowance and the switching of that into a substantial increase in child benefit.

The disability costs allowance, which we have costed very carefully at between £1·5 billion and £2 billion, is indeed a big extension of the social security system, and I have made it absolutely clear that it could be achieved only if we were to make substantial inroads into the £20 billion that the Government are now spending on keeping 3·5 million people unemployed.

The remainder of the package—about £1 billion—is easily accounted for by the fact that tax reliefs given to the rich over the past six years are estimated now to have an annual running cost of £3 billion. All that I was modestly suggesting was that we take back, for the purpose of the proposals, one third of that amount.

Mr. Fowler: The public will decide which of the figures is correct. As the hon. Gentleman well knows, the report in *The Economist*, to which he refers, takes his own estimates of the figures and makes that quite clear. If the hon. Gentleman's plans are put into the Library, I shall be content to give detailed costings of them. It is clear from the press, from politicians and from all kinds of other commentators that the hon. Gentleman has not done the work on the costings that needs to be done. When he has done that work, he will find that the figure is over £15 billion.

The hon. Gentleman's plan has been attacked in relation to its effect on mortgage tax relief, and rightly so. Let us not beat about the bush. The hon. Gentleman wants to reduce mortgage tax relief. That is what my hon. Friends said, and they are right. In his consultative document — to which, presumably, at least the hon. Gentleman is committed — he favours a housing allowance. He repeated that this afternoon in the debate. A cash benefit would be payable towards housing costs, whether rented or owner-occupied, and whether the claimant was in or out of work. The level of benefit would relate directly to income, but only those on over one and a half times average earnings would receive less assistance from housing allowance than they do now from mortgage interest tax relief. In other words, the hon. Gentleman has confirmed today that all those on over one and a half times average earnings will be worse off under his plan. *[Interruption.]* I understand that the hon. Gentleman is standing by the proposals, but the official Opposition are trying to distance themselves from them. I think that the time has come to ask what are the Opposition's policies.

Mr. Meacher: Will the right hon. Gentleman tell the House whether he defends a system under which those on £30,000 a year receive, according to a parliamentary answer, £32 a week in mortgage interest tax relief, while those on £5,000 a year get only £7 a week? Does he or does he not believe that that is right?

Mr. Fowler: I believe that the present mortgage tax relief system is broadly right, and I am entirely frank about that. It seems to be common ground now that the hon. Gentleman has confirmed that he is seeking to reduce the amount of tax relief going to all those earning over one and a half times average earnings. That is the message that should go out from the debate this afternoon.

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I do not wish to interrupt the right hon. Gentleman's sport in baiting the official Opposition, but it would be helpful to other Opposition Members if he would address himself to the question whether he is considering the abolition of the state earnings related pension scheme.

Mr. Fowler: If the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) will wait for a few seconds, I shall be dealing directly with the social security review.

If the hon. Member for Oldham, West wants to have a serious debate about social security, it is important for us to know what he is proposing. He says in his report that he wishes to end the upper earnings limit on national insurance contributions and to bring in higher rates of contribution for high earners. That would mean extra

contributions, probably averaging between £20 and £30 a week, for about 3 million people. As I have said, his costings are hopelessly optimistic. To carry out his proposals would mean an increase in the basic rate of income tax of as much as 15p in the pound. It is no good the hon. Gentleman seeking to deny it. He must face the full impact of his proposals. He cannot put up a series of ideas without any thought for the cost, as I am sure his shadow Cabinet colleagues will agree.

Mr. Dennis Canavan (Falkirk, West): Will the right hon. Gentleman give way?

Mr. Fowler: I should like to continue, if I may.

I am asked about our policy. It is to control public spending and to bring down inflation. It is to encourage industrial investment. *[Interruption.]* Compared with inflation of 110 per cent. between 1974 and 1979, the Government's achievement on inflation stands very good comparison with that of the previous Labour Government.

Mr. Canavan: Will the right hon. Gentleman give way?

Mr. Fowler: Not for the moment.

The Government's policy is to encourage industrial recovery and to create new wealth, which is essential in dealing with our social programmes. It is to reduce the tax burden, and in particular the tax burden on the lower paid. It is to encourage home ownership with tax relief on mortgages.

Mr. Meacher: Will the right hon. Gentleman give way?

Mr. Fowler: Not for the moment.

It is to continue with our policy of committing resources to our social programme and to ensure that the money is being used to best effect.

As for social security, the most significant aspect is the new agreement which now exists between the parties, as I understand it, that there is a need for reform. There is no point in the hon. Member for Oldham, West publishing a book if he does not feel that there is any need for change. It is precisely for that reason that the Government set up their review of social security. Since then there has been an unprecedented debate on the future of social security. We have received about 4,500 pieces of evidence.

Mr. Nellist: Will the right hon. Gentleman give way?

Mr. Fowler: No, I will not give way. The hon. Member for Oldham, West would not give way, so I do not see why I should.

On the question of personal pensions alone, we have distributed over 30,000 consultation documents. We have held almost 20 public hearings of evidence, in which 70 organisations took part.

Mr. Nellist: Will the right hon. Gentleman give way?

Mr. Fowler: No, I will not.

Mr. Nellist *rose*——

Mr. Deputy Speaker (Sir Paul Dean): Order. The hon. Gentleman must not persist when the Secretary of State has made it clear that he is not giving way.

Mr. Fowler: I have given way several times previously, and the hon. Member for Coventry, South-East (Mr. Nellist) is the last person in this House to whom I am prepared to give way.

Let me be clear——

Mr. Nellist *rose*——

Mr. Fowler: I shall not give way. [HON. MEMBERS: "Why?"] Because of the various actions that the hon. Gentleman has taken.

Let me be clear that, despite all the predictions and forecasts that have been made about the outcome of the social security review, the Government have not yet reached conclusions. When decisions are made——

Mr. Nellist: Will the right hon. Gentleman give way?

Mr. Fowler: —they will be published and there will be a proper opportunity for public consideration.

I recognise that scarcely a day goes by without someone suggesting a new change in social security that I have in mind. Some of those so-called disclosures have a rather curious ring——

Mr. Nellist: Will the right hon. Gentleman give way?

Mr. Fowler: The hon. Member for Oldham, West quoted in his speech one report——

Mr. Nellist: Will the right hon. Gentleman give way?

Mr. Fowler: I shall not give way.

The hon. Member for Oldham, West quoted one report in *The Guardian* in which he suggested that the Government were going to save more in one area of housing benefit than we spend on housing benefit. If the hon. Gentleman looks at the report, he will see that what is being suggested is that we are going to end housing benefit for all those over supplementary benefit. That is the gist of the report. The *Daily Telegraph* suggested that I was going to abolish the state earnings related pension scheme. Only a few weeks earlier, on 28 February, the same paper carried a report that the Government were expected to stand firm on their commitment to the state earnings related pension scheme.

Mr. Nellist: Will the right hon. Gentleman give way?

Mr. Deputy Speaker: Order. I have already said to the hon. Gentleman that he must not persist if the Secretary of State is not giving way, and it is clear that he is not.

Mr. Fowler: In a spirit of enormous generosity, I shall give way to the hon. Gentleman.

Mr. Nellist: It works if one persists, Mr. Deputy Speaker.

Is it not the height of irony, if not hypocrisy, for the Secretary of State to defend with pride the reduction of inflation under this Government when the price that has been paid is 5 million people without work, 6 million people living in damp houses, 8 million people living on poverty wages, 9·7 million people who cannot afford a week's holiday away from home and an estimated 15 million people living on or below supplementary benefit levels? Is not the real message that the Secretary of State is giving today that, in his Government's understanding, the poor are not yet poor enough for unemployment to fall and the rich are not yet rich enough for investment to take place?

Mr. Fowler: I know that the hon. Gentleman has been having some reselection problems in his constituency, but that is going a little far.

It is unlikely that we shall reach a consensus during the debate, but I shall do my best. Surely the hon. Gentleman will accept that the control and reduction of inflation

[Mr. Fowler]

makes sense from not just an economic but a social and industrial point of view. The fact is that if inflation is out of control, the people who suffer most are those on fixed incomes, pensioners and those most in need. That is why I say, and that is why the Government say, that it is essential, on economic and industrial and social grounds, to control inflation. As far as the Government and I are concerned, we stand entirely by that policy.

The response to the stories that have been circulated must be to wait and see. Let me be absolutely clear. The Government are looking at all the options in terms of social security reform. The Government are reviewing the entire social security system. We are considering all the options in child benefit and supplementary benefit. We are also considering all the options in retirement pensions. That is what the review is about. There is no point in carrying out such a review if I am not prepared to consider all the options that are put to me.

The Government are carrying out a review that should have been carried out years ago. It should have been conducted long before now, 40 years after Beveridge.

"It is absurd for the hon. Gentleman to believe that he can try to tie my hands as to what I should consider."—[*Official Report*, 8 November 1984; Vol. 67, c. 231.]

I used those words in the debate on 8 November, and I stand by them.

What is significant is that there is now a consensus that change is needed. There is a consensus for three main reasons. The first is the sheer scale of the social security system. By any standards, it is an enormous undertaking, now consuming nearly one third of all public spending and also involving my Department in dealing with well over three quarters of the population as either contributors or beneficiaries. We have some 30 different benefits with their own rules of entitlement and payment. That, I suspect, is why policy reviews in the past have been narrowly focused on one benefit or one small part of the machine. The aim in our review has been to pull all the strands together into a consistent plan. It has demonstrated that there is, it seems to me, a consensus on one point —that virtually everybody regards the present system as too complicated and too difficult for people to understand and for the staff to work. Indeed, the complexity is such that parts of the social security system—here I agree with what the hon. Member for Oldham West said——

Mr. Canavan: Will the right hon. Gentleman give way?

Mr. David Winnick (Walsall, North): Will the right hon. Gentleman give way?

Mr. Fowler: Let me finish the sentence.

Parts of the social security system are in danger of becoming impossible to operate.

I give way to the hon. Member for Walsall, North (Mr. Winnick).

Mr. Winnick: The Secretary of State was not willing to comment on the state earnings related pension scheme other than to tell us about the review. Is it not a fact that, according to a reply that I received from the Parliamentary Under-Secretary, in 10 years' time someone on average earnings will receive an additional £31, and someone on three quarters of average earnings will receive an additional £21? Are not those significant sums? They demonstrate what my hon. Friend the Member for Oldham, West (Mr. Meacher) was saying—that if the scheme is allowed to continue, a large number of people will be able to live in retirement without poverty. Is not that all the more reason why the scheme should remain in existence?

Mr. Fowler: I shall have to ask the hon. Gentleman to wait and see the proposals. Of course, I am conscious of the points that he puts forward as well as of the need to prevent people in old age sinking into poverty. None of us wants that. However, in this debate I cannot pre-empt the proposals that I shall make.

Mr. Kennedy: I appreciate what the Secretary of State says about not pre-empting the outcome of the review. In November, the right hon. Gentleman said in the House that he did not intend

"to call into question the fundamental pensions structure that was established in the 1970s with all-party agreement, and to which I was a party."—[*Official Report*, 23 November 1983; Vol. 49, c. 360.]

Does that statement still have the categoric ring that it had when the right hon. Gentleman delivered it in November, or is it now open to doubt?

Mr. Fowler: I think that the hon. Gentleman is getting his years wrong. He will have to judge all the statements that I and any of my right hon. Friends have made against the criterion of what is proposed. It is ludicrous to try to seek this afternoon to define what that is because the hon. Gentleman cannot see the whole picture.

Much of the complication in the social security system flows from the piecemeal development and augmentation of the system over the past 40 years. If we are to get rid of as much of the complication as possible, we shall have to decide what is really needed now. That means a reshaping of the system, not a tinkering at the edges. For the review to be a real review, it had to look at all the options—and that is what we have done. There is no point in having a review if every part of the existing structure is regarded as sacrosanct. I am prepared to be held to my commitment to meet social need; I am not prepared to be a prisoner of the existing structure.

Mr. Robert McCrindle (Brentwood and Ongar): Will the Secretary of State give way?

Mr. Fowler: Secondly, when we talk about need, we should be absolutely clear what we mean. Beveridge was talking about poverty against a very different background. There have been enormous increases in the material prosperity of this country since then. There has been a real increase in GDP per head of about 115 per cent. since 1948. That growth in general prosperity has been reflected in the level of all the main social security benefits.

Mr. Nellist: What about the last six years?

Mr. Fowler: The basic rate of supplementary benefit has more than doubled since that time and long-term benefits, especially pensions, have improved substantially more.

Mr. Canavan Will the right hon. Gentleman give way?

Mr. Fowler: No, I shall not give way.

Nevertheless, no one can doubt that need exists in this country, and one of our aims must be to target the help available more effectively to meet that need. There are

also changes in balance between different groups within the population in need. For example, I think that few would disagree with my diagnosis that one of the areas which today gives most concern is the position of poor families with children — working families and unemployed families. I think that even the Opposition will agree with me about that.

Thirdly, social security is not somehow isolated from the rest of Government policy. In approaching our review of social security I have sought to avoid the straitjacket of focusing only on the social security system. I have been concerned with how social security relates not just to our social policy and objectives, but to our economic objectives and employment policies. I do not define social objectives merely as greater spending on social security or higher rates of unemployment benefit. I am much more concerned to see people taken off social security benefits and able to support themselves through productive employment.

Mr. Canavan: The Government have to find the jobs first.

Mr. Fowler: Yes. Our social policy objectives are the same as our overall policy — to achieve a stronger economy and to tackle unemployment.

Mr. McCrindle *rose*——

Mr. Fowler: The review, therefore, has a number of different objectives—to simplify the elaborate tangle of benefits and entitlements which have built up in the past 40 years, to ensure that the new structure meets today's needs, and to achieve the right relationship between our objectives for social security and our economic and employment policies.

Mr. Canavan: Will the right hon. Gentleman give way?

Mr. Fowler: No, I shall not give way.

For the past 40 years we have reacted to the emergence of various needs, adding to or subtracting from the system until it is difficult to see what the system seeks to achieve. I want a simpler system which is easier for people to understand, a better administered system with more use of computers rather than the filing cabinets to which the hon. Member for Oldham, West referred, a system which places more trust and responsibility with the individual rather than the all-providing state and which places the fewest possible obstacles in the way of employment and economic activity.

The Government have shown their commitment to the welfare state, but we want a modern welfare state. We want a modern social security system which uses today's methods to meet today's needs and a modern Health Service which uses its resources to maximum effect to meet the varying needs. That is the kind of welfare state that we want, and our proposals will be directed to that end.

4.44 pm

Mrs. Renée Short (Wolverhampton, North-East): The Secretary of State ended with a splendid peroration, but he did not say how he expected to achieve the golden age that he described. We have to contend with the situation as it is now.

Let us cast our minds back to the words of the Conservative party in the general election of 1979—the black day that marked Britain's decline from a caring society seeking to overcome many of the problems that faced us then to the present level of despair and the ever-increasing problems that we now experience. I wonder whether the Secretary of State remembers the commitments that his party made at that time. It promised to rebuild our economy—ha, ha!—and to reunite a divided and disillusioned people. In fact, the Government have created more divisions in society than any of us can remember in our entire political lives. Even their most ardent supporters, if there are any left, cannot claim that they have achieved that commitment. Lord Stockton himself said in another place five months ago

"it breaks my heart to see what is happening in our country today." — [*Official Report, House of Lords*, 13 November 1984; Vol. 457, c. 240.]

I am sure that that sentiment is echoed in the hearts and minds of the overwhelming majority of people today.

As my hon. Friend the Member for Oldham, West (Mr. Meacher) said, there is enormous wealth for the minority while the majority of families suffer massive, degrading and soul-destroying unemployment, with all the physical and psychological ills that stem from it. When my constituents ask why we are in such a hell of a mess when the Tories promised so much in 1979 and again in 1983, I cannot explain the reasons. We all remember the Prime Minister's cynicism on the steps of No. 10, and I make no apology for reminding the House of it because it will never be forgotten. Then we had North sea oil, which was supposed to be such a splendid stroke of good fortune to revitalise the economy, to allow us to invest in new products and industries and to improve massively the standard of living of our people. Yet rotten housing remains the lot of thousands of families. That is certainly true in the west midlands. Thousands are still homeless and millions are out of work. The young are condemned to despair and the rest now realise what a massive confidence trick the Prime Minister perpetrated on them and what massive damage she has done to the country in the past five and a half years.

I also cannot explain to my constituents the utter folly of it all. They ask how anyone can claim that there is no money to invest in new jobs or to pull down the ancient, boarded-up houses in my constituency and build new ones. Three and three quarter million homes are still unfit or seriously affected by dry rot, but fewer than 40,000 new local authority homes were started last year. That is a wretched total. Yet there is massive unemployment among building workers, whose skills remain unused while building firms try desperately to find work and to re-employ their former work force. My constituents point out that the Prime Minister found £38 million for the Falklands affair, and I have to agree, but I cannot explain why she was able to find money for that purpose but not for the decent homes and jobs that my constituents and others throughout the country so desperately need.

When my doctors tell me that we cannot afford to appoint the surgeons and nurses needed for the Health Service and the staff needed to care for the elderly, I have to agree that it is appalling that those skills are being wasted, but I also point out that the people who complain of these things have the power to get rid of the Conservatives in the next general election. I hope that they will all take my good advice.

It is clear, in spite of what the Secretary of State said, that the NHS needs more resources. The Government's

[Mrs. Renée Short]

policy of high unemployment and growing poverty places ever-increasing demands on the NHS. The privatisation of catering and cleaning is a massive irrelevancy. It creates unemployment among hospital staff—among ancillary workers, many of whom have given unstinting service to the hospital service over many years—in order to enable the Government's pals in private firms to make a profit. Private firms can only make their profits by using the minimum number of staff and providing a restricted service for a reduced number of hours. That is what is happening to services in the hospitals. Private firms could not make their profits otherwise.

Who would have imagined that we would see the day when trained doctors and nurses would be unemployed? That day has arrived. The Secretary of State should pay some attention to that problem, but he has not even mentioned it. Who would ever have thought that thousands of kidney, heart and cancer patients would die each year because of a lack of facilities for adequate care and treatment? Is the Prime Minister concerned about the fact that the rate of death from cervical and breast cancer is rising in this country, while in America, Canada and Sweden the rates are falling dramatically because the Governments of those countries are determined to support a proper, national well-resourced service?

The Prime Minister does not trust the NHS. She does not permit it to deal with her own health problems when they arise. However, she should visit some of the NHS hospitals, including some of the teaching hospitals. I know that the staff would very much like her to see the conditions in which they have to work, and the extent to which they suffer from overwork. The Prime Minister should see the Victorian hospitals with their unending corridors. She should see the huge Victorian wards that provide no privacy for patients or doctors. Any hospital in the country could tell the right hon. Lady that, although the Select Committee recommended that more patients should be treated by fully trained doctors, consultants—although they are being trained — are not being appointed. If that situation could be improved, there could be better care for patients, better diagnoses and probably shorter stays in hospital. Those improvements could well save money and enable better use to be made of existing resources.

The Prime Minister prefers to turn to private hospitals for her own care, but it must have been embarrassing for her when the press uncovered the dreadful story of how the equipment for the latest treatment on her eye had to be borrowed from an NHS hospital. One might have expected the right hon. Lady to declare an allegiance to the NHS from that point on.

New technology in the NHS needs resources. Caring for the increasing number of elderly patients in more congenial conditions, preferably at home, or in the community, and caring for mentally ill and handicapped patients in the community rather than in massive hospitals, also requires resources.

The NHS has suffered as a result of the Chancellor's public expenditure cuts. If it is simply to respond to the technological and demographic pressures alone, it requires a growth in funding of at least 1·5 per cent. each year. Yet the health authorities have had to find £48 million from a reduced budget in order to meet part of a pay settlement that the Government refused to meet. Levels of staffing have been cut or frozen, and nurses sacked.

Mr. Roy Galley (Halifax): Will the hon. Lady give way?

Mrs. Short: The Royal College of Nursing has drawn attention to the inadequate number of nurses in the wards in many areas, which places a strain on the remaining staff, and can be dangerous for the patients.

Mr. Galley: The hon. Lady claims that numbers of staff have been cut. How can she say that, when during the last six years more than 40,000 extra nurses and more than 5,000 extra doctors and dentists have been provided? The hon. Lady claims that resources are inadequate. As she knows, the Select Committee last year investigated the matter and found that the NHS had received extra resources of 17 per cent., which at least kept pace with changing demand. The hon. Lady was a party to the production of the Select Committee's document. She accepted the fact that there had been a growth in available resources.

Mrs. Short: None the less, nurses and doctors are unemployed. Consultants say that they are understaffed and that they have long waiting lists. The hon. Member for Halifax (Mr. Galley) is a valued member of the Select Committee, and I enjoy his company. However, there still remains the fact that disadvantaged patients are suffering. Elderly people are waiting not weeks but years for, for example, hip replacement operations. Despite the fact that resources have been allocated to the NHS, these problems remain. We cannot gloss over the facts. Staff are being sacked, wards are being closed and as a result waiting lists are lengthening.

The Government are obsessed with reducing taxation for the well off. The Prime Minister's values and social beliefs are those that determine Government policy. In her view, there are masses of people who are scroungers who enjoy living on Government handouts. She wishes to reduce social security benefits and to introduce means tests for many more people. The right hon. Lady even believes that it might be possible to introduce a means test for maternity benefits. That is one of the latest ideas. The Select Committee made it clear that expectant mothers in the poorer sections of the community—those living in the inner cities—require more rather than less support. Better diet and proper rest and care would reduce the perinatal mortality rate of such mothers. The overall rate has fallen, and we are pleased about that, but in some of the industrial areas the perinatal mortality rate is still too high. Many general practitioners tell me that they are in despair about how to reduce the rate.

Mr. Galley: Will the hon. Lady give way?

Mrs. Short: I have to believe the letters that I receive from general practitioners working in cities such as Manchester and Liverpool, where conditions are very difficult. Those doctors are not receiving any support in the form of more staff, partners, nurses or community social workers. The situation is bound to affect patient care.

The Opposition believe firmly in the abolition of poverty. The Government, on the contrary, are creating ever larger areas of poverty and acute distress. They are

placing a dreadful burden on our people. The Government insist on managing poverty. Our intention is to eliminate it.

4.58 pm

Mr. Robert McCrindle (Brentwood and Ongar): It was correct and timely for the Government to engage in a wide-ranging review of social security, the results of which we look forward to seeing soon. For far too long, like Topsy, our social security system has grown. We have a massively complicated system and cannot always be sure that benefits are directed to those in greatest need. I hope that when the review is enacted in legislation there will be evidence of some streamlining and updating. At the risk of upsetting the hon. Member for Oldham, West (Mr. Meacher), might I add that I hope that benefits will be targeted at those in greatest need.

Ever since I came to the House there has been a debate across the Floor of the Chamber between those who believe in the universality of benefits and those who, like me, recognise the limits of what we can expect from the taxpayer to finance benefits. I have always taken the view that some selectivity or targeting of benefits to those in greatest need should be the order of the day.

If economies can be identified during the reviews, that is all to the good. I am even prepared to accept, as a starting point, the requirement that the reviews should result in no extra cost to the Exchequer. There is a good deal of misdirected benefit in the present system, just as there are many people in considerable need who do not receive the assistance which we all want to extend to them.

I accept that in our present economic circumstances there should be no major increase in the amount of money that we devote to social security, but I hope that I should not be alone in not being happy if the reviews were an attempt massively to save on the present outlay, at the risk of reducing the amount of benefits targeted at those in greatest need.

The language which the Labour party has employed in these matters in the past few weeks has been excessive to the point at which its credibility, and especially that of its spokesman, has been brought into severe doubt. The Labour party has failed to cost its proposals, in so far as they can be called proposals. Television viewers will have noticed the Opposition spokesman's remarkably slippery performance on "Newsnight" on Friday evening, and again today he was unable to tell us what it would cost to introduce the no doubt desirable benefits which Labour proposes. The hon. Gentleman's failure to do that must lead us to question his credibility. Although I shall have some critical questions to direct to my right hon. and hon. Friends on the Front Bench, the motion employs extravagant terms and will, I hope, be treated with contempt.

Mr. Frank Field: The hon. Gentleman always listens carefully to these debates, but he is being unfair to my hon. Friend the Member for Oldham, West (Mr. Meacher). My hon. Friend costed his proposals today. The Secretary of State also costed them and reached a figure double that quoted by my hon. Friend. Although there is dispute as to their cost, it is unfair to say that my hon. Friend's proposals have not been costed.

Mr. McCrindle: I heard my right hon. Friend the Secretary of State, and I heard the hon. Member for Oldham, West on Friday evening and again today. I accept that he has moved since Friday, when he gave no estimate, but that which he gave today was immediately questioned by this side of the House and does not begin to persuade me that I should pay attention to what he says.

Although this is a debate between the two sides of the House, there is a need for debate within the political parties on the future of social security. If my line is not completely acceptable to some of my right hon. and hon. Friends, I hope it will be accepted that only by exploring different means of achieving the same ends will we be able to target benefits more cost effectively. I must await the final reports, and a good deal of what I shall say is based upon press reports. I have no alternative, as I am not privy to information about the authenticity of those reports.

I am worried about reports on the state earnings related pension scheme, which have been widespread in the past few days. On the basis of the wish being the father to the thought, the Treasury might assiduously have been peddling to newspapers likely to take its line the thought that there will be a winding up or a substantial revision of the state earnings related pension scheme. For the sake of this debate, I must assume that there is a prospect of some change. I shall react when the proposals are known fully, but there are a few facts of which it would be appropriate for me to remind my right hon. and hon. Friends.

Before they moved on to higher things, my right hon. Friend the Secretary of State and my right hon. and learned Friend the Minister for Health were, like me, responsible during the passage of what is now the Social Security Pensions Act 1975 for saying that we all wanted to end what was called pensioneering—the tendency for the Labour party to accentuate state pensions when in office, only to find that trend reversed when the Conservatives were in office, when there was emphasis on the desirability of occupational pension schemes. Many of us, including my right hon. Friend and my right hon. and learned Friend, were aware of the damage that that was doing, not least to the future of occupational pension schemes, with which, as the House knows, I have a long association.

If there is material alteration of the state earnings related pension scheme, the effect on the development of good occupational pension schemes cannot be advantageous. The two systems have co-existed for some 10 years and it would be unfortunate if we were forced to return to pensioneering, of which there was a good deal of evidence in the speeches of my right hon. Friend the Secretary of State and of the hon. Member for Oldham, West.

People in the state earnings related pension scheme are for the most part lower-paid. I have long professional and political experience of these matters, and such people are the least likely to make pension provision for themselves through private schemes. The pensions industry, to which my right hon. Friend and I look for a massive upsurge of development when decisions on a personal portable pension are announced, is not equipped or especially keen to attract pensions business from such people.

If SERPS is wound up, and if the encouragement which will no doubt be given is not taken up by those who are principally concerned, I fear that those people will reach retirement age having made no additional provision, as a result of which they will be forced on to supplementary benefit. Before the Government put the final seal of approval on the SERPS proposals, they should make quite sure that that fact has been taken into account and that

[Mr. McCrindle]

supplementary benefit is costed just as carefully as the amount necessary to keep SERPS in existence into the 21st century.

I appreciate the point about the burden on the future working population, but I wonder whether it has not been projected—perhaps because of an inspired leak from the Treasury—on the basis of the worst possible scenario, with virtually no growth anticipated in the economy. SERPS is not a state charity, which recent press reports may have led some people to believe. What comes out of SERPS is related to what the contributors put in. The economics of SERPS must be immune to population statistics and the projected problems of 20 to 40 years hence.

If the Government decide to take the action which has been widely suggested, I should require much more information about the costing on which such a decision is based. Am I correct in saying that SERPS is effectively a self-financing scheme? How likely is it that personal pensions will be taken up by those manual workers who for the most part are not attractive to pensions interests? Would it not be grossly unfair to give continuing tax concessions to those in occupational pension schemes—which I welcome—and to continue the index-linking of pensions in the public sector at the same time as removing the only basis upon which the people to whom I have referred can build up their basic old-age pensions? The Government must address their mind carefully to these questions before any decision is taken to introduce a move in the direction which has been suggested.

The hon. Member for Oldham, West was anxious to tell us — it seems that he knew more about the Government's plans than even the Government did—that child benefit now paid to the woman would in future be paid to the man. I have no idea how accurate that is, but one of the advantages of the existing system is that, regardless of the circumstances, the woman can at least rely on a basic income. A fairly strong case would have to be argued before any change took place.

As one who has supported disproportionate benefit to one-parent families, I am beginning to wonder whether residual poverty in 1985 exists within families irrespective of whether they are one-parent. To that extent, when the review emerges, I hope to see a reassessment of where we pay the disproportionate benefit. We cannot continue to assume that the deserving cases of 1970 to 1980 will necessarily be the deserving cases as we move into the 1990s.

I have long taken the view that to pay out paltry sums in death grant and maternity allowance to everyone, irrespective of need, is an insult to the great majority of us who do not require them, and a disservice to those who require them at a considerably higher level. There is a case for abolishing these as specific grants and for merging them into supplementary benefit. If that were possible, I hope that the amounts paid would be considerably higher than at present and that they would go only to those with a considerable need.

Mr. Frank Field: Is the hon. Gentleman aware that if his proposal were implemented, and these grants were made part of the supplementary benefit scheme, the poor in work would be prevented from claiming?

Mr. McCrindle: Such facts must be taken into account. However, the hon. Gentleman will be aware that the supplementary benefit scheme is said to be under consideration in the light of family income supplement. There have been reports that FIS might be merged with supplementary benefit. I am not opposed to that idea, and I say that as a long-term supporter of FIS. If that happened, the problem to which the hon. Gentleman drew my attention would, to say the least, be minimised.

There has been much difficulty with heating allowances, particularly in the last two or three years when there has been a three-tier system. It is my hope that the system of heating allowances will be scrapped, absorbed yet again into the supplementary benefit system and payable to those old-age pensioners who already qualify for supplementary benefit.

I am not persuaded that the housing benefits scheme meets the needs of those whom it was intended to assist. Therefore, I am prepared to concede that there is scope for considerable rationalisation. Beyond that I would not wish to go today, but those of us who are interested in these matters will look closely at any proposed changes in housing benefits. For the moment, I concede that this is a far from perfect system and that there may well be an argument for changing its direction.

I am with the Government over a pretty wide area of the revision of benefits. I am with them in their aim for greater simplification. I am with them as they seek to achieve economy while targeting the benefits to those who need them most. But I hope I shall be forgiven for urging caution over the state earnings related pension scheme, because the Government might succeed merely in transferring the problem to supplementary benefit, and that surely cannot be their aim.

5.18 pm

Mr. Donald Stewart (Western Isles): I am glad to follow the hon. Member for Brentwood and Ongar (Mr. McCrindle), not least because of his expertise in pensions and other aspects of the welfare state. The hon. Gentleman made some points with which I disagree, but on the whole he delivered a well-argued and well-informed speech which was different from many of those we hear from the Conservative Benches, which merely say "Amen" to the case advanced by the Government.

The hon. Member for Brentwood and Ongar said that there was a limit on the extent to which funds could be allocated. We must all have regard to that, but many Conservative Members do not accept any limitation on defence expenditure. We are all aware of the astronomical sums spent on Trident, and the abolition of Trident could to a considerable extent alleviate the problems faced by the Secretary of State for Social Services. The right hon. Gentleman spoke with horror of suggestions that taxation might increase. That took some nerve, bearing in mind that he belongs to a party which, since it came to power, has clamped 15 per cent. on practically every transaction.

Over 40 years ago the Beveridge report foresaw a time when poverty in the United Kingdom would cease to exist. All the major causes of poverty—old age, unemployment, disablement and sickness—were taken care of by a scheme of national insurance with a safety net of national assistance. Although the foundations of the welfare state were laid shortly afterwards, Beveridge's recommendations were never fully implemented. The rot set in right away with the post-war Labour Government. Beveridge

had proposed a single rate for retirement pensions, unemployment and sickness benefits of 27 per cent. of average earnings for a single person and 45 per cent. for a couple. These figures would, Beveridge stated, guarantee the minimum income needed for subsistence. However, when the scheme was introduced in 1948, retirement pensions were set at 18·9 per cent. of average earnings for a single person, and 30·5 per cent. for a couple. Flat rate unemployment benefit and sickness benefit were set at much the same rates—a far cry from those originally proposed by Beveridge.

Any review of the social security system should begin with the acknowledgement that the existing system has never attained the objectives set by its founder. The hon. Member for Wolverhampton, North-East (Mrs. Short) referred to the Secretary of State's peroration. I am afraid that the decoded message of his speech means farewell to the welfare state.

In theory, the welfare state has looked after its recipients from the cradle to the grave. A quick look at what has happened to the two benefits at each end of the life cycle reveals the ineffectiveness of the system in doing that. I am referring to the maternity grant and the death grant, to which the hon. Member for Brentwood and Ongar referred. The former has remained at £25 for many years, and should be pitched at a higher level, and the death grant of £30 is a poor joke in the worst possible taste. It has not been increased since 1967. Its declining value has been recognised by successive Governments, but none has sought to increase the level of the grant. It should now be around £350 to cover the average cost of a funeral.

I take issue with the hon. Member for Brentwood and Ongar, who thought that the maternity grant and the death grant should be abolished. When we talk about abolishing such benefits, we should bear in mind that insurance contributions are based on people receiving such benefit. It would be wrong for the benefits to disappear while the level of national insurance contributions is maintained.

These are far from being the only benefits that are inadequate or have been under attack in recent years. The effects of inflation and the failures of Governments have resulted in a serious erosion of most of the benefits and has brought about a situation in which, far from the supplementary benefit system being a safety net for a relatively small number of people, has become a necessity for 4·5 million people, of whom three quarters of a million are in Scotland. These are the 1983 figures, and no doubt the position has worsened in the meantime.

Between 1979 and 1983, more than £2,000 million was cut by the Government from the social security budget. Last year benefits rose between 4·7 and 5·1 per cent., but the real increases received by many people did not even reach the level necessary to keep benefits in line with inflation. This was because of new regulations which came into force; for example, the changes in "available scale margin", which did many pensioners out of £1 a week for their heating allowance.

Since then we have seen a large increase in dental charges, and a massive increase in prescription charges. The changes in the regulations covering board and lodging payments, which are especially damaging in Scotland, will mean an average loss of £13 a week for thousands of unemployed persons in lodgings. Many of them have no homes to which to return and will end up homeless.

In Scotland, apart from the housing welfare organisations, which one would expect to be concerned about this, the Churches and the Royal Society for the Prevention of Cruelty to Children have expressed grave disquiet, and no wonder, for Government policies will deliberately put people on to the streets. We have now learnt that eight out of the 21 DHSS resettlement and re-establishment centres are to close within three years, including the only one in Scotland, at Bishopbriggs near Glasgow. The Glasgow resettlement unit caters for homeless men and is a vital lifeline for those who find themselves in that unfortunate position. It is typical of the Government to make cuts which affect the weakest and most vulnerable in our society.

When one looks at the situation in the wider context, the extent to which benefits have been eroded can be clearly seen. Three decades ago our welfare system was the envy of the world. Today, our levels of spending on both health and social security are far lower than those of most other Western nations. Let us consider unemployment benefit as an example. The United Nations Economic Commission for Europe carried out a study which showed that in 1972 unemployment benefit stood at 75 per cent. of earnings, but by 1982 it had dropped to 47 per cent. Most other European countries, by comparison, have improved on the 1972 position—West Germany from 70 to 75 per cent., France from 85 to 90 per cent., the Netherlands from 85 to 89·5 per cent. and Sweden from 77·3 to 80·2 per cent.

On health care as well, our record is poor and getting steadily worse. Although the NHS is often in the vanguard of the development of modern medicine, it is near the bottom of the league when it comes to applying and supplying established technology. Taking the treatment of kidney failure, the insertion of cardiac pacemakers or coronary bypass operations as examples, we are well behind other European countries.

The most important reason for this failure is a simple lack of money for the NHS. In the financial year 1980-81, in Scotland, 6·8 per cent. of GDP was spent on health services. This compares with 8 per cent. in West Germany and France, 8·4 per cent. in Ireland and the Netherlands, and 9·6 per cent. in the United States and Canada. The average in the EEC is 7·8 per cent.

Mr. Galley: Will the right hon. Gentleman clarify why this argument is of any relevance? If administrative costs for health care in France, for example, are much higher than they are in this country, percentages of GDP are irrelevant to the argument.

Mr. Stewart: When the Prime Minister talks to the House twice a week on the subject of unemployment, she suggests that it is acceptable in the United Kingdom because, she alleges, other countries in Europe are suffering in the same way. That is not quite true. There are countries with unemployment which is infinitesimal compared to unemployment in the United Kingdom. If it is in order for the Prime Minister to measure us against other European countries, it is in order for me to do so as well.

The health service in Scotland has failed to come up to expectations in recent years. In its first 25 years the NHS in Scotland saw expenditure increase by between 4 and 5 per cent. a year. Since 1973 the average increase has been 1 per cent. in real terms. This is less than half the amount required to maintain standards. No wonder private health care is booming, and no doubt that is what the Government

[Mr. Stewart]

are trying to encourage. The underlying aim is to turn the NHS into a second-class service, and eventually it will be only for those who cannot afford to pay for the best treatment. So far, the Government have been thwarted and forced to back down.

Scotland has a bad and shameful record of poor health, deprivation and poverty, and that shame should be borne equally by those in government at Westminster and by those Scots who should know better than to let their countrymen suffer in regional poverty. It is estimated that over 1·5 million Scots are living in poverty or on the margins of poverty. Scotland has so many poor because of the failure of Westminster Governments and because we have not yet secured our own independent Parliament.

The social security review is likely to lead to a further erosion of benefit. I believe that that is what it is intended to achieve. The outlook for the poor of Scotland and the United Kingdom is bleak while they are subjected to these plans.

5.29 pm

Mr. Roy Galley (Halifax): Labour contributions have shown how easy it is to misrepresent and exaggerate by using statistics selectively. It was especially disappointing to hear the hon. Member for Wolverhampton, North-East (Mrs. Short) talk about perinatal mortality rates and give the impression that they are terrible. The hon. Lady knows that there are record low levels of perinatal mortality and that during the past five or six years great strides have been made. Not even the hon. Lady has a magic wand to create perfection and a nil rate of perinatal mortality.

My right hon. Friend the Secretary of State referred to the effective management of NHS resources. It is true that no ministerial team in the history of the Health Service has done more to give value for money to the patient than the current Secretary of State and his team. However, I urge my right hon. Friend to show greater vigour in some of the policies that he is implementing, especially the competitive tendering exercise within the NHS. It is estimated that this year £9·4 million has been saved from the competitive tendering exercise that has been carried out so far, consisting of £8·2 million from contracts awarded to private companies and £1·2 million from contracts awarded in house. Those savings must be offset against redundancy payments which are associated with that contracting out.

Although one accepts that the policy is just getting into its stride—the circular setting out that policy was issued in 1983—these savings for the benefit of patients are peanuts. With a total budget for these ancillary services of more than £850 million, much larger savings—at least £100 million a year—should be available for patients. The number of private contracts in the laundry sector has fallen from 11·7 per cent. of total contracts in 1981-82 to 9·2 per cent. of total contracts in 1983-84. We need more oomph behind the policy of competitive tendering.

There is growing concern that some health authorities may be seeking to frustrate the policy, putting the interests of staff before those of patients. Authorities are accountable to my right hon. Friend the Secretary of State for their stewardship, but I should be happier if there were more external audits to ensure that contracts were awarded fairly.

Great progress has been made with the appointment of general managers. It is right, however, to express concern about the pace of change and to define the criteria by which the new general management style is to be judged. Personnel changes involve a mammoth management task for the Health Service, but it is about time NHS management board appointments were completed. There are still two vacancies, and only the chairman comes from outside the DHSS and the NHS.

Mrs. Renée Short: We told the hon. Gentleman what would happen.

Mr. Galley: I am trying to be constructive, not destructive like the hon. Lady. The quality of board members is high, but we need to appoint speedily outsiders who will bring fresh ideas to the management of the Health Service.

Many regional and district general managers are in place and the terms seem to be set to make appointments at unit levels. Considerable costs, according to the terms that have been negotiated, might be involved. It is legitimate to put to my right hon. Friend the Secretary of State our concern that those enhanced payments should be justified, and be seen to be justified, by results. There should be clearly defined productivity indices by which Parliament and Ministers can judge the effectiveness of general management policy, of which I am an enthusiastic supporter.

Another major challenge faced by the Health Service involves the care of priority groups, especially the elderly, and the availability of community care. No one should underestimate the Health Service's achievement in coping during the past 10 years with a 75 per cent. increase in geriatric outpatient attendances, a 70 per cent. increase in inpatient attendances and a more than 90 per cent. increase in day patient attendances. The pressure on that service is continuing, with annual increases of between 7 and 9 per cent. in each of those categories. At the same time, district nursing personnel have been increased to cope with the 1·5 million elderly people treated by nurses in the community. There has been a vast expansion within the Health Service. The average length of stay for geriatric patients has continued to fall. The average stay is now 57 days compared with 100 days in 1973 and 62 days in 1982. That is a significant and welcome improvement.

It is better for most patients to remain in their homes as long as possible and to spend as little time in the hospital as possible. Adequate community facilities must be available. Bed turnover cannot be the only criterion of success. There is a genuine concern in a minority of cases about elderly people being sent home too soon. I hope that consultants will be encouraged to maintain a flexible attitude, taking full account of individual circumstances. I hope that there will be ever closer liaison between hospitals and social services to ensure that there is adequate home care, including an extension of hospital care in terms of hospital staff visiting geriatric patients in their homes for some weeks after those patients have been in hospital. My constituency and many other parts of the country provide such care.

Community services are vital. It is especially noteworthy that since 1979 community facilities for the elderly have expanded rapidly. A record number of home helps — more than 30,000 — a record number of day centre places and a record number of meals—more than

42 million — have been provided for the elderly. Expenditure on services for the elderly is at a record level. In 1983-84 such expenditure increased by between 4 and 5 per cent. All this has been achieved within the context of increasing real expenditure on personal social services of between 12 and 14 per cent. during the past six years. That is an improvement of about 2 per cent. per annum.

Mrs. Margaret Beckett (Derby, South): Has the hon. Gentleman noticed that it has been shown recently in several cases that expenditure on social services has been increasing because many Labour councillors have refused to obey the request by the Secretary of State for the Environment to cut those services? If one removes from the analysis the expenditure of those rate-breaking councils, the figures are appalling.

Mr. Galley: The hon. Lady is quite off beat. That is not true. Rate capping is happening this year for the first time. Every time the subject is raised, the Opposition try to blame every conceivable difficulty in local government on the Government's rate capping proposals. Consistently since 1979 expenditure and provision of care in personal social services have increased. The Opposition seek to mislead the public with a plethora of inaccuracies, misinformation, selected statistics, isolated cases of error and scare tactics. They are Meacherisms. The hon. Member for Oldham, West (Mr. Meacher) used the term "scurrilous misrepresentation". That is what we have seen from the Opposition today. We have had scare tactics and false information from them.

Mr. Richard Tracey (Surbiton): There are not so many of them—only four.

Mr. Galley: There are not so many of them.

As more resources and better equipment are being provided for the NHS, as there are considerably more staff now than before and as more patients are being treated, all the evidence is that the NHS is sound. Over the past five or six years we have increased expenditure by nearly 20 per cent. in real terms and there has been better management, which means that an effective response is being made to the growing challenge represented by more people asking for services. On any objective criterion there has been no dismantling of the welfare state. The figures for the number of people being treated and the expenditure incurred show that.

Rising expenditure and the provision of more care facilities in the personal social services mean that those services are sound. Despite the Opposition's attempts to mislead us into believing that we are spending less on social security, it can be shown that, if one leaves aside the effect of increased unemployment, the amount spent on social security is still rising. The Labour party accuses us of a lack of compassion, but over the past five years about 200,000 more people have received attendance allowance, about 200,000 more have received invalidity benefit and about 200,000 more people have received mobility allowance. That is not a dismantling of the welfare state.

Any fool can run a national sickness service which judges its success by the number of sick people in its beds. Any fool can damn a service by quoting isolated cases and figures. Any fool can demand more if he does not know how he is to pay for it. The hon. Member for Oldham, West constantly demands more. We have spent more and more on the Health Service, on social services and on social security and we have spent it more effectively, yet the hon. Gentleman still demands more and more. Now we are beginning to see the price that we will be asked to pay. The demand for more comes with a price tag.

It is well-known Opposition policy to abandon our independent nuclear deterrent, and the Trident programme. Every Opposition spokesman claims that the savings made by abandoning Trident will fund their extravagant programmes. The hon. Member for Oldham, West now claims that the savings from Trident will go towards his expanded Health Service programme. He is, of course, putting aside the Healey speech of 1977 which argued — and there are many Labour party supporters who secretly hold this view — that unless we defend ourselves properly, there will be no hospitals, schools, health centres or doctors, but only a heap of cinders.

The hon. Member for Oldham, West wishes to scrap mortgage tax relief in order to fund his profligate proposals. The Labour leadership may disown him, but as long as the hon. Gentleman is on the Labour Front Bench no home owner can rest easy. It must not escape the attention of hon. Members that the hon. Gentleman wishes to put a tax on sugar in order to fund more NHS expenditure. That would mean the loss of a considerable number of jobs in my constituency and elsewhere. Now we know that he will have to increase income tax, too, in order to fund his extravagant plans.

The fact is that the welfare state is being enhanced. But the facts do not seem to play much of a part in the Opposition's thinking. It would seem that the Labour party and the alliance are off their corporate rockers.

5.43 pm

Mr. Charles Kennedy (Ross, Cromarty and Skye): The hon. Member for Halifax (Mr. Galley) will perhaps forgive me—and I think that the rest of the House will be grateful to me — if I do not pursue his line of argument. At least, I think that there was a discernible line of argument, at any rate at the end of his speech.

Mr. Galley: Will the hon. Gentleman give way?

Mr. Kennedy: No. The discernible thread made itself known when the hon. Gentleman seemed to say that the plan of the hon. Member for Oldham, West (Mr. Meacher) to tax sugar would somehow reduce Halifax to cinders. However, I shall concentrate on some of the areas covered in the constructive speech of the hon. Member for Brentwood and Ongar (Mr. McCrindle) and on the social security review in particular.

The Secretary of State's speech will have done little to quell the anxiety doubtless building up about the reviews and the way in which they have been structured and conducted. For example, last summer I was invited to give oral evidence, as I believe the hon. Member for Birkenhead (Mr. Field) was, to one of the reviews on young people.

Mr. Frank Field: I was invited, but the meeting was not held.

Mr. Kennedy: That may illustrate the very problem that I have in mind. The committee to which I gave evidence was chaired by the then Minister for Social Security, who has now moved to the Northern Ireland Office. Such a far-ranging and profound review — apparently the most fundamental for 40 years—is not

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well served by changing the personnel halfway through. However much we may disagree with the political views of the personnel involved, I should have thought that consistency was to be welcomed. I mean no disrespect to the present Minister for Social Security. Thus, the hon. Member for Birkenhead made a good point.

Moreover, the revenue neutral basis on which the reviews must be conducted also gives cause for concern. No proper examination is being made of the hidden welfare state benefits which fall under various tax concessions. That is neither even-handed nor consistent. Indeed, it is particularly curious, given that in the Budget the Chancellor of the Exchequer promised us a Green Paper on the possible integration of tax and benefits. Apparently the possibility has already been precluded of any searching examination being made of the status of pension funds and of other allowances which at present give the better off substantial benefits. In any proper review, all of those things should be considered.

In conducting these reviews, the Government have made much of simplification. We would all welcome such simplification, and the Secretary of State is right to acknowledge the consensus that exists on that issue. We would particularly welcome simplification if it led to a higher level of take up for some of the very necessary benefits, such as family income supplement. I think that the last set of figures that I saw showed that the take up of FIS was barely 50 per cent. However, I appreciate that the figures involved are sometimes small for the amounts concerned. We would welcome greater simplification if it were aimed at pumping more resources towards those who need them.

The Secretary of State's speech was significant in revealing that the reviews were clearly a device by which the DHSS could buy some time from the Treasury. The latter has clearly been insisting on major cuts in the social security system. It is bogus to argue, as Ministers do, about the proportion of gross national product currently occupied by social security expenditure, when one reason for the increase in expenditure has been the rise in poverty due to mass unemployment. That is the result of the Government's economic policies. Those on benefits are now to suffer a further cruel blow, because the Government say that as far as possible we must reduce that very dependence which the Government have engendered by their policies.

The short-term relief, or stay of execution, which the Secretary of State was apparently able to buy from the Chancellor of the Exchequer by initiating this series of wide-ranging reviews will turn into long-term losses for the welfare state. There has clearly been a lack of consultation and co-operation throughout between the Treasury and the DHSS. That was shown, for example, in the deliberations of what I might call the Meacher committee into the question of the poverty and unemployment traps.

The Inland Revenue, when giving evidence, said that the type of computerisation which could be introduced to integrate tax and benefits, which we on this Bench wish to see, would have to be of a certain type when in place in a few years' time, or it would not be possible to alter it, radically or in the direction in which a future Government might wish to alter it. The evidence that we are getting shows that the Government are not pursuing that line. That is a clear example of that lack of consultation and co-operation between the two Departments involved, and that is greatly to be regretted.

The state earnings related pension scheme is referred to in the official Opposition motion. I said that there was little in the remarks of the Secretary of State to quell the anxieties. There is no doubt that a legitimate debate could be undertaken into the whole question of SERPS. I listened with interest this morning to some remarks made on the radio by Professor David Donnison, who used to chair the Supplementary Benefits Commission. It cannot be fair — if this is what the Government are intending — to move towards a system by which, for example, the better off, such as retired civil servants, will be guaranteed 50 per cent. pensions, whereas the worse off — those who are poorer because they are at the lower end of the earnings scale even when employed prior to retirement — will remain in a state of poverty compared with others through the abolition of SERPS.

Not only did Professor Donnison make that point, but he quoted the Social Security Advisory Committee in his support, and the Minister may wish to comment on the remarks of that committee on this score. Does he think that SERPS will run into severe problems of funding in future, although that problem need not arise for another half century? His view on that must have an impact on the political decision which will have to be made.

Other points can be made in the opposite direction. In other words, these issues go across the political spectrum and are not common to one political ideology. For example, a case could be made for saying that, in its operation, SERPS has regressive features. Arguments could be made pointing to the need — which we on this Bench would support — for further restructuring of national insurance contributions.

What must be a source of anxiety — I am thinking particularly of last week's Report stage of the Social Security Bill — is that the private sector, in terms of portable pensions, is not in a position adequately to take the slack which would inevitably result from a straightforward abolition of SERPS without its place being taken by what would need to constitute almost a bridging mechanism between the more private and portable pension society towards which the Government wish to aim and what we have at present, which is a reliance by about 10 million people at the poorer end of the income scale on some form of state earnings-related pension.

The Secretary of State acknowledged, when responding in his opening remarks to an intervention from me, the importance of the all-party consensus which surrounded SERPS. I appreciate the caveat which the Secretary of State gave about final decisions not yet having been taken. However, if there is to be change, whatever the direction of that change it is crucial that the Government, so far as humanly and politically possible, maintain that all-party consensus.

In any change affecting pensions in the longer term, the Government should take with them not just the House but the country and, in particular, those who will be ever more dependent upon pensions provided by the state. It is difficult to form a conclusion this afternoon, given the fact that the Secretary of State went to some lengths to say that no conclusion had been reached within the Department to finalise the issue. My hon. Friends and I must therefore reserve judgment on that subject.

We are told that the hon. Member for Oldham, West has been much maligned and misrepresented. Despite the fierceness of the exchanges earlier across the Dispatch Box, it must be worrying for the hon. Gentleman to find on this occasion, despite the ferocity of his attack on the Government—I say this from press reports, and I base my analysis on the writings of reputable journalists, and not the scurrilous ones—that he probably got a warmer reception from the Secretary of State today than he got from his leader and fellow colleagues in the shadow Cabinet when he floated his ideas last week.

Mr. Meacher: The hon. Gentleman is wrong.

Mr. Kennedy: It is all very well for the hon. Gentleman to say that I am wrong——.

Mr. Meacher: The hon. Gentleman should not believe everything that he reads in the newspapers.

Mr. Kennedy: If the hon. Gentleman is arguing that we should not believe what we read, he is giving the Secretary of State a handy weapon for defending the Government's position over the welfare state.

Mr. Meacher: The hon. Gentleman must be more selective.

Mr. Kennedy: That is an interesting analysis indeed of this debate.

I have more than a suspicion that the hon. Member for Oldham, West was, as it were, cut loose by some of his senior colleagues to wallow at the Dispatch Box in the uncosted nightmare of his welfare state. I suspect that we shall have severe disagreements with the Government when they come forward with their review of social security. In the meantime, to try to pre-empt what is being done by the Government and come forward with wild and uncosted alternatives is pointless.

The hon. Member for Oldham, West said that his suggestions had been carefully costed. That was a remarkable statement for him to make, given that the leader of his party spoke in Bristol last week about care in the community, but resolutely refused to make any spending commitments. That is at the heart of what the official Opposition are up to just now, but they are playing into the hands of the Government. In the absence of constructive suggestions, the Government will find it easier to sustain whatever policy they finally decide on for fundamentally restructuring the welfare state. I fear—I hope that I shall be proved wrong—that the Government will damage irreparably the principles and practices of the welfare state. Therefore, the way in which some Labour Members are behaving over this entire matter is at best politically naive and at worst politically cynical.

Grave concern must be expressed over the way in which the reviews have been established, the manner in which they have been conducted and the apparent loggerhead situation that exists between the DHSS and Treasury Ministers. I have grave doubt whether the result of all that can be the sincere, far-reaching and radical re-examination which the Secretary of State wants to achieve.

A radical review is necessary if the system is to be made more simple, if more people are to be helped and if we are to remove some of the complexities of the current nightmare of means-tested benefits. Those aims must be achieved if we are to alleviate poverty in Britain. However, I cannot see that being the outcome, and my hon. Friends and I will vote against the Government tonight in view of their record thus far and their approach to the welfare state.

We need to distance ourselves from the reaction and criticism of the Labour party. I do not believe that a mediocre, Maginot line of defence necessarily provides the best means of defence for the poor people of this country. Therefore, my right hon. and hon. Friends and I will continue to advance these arguments throughout the course of the wide-ranging debate which will follow the Government's announcements on SERPS, the welfare state and social security generally.

6 pm

Sir Brandon Rhys Williams (Kensington): Although this is not a very well attended debate, it is an extremely important one, because it provides the last opportunity for the House to deal with the issues relating to the fundamental reform of the welfare state that are to be discussed in the forthcoming Green Paper. It is therefore particularly appropriate to deal with general principles.

If I may comment in particular on the place of the welfare state in the functioning of the economy, we have to deal with the redistribution of income in such a way as not to damage the creation of wealth overall. As a society, we need to make the best of our economic opportunities. We must not devise a scheme for the redistribution of income which inhibits wealth creation either by taking too much from earnings, thereby breaking the back of the system, or by distributing too much and undermining the natural personal efforts of the individual to work and his will to save.

It is a fallacy to suggest that in some way the redistribution of income costs the Exchequer money. If redistribution has genuinely taken place, it does not cost the Treasury anything: the Treasury, or the national insurance scheme, has merely acted as an agent. Those who receive the benefits spend the money. It is the side effects of redistributing income which can damage the economy. Many hon. Members believe that the way in which we are redistributing income now is having a damaging effect upon the will to work and the will to save. If we weaken the functioning of the economy as a whole, we shall, in time, undermine the social services and lower the general standards of living of the population, because we shall all go down together and improverish the whole community.

I believe that there is a maximum that can be allocated to the functions which can be supported through the redistribution of income. Income tax and national insurance contributions combined should not exceed 40 per cent. of an individual's income. However, because of the expectations of a modern European society it would be difficult to operate an acceptable system if the combined rate of income tax and national insurance contributions were very much less than 40 per cent. If we try to force down the figure, we shall encounter disappointment and resentment.

On top of the 40 per cent. that it is reasonable to expect the individual to contribute at the margin, I believe that an employer's contribution of 10 per cent. is appropriate as deferred pay and as a means of building up savings to provide for workers in their retirement. If we are to make the best use of the resources available for redistribution —I am referring to resources in cash, not to services supplied in kind—the redistribution must be planned on

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the basis of a thorough and factual analysis of household needs, or, as was mentioned by my hon. Friend the Member for Brentwood and Ongar (Mr. McCrindle), on the basis of a re-analysis. We are dealing with out-of-date ideas.

Many of us are aware of the fact that there is real poverty, not only in large families but in many smaller families. We need to do more for families and to examine whether too much help is being given in other areas where opportunities are being exploited which the system ought to abolish. We do not know what it costs to raise children in families of different sizes. We ought to be provided with that data, and I hope that the Government will make a special effort to carry out the necessary research. The family expenditure survey is not sufficient.

We also need to analyse the real costs of pensioners living at home, or in institutions, or on their own. We want old people to be independent, but I do not believe that a sufficiently serious comparison has been made of the household costs of pensioners or of the cost to their families if they are unable to be independent and live on their own.

The system for the redistribution of income should also encourage the full take-up of entitlement. We cannot say that a satisfactory system exists if half of those who are entitled to benefit decline to draw their entitlement because of resentment, lack of comprehension, or for reasons of pride or fear of disclosure. A system must be introduced which encourages the full take-up of entitlement. It is worth reflecting that family allowancesand now child benefit have a high rate of take-up, whereas selective benefits invariably lag far behind. This provides a lesson which must not be forgotten. As I have often said, the redistribution of income must be comprehensible, easily administered and not humiliating to the claimant; and it must not discourage people from saving.

I believe that entitlement should be based upon citizenship or it should be derived from the record of contributions. We should aim to reduce to the barest minimum the number of people who are obliged to claim on grounds of need. I should like therefore to spend a little time upon the contributory principle. Many people believe that it is important to rely upon this principle. The reason why the dreadful old national insurance system has lasted so long is that it is felt that there is value in the contributory principle. Although national insurance has become obsolete and incomprehensible, people nevertheless want to hold on to the contributory principle. Therefore, national insurance has not been allowed to die. However, we know that it is a sham. A sham is not a good thing in public life. We ought, therefore, to get rid of national insurance and put something else in its place.

Let us examine the contributory principle in so far as it affects the current account and separate it from the contributory principle in so far as it affects the capital account. Contributions which enable us to run a system in which total destitution does not exist are one thing, whereas contributions which allow personal nest eggs or retirement benefits to be built up are quite different. The current account and the capital account ought to be kept strictly separate when we are dealing with the contributory principle.

As for the revenue account, it is some years since we accepted that the national insurance fund cannot cope on the basis of flat rate contributions. We switched to earnings related contributions for flat rate benefits. I believe that that principle is here to stay, so we must make the most of it. We should recognise that we have blundered into a system which will remain in existence. We should, therefore, ensure that it is comprehensible and seen to be right.

In so far as we are obliged to pay for flat rate benefits by earnings related taxation, we have to recognise that we are relying upon a deeper concept of the obligations and entitlements of citizens than can be founded on actuarial principles. Earnings related contributions and flat rate benefits have no direct relationship with each other; yet somehow we feel that this is the right foundation for the redistribution of income. In effect, income tax is not just one more source of revenue for general purposes for the Exchequer; it has become a personal contribution by which each citizen clears his debt to a generous civilised society, which gives him a basic income guarantee, and establishes his claim to benefit from his membership in the same way as every other citizen.

I believe that we should not abolish national insurance contributions, but, rather, abolish the income tax and call it a contribution. I believe that that should be the foundation of a new self-balancing and self-contained national insurance fund which would draw its revenue from earnings related contributions and pay flat rate benefits in exchange.

On the capital account, the contributory principle should be funded on strictly actuarial and comprehensible principles. This is a topical subject because it has been so confidently predicted that the Government will abolish the state earnings related pension scheme. I have already said in the House that that scheme should go. Retirement benefits and personal savings plans should be founded on arithmetical calculations and the state earnings related pension scheme is not. There should be no built-in transfer of resources such as is inherent in final salary schemes which all too often have the effect of transferring money from the low to the better paid, as I have said before.

In the state earnings related pension scheme, which is funded not on lifetime contributions but on a selection of the best 20 years we are adrift from arithmetic and have, unfortunately, also committed ourselves to paying pensions which our children will undoubtedly be unwilling to fund. It is only a matter of time before the House has to abandon the state earnings related pension scheme in its present form because the resources will not be available to meet the commitment. If we do not recognise that this year in five or 10 years' time, we shall recognise it in the end. The longer we leave the reform of the system, the more difficult it will be in the end to extricate ourselves from promises that ought not to have been made. Therefore the system should be abolished.

Mrs. Beckett: We have, on occasions, debated this matter before with the hon. Gentleman, but I want to draw to his attention the correspondence between his words on the cost and direction of the state earnings related pension scheme and those uttered in 1954 by the Phillips committee, looking ahead 30 years. It said that the retirement age for men should be raised to 68 and for women to 63 and that there should be no increase in the real value of pensions because the country could not afford

it. If that committee had been listened to then, as the hon. Gentleman is hoping to be listened to now, the pension today would be £15.

Sir Brandon Rhys Williams: I recognise that in making forecasts about population, unemployment, the growth of the national product and other economic circumstances over long spans of time, it is easy to be wrong. I should love to think that I am wrong in predicting that the growth of the British economy over the next 40 or 80 years will be such that we shall not be able to handle the commitments that we are making to ourselves in this particular pension scheme. But it is wrong to make forecasts based on nothing except hope. If we build our pension expectations on hope rather than the reality of the economy, there is a likelihood that we shall be disappointed. A state scheme should not be founded on estimates which could all too easily be proved to be wrong.

If we abolish the scheme, we must look at the gaps that might be left when it has gone. The Government should encourage savings by all legitimate means. Therefore, I was extremely relieved when the Chancellor committed himself in the Budget to the principle of "save now, pay tax later." All occupational pension schemes in Britain have been built up on the expectation of that tax background and it ought not to be changed for individual personal pension entitlements. Moreover, it should be made available not just to occupational pension funds on an approved list but to every citizen for all classes of saving, including personal pension schemes, nest egg schemes, life insurance and house purchase finance.

I know that what I am saying is radical, but I believe the options should be offered as an alternative which people embarking on long-term financial undertakings such as house purchase or life insurance should be able to consider. They might not want to use that basis, but I can see no good reason why the principle of "save now, pay tax later" should be confined to approved occupational pension schemes. It should be made available to everyone, subject to some safeguards. It should be used as the incentive to encourage the build up of personal capital along the lines suggested by my right hon. Friend the Prime Minister when she makes it a target that every man should be a capitalist. I hasten to say, because I know that the hon. Member for Derby, South (Mrs. Beckett) would not like it if I did not, that I want every woman to be a capitalist, too.

Mr. McCrindle: I am following my hon. Friend's arguments closely and I agree that there should be maximum encouragement through tax concessions to persuade people to prepare for their retirement, but if we follow through my hon. Friend's suggestion—that the state earnings related pension scheme should be wound up for the reasons that he has stated—does he agree that there would then be maximum encouragement but no compulsion in attracting the people at present covered by the state earnings related pension scheme to a private pension scheme? Is my hon. Friend about to tell us how he would take care of the situation to which I made reference in my speech of the substantial number of people who, no matter what encouragement they are given, decide for one reason or another not to prepare for their retirement, thereby building up a responsibility on the part of society under our present supplementary benefit system?

Sir Brandon Rhys Williams: I am grateful to my hon. Friend for his intervention, because it enables me to tread safely on the ground that I have prepared for myself. We should encourage people to build up nest eggs for family or business needs which are not necessarily available for use only in retirement. How then do we ensure that people's retirement is properly catered for and that they do not fall into the temptation of using their nest egg for some other purpose before they reach the time when they desperately need it, when they are no longer able to work? We should not allow the nest egg to be used before retirement age if it is derived from the employer's contributions. The employer's contributions should become a money-purchase fund, put into trust for retirement as a form of deferred pay. I have already suggested in the House that the employer's contribution should be set at 10 per cent. on top of all wages, so that the entire employed population should receive 10 per cent. on top of their wages from their employers in the form of deferred pay. It is really the national insurance contribution which the employer is already making, but instead of letting it lapse by going straight into the fund and being lost it should be retained as an individual entitlement built up on proper money-purchase principles and indexed in an appropriate way. I hope that I shall have time to deal with that. The employer's contribution should usually be available only for retirement and the trustees of the schemes should release the money earlier only in exceptional circumstances, such as invalidity and so on.

The private occupational schemes must be run on lines which conform with public opinion. If we are to abandon the idea of a state minimum scheme, the private schemes must operate on a unisex basis and give fair treatment to the early leaver, including his existing accrued entitlements. I do not want to go over suggestions that I have made before, except to say that by differential tax treatment of the income from the fund in the occupational pension trust so as to favour that part of the fund which is allocated to individuals rather than the unallocated account, we can put the occupational pension schemes in a position, without any element of retrospection, where they would wish to give his full accrued entitlements to the early leaver.

There must also be adequate recognition of the claims of mothers—or, indeed, of parents of either sex—who withdraw from work to be remunerated in cash in order to raise their family. I recognise that the 20-year rule in the existing state earnings related pension scheme was introduced to help women who did not have a full record of contributions; but it was the wrong way to approach it. It might be worth exploring the idea that the parent who is able to draw child benefit should also be entitled to establish a claim to pension rights on that account—in other words, a motherhood pension credit.

The House has argued for many years the difference between indexation related to the retail prices index and the alternative based on wage rates. At one time we gave pensioners the option of whichever was the best system for them. Neither was right. In future the pensioner's entitlement must be based on the real development of the economy — the actual capital market. I should like savings which are allocated to individuals to fructify in real terms in line with the general development of the wealth of the community. In other words, pensions should be funded on a spread of real assets. In that way, if there is growth in the economy, the pensioners will participate

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in it. If we go through bad times economically, the pensioners will be on the same footing as the rest of society.

Many employers cannot afford to run their own pension schemes. If we abolish the present state scheme, there will also still be a need to cope with casual and part-time workers and others who need to belong to an earnings related scheme just like everyone else, even if they have low incomes, but which can cater for their particular working habits. There should therefore be a Post Office scheme which gives indexation by reference to the yield, from time to time, of Government indexed stocks. Employers who take on casual workers even for short periods at low wages should still be obliged to make a 10 per cent. contribution to a Post Office fund on behalf of each worker. The money can then build up on the basis that it has been invested, perhaps notionally, in Government indexed stocks. Private schemes should guarantee at least to do the same.

I want to deal briefly with householders' costs, household subsidies, mortgage interest relief, which has been made topical by the hon. Member for Oldham, West (Mr. Meacher), and the reform of local authority finance. Local authority finance is all part of the scene and should not be regarded as a separate matter. In seeking for a reform of the rates, we have considered local income taxes, local VAT, a poll tax or lightening the burdens on local authorities by taking them back on to the central Government budget. None of those has proved to be satisfactory. We have talked about rates for years without coming to any conclusion. Rates are an intolerable burden in my constituency, and something must be done as a matter of urgency.

Mortgage interest relief is a random benefit. I am glad that it was the hon. Member for Oldham, West who put his foot on the mine and exploded a volume of abuse and public reaction. If it had not been him, it might have been me who made the recommendation, because the way in which we help householders is in some respects wasteful and in others insufficiently helpful.

There is certainly room for reform of the system for the support for house purchase.

Mr. Winnick *rose*——

Sir Brandon Rhys Williams: I have spoken for so long that, unless the hon. Gentleman is determined to press me, I should like to finish my remarks.

Mr. Winnick: The hon. Gentleman has raised a point that I should like him to clarify.

Sir Brandon Rhys Williams: When I have finished, the hon. Gentleman may think that I have dealt with it.

Housing subsidies have a low take-up, and that is most unsatisfactory. Supplementary benefit rent allowances are also unsatisfactory and uneven. I am sure that in some parts of the country they tend to increase rents for low-grade accommodation. Rate support grant is the most uneven and unpredictable of all the forms of subsidy that we pay to householders. Let us be under no illusion: rate support grant is a form of household benefit which reaches householders by indirect and incomprehensible means. The key to the reform of local authority finance is to put householders in a better position to meet their essential outgoings.

We look forward to the Green Paper proposals. I am confident that my right hon. Friend will approach them in a generous, sensible and responsible spirit.

Mr. Winnick *rose*——

Sir Brandon Rhys Williams: As I shall not be detaining the House for much longer, perhaps the hon. Gentleman and I can meet afterwards to discuss these points.

I hope that my right hon. Friend will take account of the effects of taxation as well as the benefit system. My only fear is that his proposals will not be sufficiently radical, comprehensible and firmly based on moral principles. If he listens to what has been said on both sides of the House today, he will be helped in the preparation of his Green Paper, which will be widely read, and with great interest.

6.23 pm

Mr. Frank Field (Birkenhead): It is usually a pleasure to follow the hon. Member for Kensington (Sir B. Rhys Williams). I am sure that he will understand if I do not pick up all the themes that he illustrated. I disagree with one of the main thrusts of his argument—what should be done about the state earnings related pension scheme. I think it is the first time that there has been such a disagreement when I have followed him.

What linked the hon. Gentleman's contributions to those of both Front Benches was that he applied a broad brush to a large canvas. I wish to paint a much smaller picture, but first let me make a couple of introductory remarks. The proposals that my hon. Friend the Member for Oldham, West (Mr. Meacher) outlined to the press recently have come in for what some people have taken as an attack. I should like to use the opportunity to put my views on record. If there is any criticism of his proposals, it must be that they are not sufficiently radical and not that they are too radical. Conservative Members will be misreading the feeling on the Opposition Benches if they do not grasp the fact that Labour Members wish a future Labour Government to have an attack on poverty as their number one priority. If we are serious about that, and about delivering money to those at the bottom of our society, the programme will be costly. We must study those costs carefully and set out how they will be met.

My hon. Friend's proposals were modest. He supported them by limiting the amount of relief going to those buying their own homes. I am one of those Members who wish to see an extension of home ownership on a scale which is not perhaps supported by all Opposition Members. But it is crucial that we consider not only mortgage interest tax relief but the other 100 or so major tax benefits which cramp any Government's style when they try to achieve their objectives.

One of the main reasons why the Government failed this year, as they did last year and the year before, to deliver on their central election pledge—to cut taxation—is that before the Chancellor rises to deliver his Budget statement he has already forfeited the right to levy taxation on over 50 per cent. of personal income. That income has been exempted by one or other of what should be called "tax benefits."

If there is to be scope for the proposals that I should like to see brought into operation—taking people out of tax and cutting the rates of tax, as well as building a welfare

state which acts as a floor upon which people can build by their own efforts rather than a ceiling which traps them into poverty—the crucial issue of tax benefits must be faced squarely.

If the Labour party is to become an alternative, radical Government, it must consider applying a policy of cash ceilings on these tax benefits. Only this policy will give the Government room to manoeuvre. It would enable them to raise some benefits, take some people out of tax and cut tax rates. I agree that that would be an approach different from that of previous Labour Governments. It would be a libertarian approach. It would be one which wishes to see people have more money in their wage packets and for them to choose what they do with it, rather than today's paternalistic state whose people receive relief and support only if they spend their taxed income in a way in which the Government approve and support by way of tax benefits.

Mr. Winnick: My hon. Friend and I may agree or disagree, but I believe that the bulk of tax relief on mortgage interest is justified. Every help should be given to people who are buying their own homes. Does my hon. Friend agree that it is interesting to note that time and again, as they did tonight, Tory Members speak against subsidising the better off, but they are not critical of giving tax relief, without any qualification, to those earning £30,000 or more a year? Is there not an inconsistency and deep hypocrisy in that attitude?

Mr. Field: There is inconsistency and hypocrisy. One of the good things in the debate has been the efforts—if I can use the phrase in the House — which has been made to rubbish the proposals of my hon. Friend the Member for Oldham, West. I hope that the exercise continues, because I want my constituents to hear what may be on offer to them if we are successful in achieving the election of a future Labour Government. The electoral mine of which the hon. Member for Kensington spoke might be one upon which the Government step rather than my hon. Friend. One of our problems in the past has been to convince voters that we have a programme which will work and will deliver resources and cash to those at the bottom of the scale.

Again, with reference to my hon. Friend's intervention, I, too, am not in favour of abolishing mortgage interest relief. My proposal is that the cash ceilings, which we have seen applied so ruthlessly to the traditional welfare state, should be applied to those who, in the welfare state, gain tax benefits.

The Library very kindly did some work for me on four of the major non-personal tax benefits and looked at the extra revenue we would have gained if a cash ceiling to those benefits had been applied at the beginning of the previous Labour Government. Had it been applied, we would have had an additional £17·5 billion to distribute in ways that this Chamber may wish to debate.

On the one hand, we lament the failure of this House to control Government expenditure; yet, on the other hand, many of us seem unwilling to come to grips with controlling the Government's tax expenditure. If we are serious, we need to begin a debate about those tax benefits which, as I said earlier, exempt over 50 per cent. of all personal income from tax.

At the beginning of his contribution, the Secretary of State was rightly asked whether he intended to stand by the very clear commitment that he gave to the House not to disrupt current pensions proposals. We learnt from the Secretary of State's reply that there is a new definition of a political commitment. One gives a political commitment and holds to it until one has established reviews. Should those reviews produce proposals — which one has engineered anyway—to abolish a commitment, one has to allow that commitment to be sidestepped.

I wish to concentrate on my concern over what is to happen to the state earnings related pension scheme. In doing so, I disagree with the hon. Member for Kensington but agree with the hon. Member for Brentwood and Ongar (Mr. McCrindle), because one of the aims of the reviews is supposed to be to give us a more simplified welfare state. There appears to be a possibility that the Government, to save some revenue at some time in the next century, may be prepared to cave in to pressure to abolish the state earnings related pension scheme. The advantages of the scheme are important, and I shall remind the House of them.

If the scheme comes to fruition it will be the first scheme to be put on the statute book since Beveridge which offers the hope of breaking the link between poverty and old age. It may not do it as successfully as was hoped by some of those who promoted the scheme in 1975, but it will certainly do it on a scale the like of which has not been seen before. If the Government's aim is to simplify the welfare state and to cut down the numbers claiming means-tested assistance, whether by means of supplementary benefit or, if they have been floated off it, housing benefit, it will be a major error of judgment to overturn the all-party agreement on pensions proposals for the sake of a very small gain in terms of public expenditure in the distant future.

The second advantage of the scheme — I was so surprised that the hon. Member for Brentwood and Ongar did not make the point that I now wonder whether I fully understand the scheme — is that it sets a minimum standard for the private schemes. In other words, an employer can contract out his employees into private arrangements only if he is offering proposals which are better and more generous than the state minimum scheme. Therefore, one is losing, without any extra civil servants or any bureaucracy whatever, that regulation of the private schemes which has been so beneficial up to now. It has set a minimum floor, and the private schemes, to attract customers, have had to offer something better. I always thought that Conservatives, as a matter of philosophy, were willing to undertake that sort of competition with the state scheme. Now that perhaps competition appears to be tough the only way to compete is to abolish the state scheme.

The third big advantage of the state scheme is that it offers the best deal to the lowest paid. That aspect was touched on in a number of contributions by Conservative Members. It offers a deal to the low-paid that they are unlikely to get in the private sector, for the very simple reason that much of the private sector is not interested in those on low earnings.

Because the scheme is so advantageous to the low-paid, and because most women are low paid, it offers the best prospects that women have ever had from any pension scheme, whether private or public. Therefore, if the Government abolish the scheme, they will not simply be

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taking away the potential pension from the lowest paid; they will be seen to be making a major attack on the future living standards of women.

The fourth reason why the scheme should be supported is the one that I touched on at the beginning—that it allows us to simplify the welfare state. It guarantees people basic pensions which will take them above the eligibility level for means-tested assistance. How much simpler it would be to float people off poverty by this scheme than by the proposals hinted at by the Government. If the Government's proposals go through, we shall see the first moves towards dismantling the welfare state.

Some of my hon. Friends, in their eagerness to defend the interests of their constituents and to promote our cause, have sometimes talked about the Government dismantling the social security system. I do not honestly believe that one can make that charge stick at present. There have been cuts, and I shall deal with them in a moment. Those individual cuts have been catastrophic for individual claimants but Opposition Members cannot claim with any seriousness that we have yet seen the dismantling of our social security welfare state. But the leaks of the past 10 days or so concern proposals which, if put into practice, would make that charge stick.

It is because I want to warn the Government about the moves which may be made, but also to support them when they have managed to resist Treasury attacks, that I say how pleased I am to read that it appears that the Government have been successful in defending the child benefit scheme. If that is correct, they are to be congratulated. I suppose that it is a sign of the times in which we live that Opposition Members can stand up and say that the Government's defence of a basic measure, such as child benefit, calls for congratulations. Be that as it may, it is important to list the advantages. It is the most effective benefit that we have for tackling family poverty. It is the only benefit that we have for maintaining tax equity between those with children and those without children. It is the most effective way of giving people an incentive to work. It is, as we know—thanks largely to the campaign led by the hon. Member for Kensington—a benefit which is paid to women, and it is a crucial benefit to them.

I should like to underline one of the points made by my hon. Friend the Member for Oldham, West concerning the charge that we are beginning to stick on the Government. I want to play my part in getting that charge to stick, because I believe it will have an effect on the result of the next general election.

In his opening remarks, my hon. Friend looked, on the one hand, at the tax cuts that have benefited those at the top end of the incomes scale and, on the other hand, at the cuts that have been made in social security so far in this Parliament and in previous Parliaments. As the Minister of State knows, the major cuts have been in breaking the link between earnings and pensions and what are called the long-term benefits.

I ask the House to recall the 1979 Budget. The surtax payers, as they used to be called, gained £1·6 billion in that Budget. They constituted less than 6 per cent. of all taxpayers. They will go on gaining those tax concessions until we elect a Government who will reverse that 1979 Budget. We are now in the sixth year of tax cuts to the rich, and that gives a total of almost £8 billion. The Library note, prepared some time ago for my hon. Friend the Member for Oldham, West, refers to the cuts in social security since 1979, which equal a little over £8 billion. Therefore, one sees the direction of redistribution under the Government. There have been cuts in the benefits to which many of our constituents were entitled under the previous Labour Government to finance the tax cuts to the richest in our society.

The Minister of State may not like it when the main Opposition spokesman, in opening a debate, never fails to mention those tax cuts to the rich. I reassure him that many of us in the Opposition are doing our best to make the charge stick that there have been cuts in benefit and that those cuts have almost exclusively financed the tax cuts to the very rich.

Mr. Butterfill: Will the hon. Gentleman explain how he can talk about cuts when in fact there has been an increase of £8·5 billion in expenditure on social security under this Government, which is a 28 per cent. real increase?

Mr. Field: I am happy to do so. The hon. Gentleman should ask the Library for a copy of the note that it prepared for my hon. Friend the Member for Oldham, West, published on 6 February this year. In that note, the cuts are set out in detail. It is as well to remember that there are now many more old people claiming old-age pensions, and the Government have done their part to increase the number of unemployed. This is why it is not impossible for the total social security budget to increase. Yet at the same time, and in the way I explained earlier, the Government have made cuts in provisions such as the earnings-related supplement. It is a paradox that the hon. Member for Halifax (Mr. Galley) seemed unable to explain.

If we look at the figures, we see that the amount spent on health has increased under the Government, yet when I and other Opposition Members and, I guess, many Conservative Members go to our constituencies and see what has happened, we are faced with a catalogue of cuts. It is a paradox that Conservative Members have to explain not only to us but more importantly to the electorate. At the same time they need to try to explain away how they have benefits in order to ensure that the very rich in our society, those who are most privileged, can pick up a cool £8 billion since the Government were returned to power in 1979.

6.42 pm

Mr. Patrick Nicholls (Teignbridge): I shall talk about the retirement pension, but one remark by the right hon. Member for Western Isles (Mr. Stewart) should not be allowed to go without comment.

The right hon. Gentleman was comparing at length the deficiences, as he saw them, in the health services provided in various European countries with the way in which he thought they were being provided in this country. One can make a simplistic point that one never spends enough on the Health Service. I doubt that there is anyone in the House who would disagree with the proposition that one can always spend more on the NHS, and spend it usefully, wisely and correctly.

The reason for that is that there has been a complete transformation—a revolution even—in the various types of medical aid that one can usefully give. The founding

fathers of the NHS did not have to consider the sort of things on which we can now usefully spend money, such as transplant surgery and open heart surgery—a whole range of techniques which, when the NHS was founded, would have appeared to be out of science fiction. Unless one does one's forebears the courtesy of looking at the facts as they must have seemed to them, it is incredible that it was thought that once the NHS was established there would be a reduction in cost through the years. It was thought that once the health of the nation was placed on a sensible and positive footing, the costs would decrease. Of course, that has not happened because the more one spends on medical research, the more things there are that can be genuinely done for the citizen, and so more money should be spent.

The right hon. Member for Western Isles did not address himself to that possibility. However, he quoted highly selectively the statistics that he had managed to get hold of. If he had really wanted to help the House on how our NHS compares with the provision in European countries, he might have drawn to our attention a publication called "Cost and Containment in Health Care", which was produced last year by Professor Abel-Smith. Unless I am doing him an injustice, I would guess that the professor is no particular friend of the Conservative party. Certainly in the past he has been an adviser to two Secretaries of State for Social Services, both Labour. Yet his conclusion, perhaps sorrowful, in that publication was that if one ignores the rhetoric that we hear about increased waiting lists, cuts in NHS, savage reductions and so on, looks at the reality and compares the provision that we make with that on the Continent, in so far as there has been any reining in on the increases made, the Government's record is a great deal better than that of any of our competitors. That is why, when one starts comparing our Health Service with that on the Continent, one must go beyond the rhetoric and look at what has actually been done.

Mr. Laurie Pavitt (Brent, South): Like the hon. Gentleman, I am a devotee of Abel-Smith. While the hon. Gentleman is referring to that document, will he quote the per capita index that Abel-Smith gave, starting with 580 in the United States, going down through the industrialised countries of Europe and finishing with the British contribution of 230?

Mr. Nicholls: If we were both armed with the text, I am sure that we could have a medieval debate in which we would go through each point in our respective cases. What the hon. Gentleman says is true, but we cannot follow that line and still conclude the debate at 10 o'clock. We must consider other matters as well such as the expectations and standard of living of any given country. Such things have to go into the equation as well.

I was picking up the point made by the right hon. Member for Western Isles. He said that it was true, as if it were written in tablets of stone, that our services did not compare well with those on the Continent. The only point that I was making was that when one talks about cuts and reductions, the fact is that a left of Centre academic with impeccable credentials has said, whatever else one might say about the Conservative Government and how frightful they might be, that that specific point was not true.

Mrs. Kellett-Bowman: I do not wish to enter into any individual medieval joust with my hon. Friend, but does he not agree that if the figures were for state spending in the United States as opposed to the vast amounts spent privately there we would come out a great deal better?

Mr. Nicholls: My hon. Friend makes a fair point. No one would deny that. Usually, when I have spoken in a debate that has not been as elegant and well mannered as this, and have mentioned those figures and the fact that there was a publication called "Cost and Containment in Health Care" and when I have made that central proposition and said that that was the conclusion that the author reached, I have been howled at and there have been shouts of "Adam Smith group" and so on. When it is then found that that was the conclusion of a Left-wing academic, some people have looked puzzled. I shall finish on a point that I had not intended to make. Sometimes one can be rather too simplistic. I say with great deference to the right hon. Member for Western Isles, with all his experience, that his speech was an example of how simplistic one can get.

It is not surprising that I wish to talk about retirement pensions as a greater than average number of my constituents live on retirement pensions. I wish to consider the effect on retirement pensioners of what the Conservative party has done and has on offer and of the alternative offered by the Labour party.

I always find distasteful and ridiculous any claim that one party or the other lacks compassion for retirement pensioners. I do not believe that that is true of the Conservative party and I would never make the mistake of suggesting that the Opposition are lacking in care or compassion for the elderly. It is in no way inconsistent or pejorative to say that, although the Labour Government cared desperately and genuinely about proper services for the elderly—there was no doubt as to their aspirations and the genuineness of their compassion—the record shows that their efforts to provide care for those sections of society who desperately needed it proved in the end to be inept. There is no need to dwell on the fact that for two years running the Labour Government were so strapped for cash that they could not even afford the Christmas bonus or the fact that people who had put something by during their working lives to provide a little jam in their twilight years found their savings wrecked by inflation.

The tragedy of the Labour Government's attempts to care for the elderly was summed up in their attempt to link pensions with earnings. No one would deny that that was a noble aspiration, but for three of the five years in which the link was in operation the Labour Government had to fiddle the figures to provide pension increases below those required by their legislation. With the charity of hindsight, and given that we are now in government, one can sympathise with the dilemma in which the Labour Government found themselves. That dilemma was most graphically illustrated when the then Secretary of State, Mr. David Ennals, was chided for fiddling around looking for ways to get out of implementing the Labour Government's legislation and commented in relation to earnings figures:

> "There is a statutory obligation to take these figures . . . into account, which was done, but no statutory obligation to get it right".

Mr. Frank Field: Does the hon. Gentleman accept that many Opposition Members would not seek to defend all the actions of the Labour Government, especially the manoeuvrings on pensions? Will he also accept, however,

[Mr. Frank Field]

that pension levels were higher as a result of the formula laid down by the Labour Government—so much so that the Conservatives have found it necessary to abolish the formula and especially the link between pensions and earnings?

Mr. Nicholls: I in no way wish to attack any Opposition Member for the difficulties that the Labour Government encountered in this area. I do not know whether I am in a minority on this, but I have never found it necessary to attack Socialism, which I abhor, by suggesting that there is a lack of compassion in that system. I would say many other things with which the hon. Member for Birkenhead (Mr. Field) would no doubt disagree, but I would not go so far as that. I was merely pointing out that the dilemma arose because the Labour Government's economic policies made the care that they sought to provide an impossibility.

The present Government made a pledge to keep retirement pensions in line with inflation. I shall be commenting on that as a mean level of achievement, but at least that promise, which did not raise great expectations, was kept. In the end, one cannot divorce compassion from the social and economic policies which make it possible in practice. Even if we can show that our fiscal policies have allowed us to make better provisions for care than those that the Labour Government achieved, we still need to go further. Just because we are better in one sense does not mean that that is the final word.

I am concerned about the way in which we sometimes present what we have been able to do for pensioners. The undertaking that we gave was relatively modest, but we stood by it and we have managed to keep pensions just ahead of inflation. In short, we have kept faith with the pensioners. That is true in as much as we said what we intended to do and we carried out our promise to the letter. My postbag, however, which is my most valuable instrument in assessing what is going on out there, shows that a significant minority of pensioners do not believe that the Government have kept faith with them. Why do they make that judgment?

Mr. Winnick: Because it is right.

Mr. Nicholls: The hon. Gentleman made no attempt to intervene when I was pointing out as compassionately as possible that the Labour Government's record on care for the elderly, however good its aims and motives, did not stand up in practice—so it ill behoves him to make that comment now.

Why do some pensioners believe that we have not kept faith with them? Answering that question may have unhappy consequences for some Opposition Members in marginal seats, but it is worth examining for a moment why, although we have carried out our promise to the letter, pensioners are still unhappy. I suspect that it is partly because many of today's pensioners do not know what it was like to be a pensioner under the Labour Government. People now in their early sixties and some even in their early seventies did not experience the wrecking effect on pensions of inflation of 20 per cent. and above, nor did they experience the disillusion of being promised that pensions would rise with earnings only to find the Government who made that promise using devious tactics to get around their own legislation. Most people who are still working and earning are not seized of the realities of living on a retirement pension. It is only when they find themselves living on a pension that they appreciate those realities.

Mrs. Beckett: The hon. Gentleman mentions manoeuvring and wonders why the pensioners in his constituency are discontented. He may have forgotten or perhaps not even noticed that the Government have twice changed the method of calculation, at a cost to the pensioners on each occasion, as well as delaying payment, sometimes for one week and sometimes for two, which on at least one occasion cost pensioner couples £12·30. Perhaps the pensioners in the hon. Gentleman's constituency remember that.

Mr. Nicholls: I am not sure that that is the best argument for the hon. Lady to advance. If she wishes to compare the historic and the forecasting methods of calculation she must bear in mind that the basis was originally changed because the Labour Government were strapped for cash. If she does not wish to take my word for it, Barbara Castle's diaries may refresh her memory. The motive for the change on that occasion was scarcely an honourable one. If the hon. Lady is suggesting that there has been chicanery, she should be looking in the mirror of her own party rather than accusing us of devious behaviour.

If I am right on the first point—and the support that I am receiving from my hon. Friends suggests that I am—a second point follows. We talk about keeping pensions in line with the cost of living, but what is important is the ingredients in the cost of living index. An elderly person may find that the price of biscuits at the local supermarket has risen from 22p to 30p. He will not be consoled by being told that if he had bought a Japanese video recorder instead he would have found that the price had fallen. The things that pensioners of necessity buy are very often the items on the up side of the index, not the down side.

If we cannot find the answer to that problem, what consolation will there be? If we continue to say that we have kept faith with the pensioners and intend to carry on without any change, it is conceivable that we shall lose office. The mere fact that we were right and that the pensioner's assumptions were wrong will be small consolation; and if the pensioners are misled by the blandishments to which they will be subjected at the next election about all the treats in store for them—free television licences or perhaps even free televisions, massive increases in pensions, and so on—they will subsequently suffer, too.

As the hon. Member for Oldham, West has been told time and again, it is no good promising those on benefit marvellous treats and goodies if no attempt is made to cost the treats. I often read *Tribune* for light relief. On 16 July 1982, the author of an article said:

"A major concern . . . must be the failure to cost adequately or to make a priority of the social programme."

Those words may strike a chord in the mind of the hon. Member for Oldham, West. They were written by his wife.

Something must be done. What is the essence of the problem? The retirement pension for a single person is £35·80 a week. For a married couple it is £57·30. We have kept faith. We have run the nation's finances in such a way as to make decent pensions a reality. Even so, no one can

say that £35·80 for a single person or £57·30 for a married couple is a princely sum. I doubt whether any of my hon. Friends would be satisfied for ever and a day if their parents were living on £57·30 a week. It ill behoves the Opposition to criticise us on that score. The pensions may be modest but they are genuine pensions, in that they can be afforded. However, we cannot be complacent about them. We must face the fact that, for our parents and for others, living on that amount of money is not an attractive prospect.

If something must be done, where is the inspiration to come from? Clearly, it will not come from the Opposition. We saw their track record in office, although I acknowledge that their aspirations were admirable. However, with perhaps the single exception of the hon. Member for Birkenhead, the Opposition are doing no constructive thinking. They are suggesting the old remedies that failed before.

A long time ago, the hon. Member for Birkenhead gave me a valuable lesson when we were both addressing a grammar school in Dorset. Imitation is the sincerest form of flattery, and I hope that I learnt something on that occasion. But when even the hon. Gentleman—with all his moderation and independence of mind—talks about making cuts so that money can be given to the rich, one begins to despair about what may be in store for the Labour party. It has never realised or acknowledged that there is no question of money being given to the rich. It is the rich, or those who pass for rich, who earn the money in the first place and can pay the taxes that make pensions and benefits a living reality.

We have heard the hon. Member for Birkenhead musing on the possiblity that mortgage interest relief might have to be cut, even though the Opposition believe in it. Let us consider the reality. One can have interest relief on a maximum mortgage of £30,000. In London, many couples, earning less than hon. Members earn, have to scrape together the money to buy a house costing perhaps £50,000, and £50,000 will not purchase an especially desirable residence in London. That couple will get no income tax relief on £20,000 of the £50,000. The hon. Gentleman does not use the same apocalyptic terms as his hon. Friends would use, but he muses about putting the squeeze on such couples. He must face the fact that, if he did so, couples whose ability to afford private occupation is marginal would decide that it was not worth it.

My hon. Friend the Member for Derbyshire, South (Mrs. Currie) was wrong to beckon the hon. Gentleman to come and join us. For all his moderation, he makes the fundamental error of not realising that every benefit he wishes to pay, and every good deed he wishes to do, will in the end have to be financed by someone else. If the Opposition cannot provide the answers, where shall we find them? Perhaps because it is a Monday and the dinner hour is approaching, none of my hon. Friends of what one might call the corpulent tendency is present. No one has waddled into the Chamber in order to tell us that the charter for jobs, if extended, will provide the answer to all our ills.

Mr. Richard Holt (Langbaurgh) *rose*——

Mr. Nicholls: Those remarks were not intended to apply to my hon. Friend the Member for Langbaurgh (Mr. Holt).

The former grandees of our party can give us no help in this area. However, something can be done. We need to recognise that we cannot for ever repeat that we have kept faith with the pensioners and that we intend to keep benefits in line with inflation, and assume that that is enough. We must at least recognise that something else is called for.

The Government believe, and I share their belief, that their economic policies will in the end bring about a real increase in national wealth. That will bring down unemployment in real terms, so that more people will pay more tax. Money, having fructified in the pockets of the people, will then be available in taxation. The time is bound to come when national resources will be more plentiful. The Government should assure us that, when that happens, the improvement of retirement pensions in real terms will be a high priority. That could be done—taking an analogy from tax thresholds—by increasing the old-age pension progressively beyond the rate of inflation. Alternatively, we could study the ingredients of the cost of living index and include in it some recognition of what retired people have to spend their money on.

Tonight I ask only for a recognition of the fact that, while the Government are quite right to call attention to what they have achieved for the retired and to the ineptness of the Opposition's attempts to do something similar, something more still needs to be done. The retirement pensioner needs to be assured that at some time in the future, when the resources are available, he will be a priority. That is a realistic demand. It is well within the ambits of Government policy. I hope that my hon. Friend will be able to give me some assurance on that point tonight.

7.9 pm

Mr. Laurie Pavitt (Brent, South): Most of the debate has concentrated on social security and social benefits, and it will not surprise the House if I consider what the Opposition regard as the jewel in the crown of the welfare state—the National Health Service.

The fluency of the hon. Member for Teignbridge (Mr. Nicholls) and his comments on the NHS tempt me to follow him. I thought that I was the only hon. Member to have read Brian Abel-Smith's excellent dissertation comparing health care in Europe. I find that the hon. Gentleman shares the honour with me, and I hope that many more of his hon. Friends have read it. I shall resist the temptation to talk on that subject because of his warning that if we were to enter into such a debate we should be here until midnight and the debate might be like those medieval ones on how many angels dance on the head of a pin. Health provision in the United States is private, but 10·5 per cent. of gross national product is spent on it. The comparable figures are 8·5 per cent. for Canada and 6 per cent. for the United Kingdom.

I charge the Government with dismantling the NHS by degrees. A fundamental principle has been ignored since 1977. Between 1953 and 1977 there was consensus under such people as Iain Macleod, who was the most intelligent Tory Health Minister that we have ever had. The most basic principle was that health care should be free at the time of need and paid for at the time of health. That basic concept has been eroded. Whereas 85 per cent. of the Health Service's resources come from taxation and the average family man with two children pays £1·40 each week for prescriptions, irrespective of whether he has them, now only the sick pay twice.

[Mr. Laurie Pavitt]

I accuse the Prime Minister of giving an insincere performance on television at the Tory party conference in 1983. Cancer cases face the impact of financial stringency because of the great advances in chemotherapy. At the 1983 Tory party conference the Prime Minister showed a great deal of sympathy for a widow who had to pay large prescription charges, but prescription charges for women who have had mastectomies are diabolical. The loss of a breast is a traumatic experience, but, with chemotherapy, a young woman who has had a mastectomy pays £2 every three weeks for medicines. That is not the worst thing that the Government have done. From 1971 to 1979, prescription charges were 20p—they are now £2. Worst affected are the chronically sick on permanent medication. On 1 April the annual season ticket was increased to £30·50. People such as those who have had a coronary thrombosis must take tablets for the rest of their lives and pay the £1·40 which they pay as taxpayers, and for the rest of their lives the price of the season ticket too.

There are eight scheduled diseases which the British Medical Association accepts as chronic diseases meriting exemption from prescription charges. There are only 21,000 cases of breast cancer requiring chemotherapy. Exempting women who have had a breast removed from paying £2 every three weeks or £30·50 for a season ticket will not make a large inroad into resources. The Minister knows, as he recently gave me the relevant figures in an Adjournment debate, that it is quite possible to persuade the BMA to accept breast cancer as the ninth scheduled disease.

When discussing the NHS, the House tends to think of hospitalisation. The Secretary of State and the Minister for Health spend most of their time talking about hospitals. Hospitals absorb the greater part of NHS expenditure, but eyes, teeth and medicines are also important. We have gone back to 1950 in our treatment of the loss of sight and back to Woolworths to buy spectacles. The Government are right to ensure that an ophthalmic prescription must be provided, but that is only half of the story, as there is much skill in fitting the right glasses.

The Royal National Institute for the Blind and the National League of the Blind and Disabled have campaigned for people with low visual acuity. People with cataracts, who need four or five changes of glasses, face swingeing increases. The price of a complicated lens has increased from £20 to £60 as from 1 April. The Government's recent legislation on ophthalmic services is part of the dismantling process. Old-age pensioners will have to pay for optical services unless they are on supplementary benefit. Such people and the under-16s are to return to a system which I thought we had got rid of with the Geddes axe in the 1930s, as they will get their spectacles on vouchers. It is insulting to people's dignity to have vouchers. Nobody else has such a system—France and Germany have a reimbursement system.

The increase in dental charges has made nonsense of the principle of free care at the time of use. Because dentists are paid by item of service, people in some parts of the country are told that if work is done on the NHS the dentist cannot do a good job. A constituent came to my surgery on Saturday morning and asked me what to do because he had been told that he required a complicated set of dentures which would cost £56 on the NHS, but that if the dentist did the work privately the job would be done well and cost £190. There are areas such as Leicester where people cannot get NHS dentistry. When talking of the dismantling of the NHS, that is it.

The Government are implementing the Griffiths report too quickly and without sufficient consultation. It is a major reorganisation. We had the 1974 reorganisation, which was such a disaster that the right hon. Member for Wanstead and Woodford (Mr. Jenkin) had to reorganise it again in 1982.

Morale throughout the hospital service was shattered. For example, senior nursing officers did not know whether they had a job. Just as morale is being restored, the Griffiths report is being implemented, under which managers will be appointed. Many of them know nothing about the Health Service. When the great supremo himself was appointed, he gave a press conference at which he said, "Everyone belongs to BUPA anyway." He was nudged by a civil servant and then said, "I meant that only my friends belong to BUPA," or words to that effect. In fact, only 3 per cent. of the population contribute to private medicine insurance schemes. He also said, "I know nothing about the NHS, but I am a good learner." I wish someone would appoint me to a £70,000 a year job, because I am also a good learner and would be only too willing to accept the challenge.

In 55 AD, Petronius Arbiter said:

"it seemed that every time we were beginning to form into teams we would be reorganised. I was to learn later in life that we tend to meet any new situation by reorganising; and a wonderful method it can be for creating the illusion of progress while producing confusion, inefficiency and demoralisation."

Review boards can do precisely that. It can seem as though they are doing something, when in fact they are creating even more confusion.

The NHS is now being undermined as a result of closure by amputation. I pay credit to the Secretary of State and the Minister for Health, who have fought a good battle for the Health Service against all the monetarist pressures within the Cabinet. If only housing had done so well. However, they failed, because in a monetarist economy there is never enough money, but at least they held their corner.

No Prime Minister will enter a general election without saying, "The Health Service is safe in our hands and we will do more for it." By the same token, no Government will ever say, "We are closing hospitals." I am convinced that, if asked, every hon. Member will say, "But many wards and hospitals have been closed in my constituency. While there may not have been complete closures, there have been effective closures by hiving off bits and pieces, and eventually nothing will be left."

In my own constituency, the district general hospital in Willesden which once had 130 beds now has only 38 geriatric beds. The Wembley district hospital contained a number of specialties, but about three months ago all the acute beds were closed.

Mr. Holt: I have far more knowledge of Wembley hospital than has the hon. Gentleman. Does he accept that the building of Northwick park hospital, with all its modern facilities and excellence, has made Wembley hospital obsolete? The two ladies, who are long since dead, who provided the money for Wembley hospital—the Misses Copland—would have been delighted to know that their hospital had become redundant and unnecessary.

Mr. Pavitt: The hon. Gentleman used to serve on the borough council in my area, which he knows well.

Mr. Holt: The hospital to which the hon. Gentleman referred was in the ward that I represented for 10 years.

Mr. Pavitt: Exactly, and the hon. Gentleman will know that the general practitioners of Wembley tried to get together to save the parts that were to be hived off and that their request was refused by the Brent district health authority. He will also be aware that the doctors wanted to meet at Wembley, but that the district health authority forbade them to hold their meeting on NHS premises.

For many years, the Central Middlesex has been one of the prime district hospitals in the country. When I served on the board, many overseas deputations came to see what a wonderful hospital it was. It then had 750 beds, but that figure has now declined to 450. That hospital pioneered neuro-scientific services. It was the only such service in that part of the country. Those services have now been transferred to Charing Cross, and consequently services which were pioneered in my area have been lost and a department closed.

I have had extensive discussions with the North-West Thames regional health authority about its plans to close acute beds. It is to be done entirely on a statistical basis, with no regard for the needs of the area or the demographic considerations of inner city areas. The decisions are being based purely on the number of beds and specialties required for a given population. I am fighting for Central Middlesex hospital because at this rate there will be no district general hospital in the London borough of Brent come the next decade. The area has 250,000 inhabitants, yet the number of beds in that hospital has been reduced from 750 to 450. Many inhabitants must therefore attend Northwick park or Hammersmith to get the services they require.

The Royal Throat, Nose and Ear hospital is pre-eminent for the services that it offers to the deaf. The Golden Square hospital is part of that complex, yet the Bloomsbury health district has decided that it should close. I am glad that the Parliamentary Under-Secretary of State for Health and Social Security is present. When this proposal comes before the Ministry, I hope that it will be realised that demographic change means that there is a greater need than ever for services for the deaf. The elderly and others who suffer from deafness should not be forced to stay at home and be lonely, simply because they cannot hear others. The closure of Golden Square will be a calamity. As well as serving the Bloomsbury area, it is part of the Throat, Nose and Ear hospital and its beds, consultancy services and outpatients clinic are of vital importance to that part of London.

It is often said that Westminster hospital is the House of Commons hospital. Dozens of hon. Members must owe their lives, or the lives of their wives and families, to the services provided at Westminster hospital. The cardiac surgery department is due to close, and Lord only knows why. There are 10,000 people on the waiting list for bypass cardiac surgery, yet at Guy's hospital that department was scheduled for closure for four months until a millionaire came along and rescued it.

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. John Patten): I apologise to the hon. Gentleman, but I entered the Chamber about a third of the way through his speech. When I saw his name on the annunciator, I knew that it was more than likely that he would be talking about health matters and felt that it was important for a Health Minister to be present.

If the hon. Gentleman is so concerned about the welfare of patients treated at Guy's hospital, I hope that he will encourage the local district health authority to put out its services to competitive tender, because by refusing to do so it is throwing away the chance of saving more than £1 million a year.

Mr. Pavitt: I shall reply to that point in my own fashion and in my own time, but privatisation is another way in which the Health Service is being undermined and dismantled.

As well as being a teaching hospital, Guy's at present offers a comprehensive service. However, other specialties are threatened, because the only way to increase the number of scanners and other items which such a hospital requires is to take the money from another department.

Mr. Butterfill: The hon. Gentleman mentioned cardiac surgery. Will he accept that what he describes as cuts under the Government is an increase in the number of operations by over 300 per cent. during the lifetime of this Government? He may call that cuts, but I do not.

Mr. Pavitt: I have discussed that point with the Secretary of State. I cannot understand how productivity related to the number of people who are ill and have to be served and the increase in the number of operations that have to be performed shows that there is a good Health Service. There is a good illness service. The hon. Gentleman is right in saying that there has been an increase in the number of operations, but there are a number of good reasons for that, not least the new ways in which operations such as hip operations can be done. An increasing number of hip operations are performed, for which I am grateful, but there is still a long waiting list. That is unnecessary, because putting only a little more money into the orthopaedic departments would help solve the problem.

I predict that services will continue to be amputated from Westminster. There used to be a Professor Trevor-Roper, who was a world expert in ophthalmics, working at Westminster hospital, but when he retired the ophthalmics department ended. When the consultant in cardiac operations retired three years ago, he was not replaced, and the department was run down. It is what in housing we would call blight.

The greatest oncology surgeon in the world is Professor Harold Ellis. When he goes in about four years' time, I wonder whether that department at Westminster will close. In five or six years' time we may have a geriatric hospital down the road, with all services concentrated at Charing Cross, the Royal Marsden, and Guy's.

On a number of occasions I have had to listen to the Secretary of State making great claims and saying that we have never had it so good and that there is now £17 million more available than there was under the Labour Government. I find these figures difficult to follow because at the same time as more resources are being spent about 3,000 doctors and 10,000 nurses are on the dole. The last figure that I had from the Secretary of State for Employment showed that 8,900 nurses were unemployed. That was two years ago, but unfortunately I cannot get an

[Mr. Pavitt]

accurate figure now. I used to ask for the figure every six months, but on the last occasion on which I asked I was told that the means of collecting the statistics had been changed, so that the figure was no longer available. At the rate at which the figure was rising, I estimate that more than 10,000 nurses are now unemployed.

When I was a child, which was a long time ago, there used to be a magic show in London called Maskalyne and Devants. At one moment one saw it, at the next one did not. The statistics put out by the Government Front Bench on the NHS are somewhat similar. The Government juggle the selective figures so quickly that I cannot pin down any Minister. I feel that I am back again in the theatre of magic.

About five factors show that the amount which the Government claim they are putting into the Health Service is unreal. They are the inflation allowance, demographic change, technological change, redistribution and different services. I have a complete brief with which I could weary the House, but I shall not do so. It shows that the Conservative claims of more and more resources being provided are not revealing the truth.

When all those factors are taken into account, Government expenditure on the NHS looks different from ministerial claims. Out of the 17 per cent. increase claimed by the Government in the five years since 1979, resources have had to increase by 6 to 6·5 per cent. to maintain the level of services. Thus, health authority budgets were cut by 2 to 2·5 per cent. over the five-year period. The real growth in resources in family practitioner services was only 9 per cent., not 17 per cent. I know that the Minister is a student of these matters, and if he wants me to give him the facts and figures, I shall be happy to do so.

The Royal College of Nursing is not the most Left-wing and Socialist of bodies in the National Health Service, and it has agreed to monitor what is happening through privatisation in the National Health Service. Nurses find that when cleaning is not done, they have to do it. Therefore, the Royal College of Nursing is doing what the Government should be doing and ensuring that sanitary arrangements are correct. When there are incontinent elderly people in hospitals, the laundry cannot just be put out. In renal failure, let us compare the figures for patient care. For every 1 million of population in France, 272 people are under treatment, in Greece 269, in Spain 242, in Italy 227 and in Britain 127.

In spite of the disastrous impact of the Government, the NHS remains the greatest part of the welfare state, and it needs to be preserved. There has been destruction of staff morale and erosion, although there has not been a frontal attack. The NHS will be safe only in the hands of the Labour Government when they are elected after the next general election.

7.36 pm

Mr. John Butterfill (Bournemouth, West): Although I accept the sincerity of Labour Members who talk about the need to maintain the state earnings related pension, we are doing something amoral by maintaining such a scheme when it is not actuarily funded. We are asking future generations of our children and grandchildren to pick up the bill for the pensions that this generation will receive. That is something that no hon. Member would do to his family. He would not expect his children to look after him and to hand to them a mortgaged future. However, we are asking future generations to guarantee that this generation will have complete protection, to be paid for by them. That is why I call it amoral, and I believe it to be amoral.

Ms. Clare Short (Birmingham, Ladywood): Does the hon. Gentleman mean immoral?

Mr. Butterfill: No, I mean amoral. There is a difference. Immorality is quite different, and perhaps the hon. Lady would care to go the Library afterwards to pursue the point.

Mr. Winnick: I do not understand the logic of the hon. Gentleman's argument that it is a sin for one generation to protect the interests of the previous generation. Will not the present generation be protected? Is not that the hallmark of a civilised state? We pay our contributions with the knowledge that not only our parents but ourselves when we retire will not have to live in the poverty in which so many now live. Is that not an important factor to be borne in mind?

Mr. Butterfill: I did not expect the hon. Gentleman to understand my argument. Perhaps it was a little difficult for him to follow. I shall state it again. We are asking future generations to maintain us. We are imposing a limitless charge on their future earnings. That is amoral.

Ms. Clare Short: Will the hon. Gentleman give way?

Mr. Butterfill: I should like to continue.

Ms. Short: On the question of amorality.

Mr. Butterfill: I should be fascinated to hear what the hon. Lady has to say. I shall give way.

Ms. Short: My understanding is that to be moral is to do something that we would all argue is right and decent; to be immoral is the opposite—to behave wrongly and harmfully—and to be amoral is to be neither moral nor immoral. To be amoral is to be neutral morally. Why does the hon. Gentleman use the word "amoral" about something that he clearly thinks is deplorable? The hon. Gentleman is using words wrongly.

Mr. Butterfill: My understanding differs from that of the hon. Lady. My understanding is that immorality relates to amoral sexual behaviour and amorality relates to something that is not moral. No doubt we can satisfy our curiousity on this point later in the Library. We are digressing from the main subject.

It was interesting to note the wording of the Opposition motion in referring to the

"dismantling of the welfare state".

That is a somewhat extravagant turn of phrase, but we have become used to extravagant turns of phrase from the Opposition when we deal with the welfare state and the NHS. The hon. Member for Oldham, West (Mr. Meacher) manages to take extravagance almost to an art form.

I understand the reluctance of the hon. Member for Brent, South (Mr. Pavitt) to become involved with figures, because he is confused by figures. He suggests that we confuse figures. It might be of advantage to cite a few figures, because there are absolute figures and there can be no argument about what they are. Since the Conservative party came to power, expenditure on social services has increased by a gross figure of £9·5 billion, and a net figure of £8·5 billion. I shall explain later how this difference arises. In real terms, after allowing for

inflation, that is an increase of 28 per cent. I do not understand how there can be any dispute about that or how it can be fudged. It is an increase in numbers and in percentage terms.

Many Opposition Members say, "All of that expenditure is to pay for the unemployed." That argument does not stand up to the facts. About £3·25 billion of that sum is spent on the unemployed—about one third of the total increase. I do not believe that any hon. Member would not wish that money to be spent on the unemployed. It means that the overwhelming majority of the increase has been spent on real improvements in social services brought about by this Government.

Mrs. Beckett: Perhaps the hon. Gentleman would bear in mind also the vastly increased numbers of pensioners. The majority of the increase to which he referred has not gone on improved benefits.

Mr. Butterfill: I should like to correct the hon. Lady. About £1 billion of the increase has gone on pensions, £2·5 billion on benefits, £1 billion on sickness and disability benefits in the long term, £500 million on single parents and, regrettably, £250 million on administration. Only £1 billion of the increase has gone on pensioners.

Mrs. Beckett: The hon. Gentleman said that the majority had gone on improvements.

Mr. Butterfill: The majority has; it has not all gone on the increased number of pensioners. We have increased pensions above the level of inflation by more than 6 per cent. There has been not just a money increase but a real increase. That goes beyond the guarantee that we gave as a manifesto commitment to maintain pensions in line with inflation. Once again, the hon. Member for Derby, South (Mrs. Beckett) has not cited statistics correctly. Total expenditure on social services amounts to more than £100 million a day and 77,500 staff are employed. *[Interruption.]* I am glad that it is recognised that the statistics are accurate.

Mr. Winnick: I think that the hon. Gentleman has been conscripted by the Whips.

Mr. Butterfill: The hon. Gentleman is wrong. It was a personal decision to speak today. The hon. Gentleman flatters me by suggesting that I was conscripted by the Whips. I am delighted to think that that could be so in the future.

The Government have instituted a large number of inquiries into the structure of the enormous machine of state that is the welfare service. There were inquiries in November 1983 on targets; in February 1984 on housing benefits; and in April 1984 on supplementary benefits and families with children—inquiries on a scale not seen previously. It is disgraceful that such inquiries had not been conducted previously in view of the overwhelming part played by social security benefits in the total expenditure. I am delighted that the Government are conducting these reviews. I look forward with great interest to reading the Green Paper.

I am not completely satisfied about what will happen in certain respects. As the hon. Member for Brent, South knows, I am not entirely happy with what happens with regard to some disabled people, especially the blind. I believe that the review that is being conducted should examine disability in a broad way, because some people with specific disabilities—notably the blind—do not seem to benefit from our system. The majority of blind people do not qualify for mobility or attendance allowances. They do not qualify for most of the allowances that are available under our present system, unless they suffer from a second disability. I believe that my right hon. Friend the Secretary of State should consider those anomalies during his review and ensure that, in future, the criteria for benefit do not leave out certain groups who, on any criteria, should qualify for benefit.

Hon. Members listened with great interest to what the hon. Member for Oldham, West said about the Labour party's proposals. I do not wish to detain the House by going through each proposal in detail because that has already been done by many hon. Members. In every case the hon. Gentleman's proposed "improvements" would be made completely without a means test. Labour Members seem to have a pathological antipathy to the words "means test" and suffer a gut reaction every time those words are used. I can understand the historical reasons behind that gut reaction, but they should not prevail today. I do not believe that the circumstances that provoked the initial reaction are applicable in a modern society.

Mr. Winnick: Will the hon. Gentleman give way?

Mr. Butterfill: If I may develop the argument a little further, the hon. Gentleman will perhaps understand my point. I have given way to him once already. I shall give way later if the hon. Gentleman is not satisfied with what I have to say.

This nation spends an enormous amount on social security and on the welfare services. Indeed, it spends an unprecedented amount in actual money and in real terms. But we do not always tackle certain areas of poverty and deprivation. Despite all the money that we raise and distribute, there are some people who we apparently cannot reach and who remain deprived. Areas with which I have been associated in London have substantial pockets of deprivation of which I, and all hon. Members, should be ashamed.

Why are those people not getting the money that they need? One reason is that we spend a lot of time raising large sums of money in taxation and then redistributing that money to the very people who paid the taxes. Not enough of the money reaches those in need. The whole principle of universal benefits, regardless of need, is extraordinary, and I am surprised that Opposition Members should advocate it. It means that they would give benefits to the rich as well as to the poor. As I said some weeks ago, it is extraordinary that Members of Parliament, or their wives, should expect to receive child benefit. It is patently clear that no Member of Parliament needs to receive child benefit, given the sort of income that he or she receives. Therefore, it is extraordinary that we should continue to pay universal benefits to millions of people who do not need them, at great adiministrative cost. We should be able to devise some way of arranging the benefits system so that the money goes to those most in need, not indiscriminately to everyone.

Mr. Winnick: Surely the logic of the hon. Gentleman's position is clear. He must be arguing that tax relief on mortgage interest should be given only to those in need, although that would not be quite my position. Does he argue that those in receipt of more than, say, £25,000 a year should not get tax relief?

Mr. Butterfill: The hon. Gentleman is being illogical. In the case of mortgage interest tax relief, we are talking not about giving someone money but about taking less of his own money from him. However, in the case of the benefits system, we are talking about giving some people money and giving others, who do not need it, money, too. That is much less logical. The man who receives mortgage interest tax relief, about whom the hon. Gentleman complains, will also receive all the universal payments that the Labour party and the hon. Member for Oldham, West have been advocating. In the Labour party's terms, that must be adding insult to injury.

Ms. Clare Short: Perhaps I should tell the hon. Gentleman that I have been to the Library and looked up "amoral" in "Chambers Twentieth Century Dictionary." Amoral means

"non-moral outside the domain of morality."

I think that the hon. Gentleman meant to use the word "immoral" earlier.

One facet of means testing that we find objectionable is that people are put through the humiliation of having to declare their income and of having to appeal for something because they are poor. We also question its efficiency. It is enormously inefficient to have a system that requires people to apply time and again, as their circumstances change, and to give all the details of their family's income in order to claim a benefit. It is more administratively efficient to have a tax system that applies across the board, with benefits such as child benefit going to every child in the country. Such a system saves money.

Mr. Butterfill *rose*——

Mr. Holt: Perhaps my hon. Friend will allow me to intervene on that point.

Mr. Butterfill: Well——

Mr. Holt: Will my hon. Friend give way on that point?

Mr. Deputy Speaker (Mr. Harold Walker): Order. We cannot have interventions on interventions.

Mr. Butterfill *rose*——

Mr. Holt: Will my hon. Friend——

Mr. Deputy Speaker: The hon. Member for Bournemouth, West (Mr. Butterfill) should deal first with the intervention that is before the House.

Mr. Butterfill: I am obliged to the hon. Member for Birmingham, Ladywood (Ms. Short) for consulting "Chambers Twentieth Century Dictionary." If "amoral" mean "non-moral," it has the sense that I thought it had. But perhaps the hon. Lady and I would differ about what we mean by "non-moral." However, I profoundly disagree with the substance of her intervention. I do not believe that it is necessary to have a system of degrading inquisitions in order to decide who should receive benefits. It should not be beyond our wit to devise a system that does not involve such inquisitions but which nevertheless directs benefits to those who need them most and which does not give them to the rich. I think, for example, of those who obtain substantial tax relief on their mortgage interest, or indeed of Members of Parliament.

Benefits should be directed towards those who need them. But all the proposals of the hon. Member for Oldham, West specifically rule out the possibility of any form of means test. They all suggested that there should be another grand round of universal benefits. That is where the Labour party has got things totally wrong. Although Labour Members are well meaning, and although no one doubts their sincerity, they would create the conditions that would always doom their policies to failure.

Mr. Holt: The harps always come out when people talk about means testing, but no one seems to quarrel about the means testing of those with children in higher and further education. Those children's grants are severely truncated if their parents have earned money. Young people are subjected to the results of means testing. There is apparently nothing amoral or immoral about asking someone how high his earnings are but only about asking how low they are.

Mr. Butterfill: I am grateful to my hon. Friend for making that point, but I think that I have already made my position clear.

Once again the Opposition seem to have spun an enormous web of mystique around the NHS. They have tried to claim that we have cut expenditure on it. To support that, they talk about a hospital or ward that has closed here or there, but they do not consider the entire picture. Indeed, it was pointed out to the hon. Member for Brent, South that in his constituency a massive new hospital has been built. I am grateful to my hon. Friend the Member for Langbaurgh (Mr. Holt) for pointing that out. The building of that hospital far outweighs the closure of the hospital that the hon. Gentleman complained about.

We should consider what is being spent on the NHS. Indeed, the figures are well known to Opposition Members and some have even quoted them. Expenditure has increased from £7·75 billion when the Conservative party came into office to £17·5 billion in the current year. By no stretch of the imagination—and Labour Members have certainly stretched theirs this afternoon—can that be called a cut. Of course, one can fiddle about at the edges and find the odd instance of a ward or hospital being closed whilst at the same time forgetting that something has opened in its place. But that increase in expenditure is massive.

I know that Opposition Members do not like statistics, but I should point out that the number of inpatients has increased by 650,000 since the Conservative party came to office. The number of outpatients has increased, too, by 2·5 million. I do not believe that more people have suddenly become ill in the past five or six years. The point is that we are providing a much higher level of service. In one year, 1982-83, the number of outpatients increased by 300,000 — more than the previous Labour Administration managed to achieve in their entire period in office. Thus, I find the attack by Labour Members on the Government's record in relation to the National Health Service extraordinary.

The hon. Member for Brent, South said that the number of heart operations was being reduced. In fact, the number of operations for bypass surgery since the Conservative party came to power has increased by 300 per cent. The hon. Gentleman acknowledged that a substantial increase had taken place in the number of hip transplants. Many new techniques have been developed in recent years, and therefore it is difficult to make a comparison between figures in relation to those developments and what occurred previously.

The hon. Member for Brent, South also complained about the length of waiting lists. In fact, under

Conservative rule waiting lists have fallen substantially. There were 752,000 people waiting for operations when the previous Labour Government left power, compared with 508,000 when they came to office, showing that waiting lists increased under them.

Waiting lists are at their present levels because of disruptions by NHS employees. Those disruptions have interrupted the downward trend of waiting lists. That downward trend has been the pattern under Conservative rule, in marked contrast to the way in which waiting lists increased by 50 per cent. under the Labour Government.

Mr. John Powley (Norwich, South): Does my hon. Friend recall how Labour Members and some of the trade unionists whom they claim to represent supported steps which prevented patients from reaching hospitals to be treated, particularly during the winter of discontent? That shows the contempt that Opposition Members have for the treatment of patients and the degree of concern that they say they have for the NHS.

Mr. Butterfill: I am grateful to my hon. Friend for reminding the House of that.

Ms. Clare Short: Why is the hon. Gentleman grateful for being reminded of that?

Mr. Butterfill: Because it needs to be pointed out. When Labour Members accuse us of not caring about waiting lists, an accusation which they regularly make, they neglect to point out that a major cause of the length of waiting lists has been industrial action which the Labour party supports. They also neglect to point out that waiting lists increased by 50 per cent. under the Labour Government, whereas they have fallen under Conservative rule.

Ms. Short: I do not believe that.

Mr. Butterfill: The hon. Lady may not believe what I say, but I have given the facts. She may care to check them in the Library.

Ms. Short: I shall, in the way that I checked the hon. Gentleman's definition of "amoral."

Mr. Butterfill: I am sure, when she is checking, the hon. Lady will find——

Mr. Deputy Speaker: Order. We are having too many sedentary interventions. Sedentary interventions are to be deprecated at any time.

Mr. Winnick: On a point of order, Mr. Deputy Speaker. The hon. Member for Bournemouth, West (Mr. Butterfill) has been addressing the House for half an hour. He is, of course, entitled to do so. Perhaps he will make it clear whether it is his intention to speak for another half an hour, in which case those of us who are waiting to take part in the debate will not bother to continue to wait in the hope of being called to speak.

Mr. Deputy Speaker: That is not a point of order.

Mr. Butterfill: It was not my original intention to speak for this length of time. Regrettably, I have been asked to give way on so many occasions that my speech has taken longer than I had anticipated. I shall, in deference to other hon. Members, conclude my remarks shortly.

Developments have taken place in many complex treatments, such as laser eye surgery, which is extremely expensive, and did not exist previously. Improvements have taken place in almost every sphere of health. The number of infant deaths, for example, has come down by a third since we came to power. All these developments reflect entirely new standards of health care.

Other hon. Members have already referred to increases in manpower in the NHS while we have been in office. The number of doctors has increased by 11 per cent. and dentists by 15 per cent. Such statistics can hardly be called cuts. I do not know what warped imaginations Opposition Members have if they can describe such developments as cuts.

I see improvements occurring in my constituency. We in Bournemouth have waited a long time—longer than my constituents would have wished — for a new hospital. However, we are now getting a major extension of hospital services in the town, with the construction of an enormous new general hospital costing millions of pounds.

That reflects the restoration of the capital investment programme in the NHS — a programme that was severely slashed by the Labour Government. That is the most significant element in Conservative policies, because, without capital expenditure, none of the other services can be operated. As the hon. Member for Ladywood is interested in statistics, she will be pleased to hear that there has been a 23·5 per cent. increase in real terms in capital expenditure under the Conservative Government. I am sure that she will enjoy checking that fact when the debate is over.

We have nothing to be ashamed of in relation to the NHS. Indeed, the Conservative Government have the most impressive record of any post-war Administration, and they are to be congratulated.

8.7 pm

Mr. Archy Kirkwood (Roxburgh and Berwickshire): I listened with interest to the remarks of the hon. Member for Bournemouth, West (Mr. Butterfill). I was particularly interested in his opening remarks, when he went at length into what the Government had done for social security benefits and then went on to make his own special case. I do not complain about that because he is well known for his concern for the needs of the blind, but we can all argue special cases.

I agree with the hon. Member for Birkenhead (Mr. Field) that the Government cannot be accused at this stage of the game of decimating the social security system. However, for those who are in desperate need and have experienced some of the damaging cuts that have individually been implemented by the Government, it is a tragedy, and I include the blind within that number.

That is why I say that the hon. Member for Bournemouth, West cannot have it both ways. He cannot, on the one hand, say that all is well when, on the other, as he knows—my constituency postbag certainly proves it—many people are suffering a very deprived standard of living.

Mr. Butterfill *rose*——

Mr. Kirkwood: I shall not give way because I intend to complete my remarks within about 10 minutes.

This is a useful debate. When, initially, I learnt of the subject matter of the debate, I thought that it was somewhat barmy because we would not be able to achieve

[Mr. Kirkwood]

much. After all, we are looking forward to the Green Paper that is to be published at the end of May or the beginning of June.

I have changed my mind, however, because the debate has probably taken place in a calmer atmosphere than will be the case when we debate that Green Paper. If our worst suspicions, resulting from leaks that have appeared in the press, are fulfilled hon. Members' tempers on that occasion will be difficult to contain.

I agree with hon. Members who have said that the system of social security benefits is not perfect. For that reason I welcome the Government decision to examine the system again root and branch. However, I am suspicious of the Government's motivation. The impetus for this reform has, I believe, come not from any need to minister to the deprivations experienced by the poor but, rather, to control the amount of money spent on social security.

Social security spending must increase because of the demographic changes that are facing the nation. It also has to increase as an inevitable consequence of the Government's policy which has driven more and more people into the hands of the social security system. It is very misleading to treat transfer payments as though they were public expenditure. We have referred to the £40 billion in the social security budget. However, transfer payments are not the same as expenditure on goods and services. They should be regarded as reducing the net yield of tax line tax expenditures — allowances, mortgage interest relief, and so on.

I believe that personal taxation, employers' national insurance contributions and the benefit system need to be integrated. We on these Benches have advanced that argument for a very long time. It is a great shame that while considering housing benefit, earnings related pensions and family income supplement the Government have not taken the opportunity to consider the tax benefits that accrue to the pension system, mortgages and the married man's allowance. The success of an integrated, fundamental review would have been greater if all of these options had been considered simultaneously.

The Green Paper that is to be published later this year could have been a valuable addition to the review system. If the four reviews were to report in advance of the Green Paper on the integration of the tax system, it would not necessarily be the most constructive way to proceed. I am desperately worried that the Fowler inquiries will not propose the wide-ranging reforms that are necessary but, according to the leaks in the newspapers, will promise only piecemeal and cost-cutting changes. The Select Committee on the Treasury and Civil Service, which was chaired by the hon. Member for Oldham, West (Mr. Meacher) and published its report in 1983, came to the conclusion that adjustments to the present system would achieve little and that fundamental reform was absolutely necessary.

Every hon. Member has commented on the proposals of the hon. Member for Oldham, West. Although interesting, I believe that they are idealistic and have not been adequately costed, and they contradict the findings of the Sub-Committee of the Select Committee on the Treasury and Civil Service. He advocates a progressive income tax rate within the main range of earnings around average earnings. That proposal would need to be carefully examined.

The biggest shortcoming is that there is to be no increase in the basic retirement pension, apart from a universal heating allowance. Therefore, the elderly would be worse off if supplementary pension as well as supplementary benefit were to be abolished. We on these Benches believe that the whole panoply of the state earnings related pension scheme faces problems. The most worrying is that it provides an insufficient answer.

For decades to come many old people will have little or no state earnings related pension entitlement. An increase of about 25 per cent. is needed on the basic pension. Supplementary pension and housing benefit costs would fall if the basic pension were to be increased by 25 per cent. However, most of the costs would be met by the abolition of contracting out and by halting state earnings related pensions at the present level of entitlement. The Liberal party gave evidence to the Fowler commission along those lines and set out possible alternatives to the state earnings related pension. However, something along those lines could be considered only if all the money saved were used to increase basic pensions. We also believe that legislation would be required to oblige employers to contribute up to a certain level to the personal pension plans for their employees who do not have occupational schemes or who opt not to join them. That has to be considered in the context of a first step towards a complete reform of the tax benefits system.

I support what was said by the hon. Member for Birkenhead (Mr. Field) about child benefit. This would be a useful first step towards a tax credits scheme. We believe that child benefit must be left intact and that it should be increased at a faster rate than inflation. Our objective is a tax credit for every individual, with more credits for the elderly and fewer for children, with an intermediate level of claim for young people between the ages of 16 and 18. I support the proposal to establish an educational allowance as a step towards this. This was one of the proposals of the hon. Member for Oldham, West. Within the tax credits scheme there would be an additional credit for sickness and invalidity and there would be extra credits to meet the cost of disablement.

We believe that universal credits would be too expensive if they were high enough to cover all housing costs. Therefore, it would be essential to be able to withdraw credits. Interim measures would be needed before moving into a fully fledged system in order to reform existing benefits such as family income supplement. In the alliance budget proposals of this spring a courageous and properly costed system was outlined which would increase family income supplement in what we consider to be a sensible way. It would provide much needed relief for low-paid families. We must ameliorate the worst effects of the poverty trap. I accept that marginal rates of 70 per cent. to sometimes as high as 85 per cent. on increased earnings for the low paid would be inevitable under any system at acceptable levels of income tax. Ultimately housing finance will have to be reformed and the inflated price of property will have to be reduced. However, mortgage interest tax relief must be retained, but could be restricted to those who are taxed at 30 per cent. and not given to those who pay at the higher rates.

The introduction of these benefits leaves a great deal to be desired. The four reviews are at an advanced stage. If there is to be a tax benefit review later in the year, I believe that the evidence should be published. The Green Paper should not be published at this stage. The evidence should

be summarised. There ought to be a proper national debate and a thorough-going reform of the taxation system should then be brought forward. Without this, the possibility of creating a new Beveridge, which I believe to be absolutely necessary, will be very remote.

8.18 pm

Mr. Richard Tracey (Surbiton): There has been some discussion during the debate about the meaning of the words "amoral" and "immoral". I do not wish to become involved in that debate, although I believe that one or other of those words could be applied to the Opposition motion. I was shocked by its blatant propaganda, and I continue to be shocked by the blatant presentation of that propaganda. I was surprised, too, by the brass neck of the hon. Member for Oldham, West (Mr. Meacher) in wishing to draw attention to himself when it was quite obvious from the response of his hon. Friends this afternoon that they are not very pleased with some of his ideas about the welfare state and the policy of the Labour party.

Frankly, we know what the Opposition are up to. Not too long ago I read a statement by one of the leading lights of the Labour party which said that probably one of the finest things that the party could concentrate on before the next general election was the NHS and the welfare state. It was felt that the most capital could be made out of that. It is clear that there has been a cynical manipulation of statistics in an attempt to smear the Government. That is a callous campaign, which inspires unnecessary fears, particularly among old people about the sort of treatment they will get from doctors and hospitals in an emergency. We have heard it all this afternoon — the fevered imagination, the fairy tales and the grossly inflated local examples, all of which when looked at in a national context are complete nonsense. I have come to recognise the Labour party's propaganda about the NHS as the big lie strategy.

It has been well rehearsed this afternoon that in 1985-86 the Government are proposing to spend £17,500 million on the NHS. That is an increase in real terms of 20 per cent. on what the previous Labour Government were spending when they left office. The statistics are there to be read. The Labour Government were spending £7,750 million. There is no question about that, just as there is no question, as my hon. Friend the Member for Bournemouth, West (Mr. Butterfill) pointed out, that in one year alone the Government have brought about a situation in which the NHS has treated 300,000 more inpatients than during the Labour Government's whole term in office. I cannot see how such statistics, and the many others which are on the record, can be questioned by the Labour party in its cynical campaigns.

In the same way, the Labour party from time to time homes in on waiting lists. It tells us that waiting lists have grown under this Government. But again, as my hon. Friend the Member for Bournemouth, West pointed out, it does not admit that during its period in office from 1974 to 1979 the waiting lists grew. I suspect that that was the Labour Government's own fault, not the result of industrial action. Up to 750,000 people were awaiting treatment in hospital. Those are just a few of the examples that have been well rehearsed during the debate.

What particularly bothers me, apart from that callous disregard of the feelings of old people and those who may become sick, is that that sort of thing is picked up by some people in the media and used because it is sensational copy. Let me single out one BBC television programme which has been mentioned once or twice in the House over the past two weeks. BBC2 made a programme on the children's heart unit at Guy's hospital. I was appalled to see that at the beginning of that programme a caption was put on the screen saying that the problems had been brought about by Government cuts in specialised nursing services. No attempt was made by the producer of that programme to ask the district health authority what it had been doing about its budgets or what kind of contribution it might have been able to make by greater efficiency to improve the services of that hospital to prevent the problems that were being outlined on our television screens for 40 minutes. That is the sort of thing which causes alarm and great worry among our people.

I am well aware that other hon. Members wish to build on the case that my hon. Friends have been making this afternoon. We have heard these inflated statistics from the hon. Member for Oldham, West and from his hon. Friends. Let me remind them of something which the right hon. Member for Manchester, Gorton (Mr. Kaufman) said after the catastrophic results which his party suffered at the election. He said that the public could not be entirely conned in the way that the Labour party had hoped. He said that the public could not grasp the enormity of the programme which the Labour party claimed would be put before them if it won the election. In the first year alone it would have cost £45,000 million extra. From where was that to be found? Was it to be found from taxation or national insurance? The British public will not be conned by such nonsense. Nor indeed will they be conned by the sort of talk that we have been hearing today about the Government dismantling the NHS and the welfare state.

It is easy to build up expectations, as the Labour party is obviously trying to do, but it is far more difficult to deliver those expectations. I can say with complete confidence that the hon. Member for Oldham, West has delivered the next general election victory to the Conservative party, which we would have won anyway. His statements last week, from which the Leader of the Labour party has so assiduously tried to dissociate himself, are some of the most damaging things that have been said during this Parliament. When I worked as a commentator in broadcasting, we would try to spot the moment when a politician would so grievously put his foot in it that he would lose the next election for his party. Last week was that moment for the hon. Member for Oldham, West and the Labour party.

8.27 pm

Mr. David Winnick (Walsall, North): I think that I can say with confidence that the House is not likely to be conned by the nonsensical remarks of the hon. Member for Surbiton (Mr. Tracey). If he thinks that the campaign of innuendoes, lies and McCarthyism will win the Tory party the next election, he will be proved wrong.

There is no love, and never has been, by the Conservative party, especially among what could now be described as the "drys", for the welfare state. It is interesting that in today's *Daily Telegraph*, which presumably reflects the views of the drys more than the wets in the Conservative party, we are told:

"However, ministerial nerves seem stronger on the question of the State Earnings Related Pension."

It goes on to say:

"The provision of an income for retirement is best dealt with through the private sector".

[Mr. David Winnick]

There is no doubt in the mind of the *Daily Telegraph* that the state earnings related pensions scheme should be abolished.

The Prime Minister has repeatedly referred to the United States as the ideal place where there is no Socialism. What she really means is that there is no welfare state there with anywhere near the same provisions as Britain. That is why she holds up the United States in such glowing light. Can there be the slightest doubt in the House of the right hon. Lady's distaste, perhaps even contempt, for state provision except for the very poorest? If ever there was a Tory Member with very little sympathy for state provision, it is the Prime Minister. Every Conservative knows that to be the case.

Between the Labour and Conservative parties there is what can only be described as a philosophical difference in attitude and ideas on state provision in welfare and pension entitlement. The Labour party's attitude was illustrated during 1945-50 and when it was last in office. The Labour party believes that the state has a duty to try to provide benefits and that people should not have to rely on the private sector.

Today, the Secretary of State argued a poor case. He knew that it was when he referred to the large sums being spent on social security. As he knows well—who better — that is due largely to the return of mass unemployment. I have always argued that, however important the social and welfare reforms carried out in the immediate post-war years, the most important was the maintenance of full employment in peacetime. It helped to ensure that the kind of poverty and destitution known before the war were not repeated after 1945.

All the evidence that we now have from our constituencies shows that poverty has returned with a vengeance. I receive—I am sure that I am not the only Member — many letters from constituents on matters affecting social security. I have received more during the past two or three years from people who have to try to manage with their families on the lowest possible income. Of course, some of my constituents come to see me at my surgeries over their problems.

It is interesting to remember that the hon. Member for Derbyshire, West (Mr. Parris) spent a week in front of the television cameras trying to live on supplementary benefit. I watched the programme with interest. At the end of the week the hon. Gentleman was honest enough to admit that he could not manage. He tried to live for a week on the lowest income provided by the state. There are occasions when it seems that the hon. Gentleman is still trying to recover from the experience.

Millions of people, however, have to go through that experience not for one week, one month or even one year. They have to live on such levels year in and year out. They have to live in such poverty because they are unemployed or disabled or both, or because they have to rely upon the present state basic pension and supplementary benefit. If it were difficult for the hon. Gentleman to try to live that type of life for one week, how much more difficult is it for our fellow citizens who have to endure such hardship and acute poverty for years? If they are of employment age, they can look forward only to retiring on the basic pension. We have a Government who have no intention of reversing the tide of mass unemployment. Ministers no longer refer to the concept of full employment. They do not even pretend that they intend to see the end of mass unemployment.

We are debating the dismantling of the welfare state. No Government, not even this one, would try to abolish it in one go. They have too much electoral sense. That is why, for example, they refer to maintaining the National Health Service. The Government, and the Secretary of State—I am not being personal—as a member of the Cabinet, are trying to undermine as much of the National Health Service and the welfare provision as possible.

This month, for example, we have seen substantial increases in dental charges. That is of course in addition to the other dental increases which have occurred between 1979 and 1984. New regulations restrict the supply of National Health Service glasses to children under 16 and families in receipt of supplementary benefit or family income supplement. Everyone else has to obtain his glasses in the private sector. That includes many pensioners who do not receive supplementary benefit.

The cost of prescriptions when the Conservative party took office was 20p. Since then, they have increased continually, and a prescription now costs £2 per item. The increase has been 1,000 per cent. since 1979. That is what I mean by saying that welfare provisions have been eroded by a Government who have never believed in the welfare state.

The reviews which have been set up by the Secretary of State are meant only to find ways of pushing through what the Treasury wants—large social security savings. I refer again to the leader in today's *Daily Telegraph* which states

> "The Social Security Secretary Mr. Norman Fowler has argued that reform must ensure that money goes to those who need it but that there must be no reduction in the amount spent. The Treasury is insisting on savings."

I am not sure though that the right hon. Gentleman has defended welfare and social services in the Cabinet as much as he should. We often gain the impression that, although he may have put up an initial fight against the Treasury, at the end, perhaps because he does not want to find himself on the Back Benches, he is willing to go ahead with what the Treasury wants. Perhaps he is right from the point of view of his career.

Mr. Fowler: That is cheap.

Mr. Winnick: I do not believe that it is cheap. The right hon. Gentleman is aware that he has a leader who has no sympathy for the welfare state. If he makes a stand on all those issues against the Treasury he is unlikely to advance his career. I believe that my points are valid.

Mr. Timothy Wood (Stevenage): Is it not absurd that there is an overlap of several hundred thousand families in the welfare state at the moment who pay tax and receive benefits? Does the hon. Gentleman not think that it is high time that we had reviews to resolve some of the present anomalies?

Mr. Winnick: As I have argued in interventions, it is remarkable that those who argue constantly the same point that the hon. Gentleman has made defend the present arrangements for tax relief on mortgages. I take the view — I have made my position clear elsewhere and in interventions today — that it is right that those people who are buying a house should receive assistance. I am in favour of home ownership, as are all my right hon. and

hon. Friends. We always have been, or otherwise we should not have introduced the option mortgage scheme in the 1960s which undoubtedly made it much easier for people on lower incomes to buy their own homes. If we were against owner occupation, why would we have introduced the option mortgage scheme?

I do not find it easy to understand the hon. Gentleman arguing for means testing and the rest. The same hon. Gentleman would argue that it is right for someone earning £30,000 or more—perhaps himself—to receive benefit by way of mortgage tax relief. A Conservative Member said today that that was not so. It only meant that someone was paying less tax. That argument does not stand up, because if that person did not receive tax relief on his mortgage, or did not have a mortgage, he would have to pay his full share of tax. He is clearly being subsidised because he pays less tax. It is odd that Conservative Members—including the Government Front Bench—who are always on about means-tested benefits consider it right that those with the highest incomes should receive open-ended assistance from the state to buy their own houses.

The reviews have led to various leaks. It would be interesting to know whether any of them are correct. Will basic unemployment benefit be reduced? Will it be paid for six months only and not 12 months? Will heating additions be abolished? We have been arguing throughout the winter that there should be an increase in heating additions, and that it is wrong that so many people on low incomes should receive no assistance with their heating bills, or, if they do, that it is small and inadequate. Will housing benefit be reduced? That would mean a large number of people paying far more in rents and rates. We are worried by one of the leaks which suggests that it will be recommended that unemployed house owners receiving supplementary benefits will no longer receive assistance in paying their mortgages or the interest on those mortgage payments. As my hon. Friend the Member for Oldham, West (Mr. Meacher) said in opening the debate, in that event they would be thrown out on the streets. These are matters of great concern.

I am convinced that the state earnings related pension scheme provides a means of ensuring that if one retires having made no private provision, one will not live in the kind of poverty in which so many pensioners are now having to live.

When the Secretary of State was speaking, I drew attention to an answer that I received from one of his junior Ministers. It was to the effect that if someone has been in the scheme from the beginning, in 10 years' time, in 1995, such a person, on average earnings, will receive an additional £31; someone on three quarters average earnings will receive an additional £21; and someone on half average earnings will receive an additional £11·90. At the beginning of the next century, the people in the three categories that I have mentioned will receive £36·50, £25·20 and £14 respectively in addition to the basic pension. Those are significant sums.

The people to whom we are referring in the state scheme will know that when they retire, although they will not be living in luxury or anything near it, they will not have to live on the same pittance that retired people now have. That is why we must be concerned about the constant rumours and leaks to the effect that there will be a recommendation that the state earnings related pension scheme should be abolished. If our fears are proved correct and that is to be the recommendation, and if the Cabinet agrees to it, how many Conservative Members will defend the scheme? One or two hon. Members who have spoken in the debate have said that they do not believe in the scheme. We know the views of the *Daily Telegraph*, or of the person who writes that newspaper's leader. Will Conservative Members betray their constituents who are in the scheme and who have paid into it over a considerable period by taking away the pension entitlements that many people of working age look forward to receiving in due course?

Since the Government have been in office, very large sums have been given to the richest and the most prosperous. Such people have done very well out of the Government and have every reason to be grateful to the right hon. Lady's Administration. But for many others the Government have been a curse. Large numbers of people, including my constituents, have been denied their right to earn their living. Large numbers of people, including my constituents, and many others throughout the country, are living in poverty and near poverty because of measures taken by the Government.

When Conservatives ask what the Labour party has done for pensioners, I wonder how many pensioners today would be only too pleased to have the same progress that was made when the Labour party was in office? They will remember that the Labour Government tied the state pension to earnings or prices, whichever were the greater.

It is understandable that there is such a feeling of bitter resentment on the part of so many people who have been the victims of the Government's policies and of the contempt that the Government have shown for them. It has been a Government for the rich and the most prosperous. It has been a Government that has shown utter contempt and indifference for the people who are most in need, the people who need the welfare state and for whom it was first established. When the Labour party is returned to office it will make good the damage that has been done by the Conservative Government. We shall return to the provisions established in the 1945 Parliament.

8.45 pm

Mrs. Edwina Currie (Derbyshire, South): The debate started by being entertaining, when we had the hon. Member for Oldham, West (Mr. Meacher) behaving like a little boy hurt, with a look on his face which Conservative Members will cherish for a long time. He was having a go at the press and accusing all and sundry of malice aforethought and so on, as if any of the things that he said in *The Guardian* in recent weeks mattered. It would have been nice to hear from him and his hon. Friends on the Opposition Front Bench whether he and they still agree with his comments in what he calls his "New Income Protection Plan", and whether he still stands by any of the things that he said to the newspapers. His role as a sacrificial lamb has been highly entertaining—novel, but, I suspect, highly misleading.

If the Labour party really thinks that those on £15,000 a year are rich, or think themselves as rich, it is totally out of touch with the way in which this country has been changing in recent years. If it thinks that the country would vote for Labour housing policies such as the abolition of mortgage tax relief for owner-occupiers, or for such housing policies as building acres more of windswept council estates of which we see only too many in our cities, or of tower blocks which are never repaired because

[Mrs. Edwina Currie]

Labour councillors are too busy spending the money on women's committees and sending people to Greenham Common, it has another think coming.

Ninety per cent. of those of working age have said that they want to own their own homes. That is exactly what Conservative policy has been, and it has helped us to win two elections. People do not wish to be dependent upon the welfare state for the provision of their accommodation, and that is the way that they will continue to vote in future.

Mr. Robert Hughes (Aberdeen, North): Will the hon. Lady give way?

Mrs. Currie: I do not have time to do so.

The Labour motion seeks to identify an attack on the welfare state by the Government. It is interesting that the motion does not mention the National Health Service.

Several Hon. Members *rose*——

Mrs. Currie: Hon. Members who are seeking to intervene have not been here for most of the debate. As time is now short, and other hon. Members wish to be called, I think that it is inappropriate to allow interventions.

It is interesting that the Opposition motion does not mention the National Health Service, because there has been a substantial increase in resources and a substantial improvement in results, to which several of my hon. Friends have drawn attention. I should like to mention the capital schemes, the building of new hospitals and new units which have proceded apace under the Conservative Government. In England alone, 50 major hospital schemes have been started on site since 1979. They are schemes costing over £5 million each. At present there are 152 hospital schemes of more than £2 million each being planned, designed or constructed in England alone, costing more than £1 billion. The buildings for 23 schemes are expected to be completed in 1985. I say to Labour Members who represent London seats—for example, the hon. Member for Brent, South (Mr. Pavitt)—that much of that building is going on in other parts of the country, such as the Trent region, which covers my own constituency. Indeed, in Trent and in the Southern Derbyshire health authority there has been a substantial increase in the number of people on the payroll, and we have vacancies for nurses. Anyone in the south of England looking for a nursing job is very welcome in my constituency, where we have a substantial number of vacancies. The hon. Member for Derby, South (Mrs. Beckett), whose constituency is in the same district health authority, can confirm that. Indeed, she is nodding her head in confirmation. In my area there has been a rapid drop in waiting lists—at last, I have to say, because our waiting lists have been among the worst in the country.

The hon. Member for Oldham, West said that the welfare state was near the bottom of the Government's priorities. That does not accord with the facts. Social security is the largest single Government programme. It accounts for 30 per cent. of all public expenditure, with total cost of £40 billion, and rising. It is the only Government Department in that position. The rate of growth has doubled inside five years and that makes the Labour motion absolute nonsense. *[Interruption.]* It is not just a matter of unemployment; it is also a matter of increasing benefits to pensioners, the sick and the disabled and a large number of other people. It also, to a substantial degree, makes nonsense of any priorities, such as defence and overseas aid which other Departments may wish to claim, as well as all the other things on which we should like to spend our money.

I have sat through many social security debates since I came into this House and I am glad to see my hon. Friend the Member for Braintree (Mr. Newton) in his place, because I should like to suggest that we could do with some new scientific laws. Sir Isaac Newton was a Member of this House many years ago, and my hon. Friend the Member for Braintree is by no means a lesser Newton. We should propose a new set of Newton's laws. I suggest that they be called Newton's four laws of action and reaction for social security.

Law No. 1 should be: "Whatever the social problem, a benefit will be devised"—even when it might be much better to leave well alone.

Law No. 2 should be: "Whatever the benefit, somebody will abuse it". If we need any evidence, look at the debates that we have had on board and lodging allowance, on housing benefit, and even at the rapid increase in the number of people claiming invalidity benefit, even though there seems to be no evidence that morbidity in that age group has increased.

The third law should be: "The cost of the benefit will escalate". The escalation will be in direct proportion to the surprise of the Ministers concerned.

The fourth law should be: "No benefit can be cut, ever". That is not what we want, but in practice it is exactly what happens. Perhaps one can have a corollary —that whatever the Minister does to try to improve matters, somebody will not like it.

The motion mentions the state earnings related pension scheme. It is probably as good an example as any. The hon. Member for Derby, South mentioned the Phillips committee, but in 1954 there were fewer than 7 million pensioners. Now there are 9·25 million, and by the time I am touching 80, which is the point at which SERPS becomes fully operational, there will be 12·5 million pensioners, and the number of contributors, in comparison to the number of claimants, will be 1.8:1. At that stage the social security budget for SERPS alone will have to be increased by approximately one third. On the best assumptions, the contribution rate will have to rise to 20 per cent., and on the worst assumptions it could be 26 per cent. or more. In other words, our grandchildren will be paying at least a quarter of their income on top of income tax to pay for our pensions. The question that we have to answer is this: do we really want to commit the state to that level of investment on one item alone, pensions? What about investment in industry? What about investment in education? What about training?

I am deeply worried, not just at the effects of encouraging people to rely entirely on the state instead of planning for their own future. We should be concerned not just at the sheer expense of providing all and sundry with whatever benefits they ask for and increases above inflation to boot. We should be concerned at the damaging effects on our future growth and strength of diverting such a large percentage of our resources into that activity. There are always more ways, and better ways frequently, of spending the money. Some of the thrust of Government policy has to be the continuing and steady encouragement of industrial and commercial development so that

somebody will generate the surplus income in future to pay for all the benefits, for the Health Service and for the public services which we all so glibly want and for which we all seem so deeply reluctant to work and pay.

One man's priority is another man's extravagance. If we too readily invent benefits, add to them and increase them, the day will come when we beggar the nation, and then it will be too late.

8.52 pm

Dr. Roger Thomas (Carmarthen): For a moment, I should like to follow the hon. Member for Derbyshire, South (Mrs. Currie) into physics. She quoted to us the four laws of Newton. I am afraid that when she speaks she reminds me of Charles's law, in that a given mass of gas increases directly with the absolute temperature.

The hon. Lady mentioned nurses in her constituency.I should like to tell her about nurses in my constituency. Eight nurses qualified at the local district general hospital. Not one of those eight could be offered a permanent post, yet we all know that when nurses qualify they are expected to serve a so-called six-month probationary period. Without having served that probationary period, those nurses cannot hope to get a permanent job elsewhere until they satisfy the nursing authorities that they are proficient at their work.

For about 31 years, the welfare state has been in the hands of Governments who respected it. From 1948 to 1979, those Governments adhered to the principles of the welfare state, and through those Governments it commanded a great deal of cross-party support. The people were particularly proud of it.

Tonight, we have heard statistics about waiting lists and the increase in inpatients over the past five or six years. I remind the House that one can cook inpatient waiting lists and outpatient lists as well as unemployment figures. Let us consider an ear, nose and throat waiting list in any hospital. For example, 350 children might be waiting for tonsil and adenoid operations. One may search down that list and decide to write to the parents. By the time the letters arrive so many of the children have been totally cured of the condition for which they were originally to have the operation that, at a stroke, the number can be reduced to well below 350.

There are long waiting lists of patients for cataract operations. But some of those patients waiting for operations will never be contacted, because they are not on this earth to be contacted. Thus, again, one can eliminate or reduce waiting lists as one wishes.

We know that there are practically no domiciliary midwifery cases. All infants are now born in hospital. That is another reason why, over the past few years, there has been a steady increase in the number of cases receiving inpatient treatment.

I can assure the House that the morale of the medical profession has never been so low for a considerable number of years. It is low not only among ancillary staff who were badgered into submission when they tried to strike for better conditions in 1982, but among nursing staff, consultants and general practitioners.

The general practitioners, first hit by the deputising service fiasco, then by the limited list fiasco, are now in an uncertain position. Since the visit of the Minister for Health to the Harrow private clinic, we do not know what to expect with regard to general practice. We are now keenly waiting for the so-called Green Paper on primary medical care, although so many things in that Green Paper have already been leaked.

Apparently, it is being considered down at the Elephant and Castle whether we shall have a salaried service within the NHS. Alternatives that are being considered are that doctors will no longer be paid for items of service. And so it goes on. At the moment, there is a gradual demoralisation among general practitioners. Who knows what they will get in return for the apparent bonus of being able to advertise their services. I should have thought that it went very much against the Hippocratic oath. If doctors were allowed to advertise their services, it would lead to utter chaos in the GP service and primary medical care.

Among consultants, too, morale is at a low ebb. Consultants will confirm that the increase in administration means that they spend less and less time in the operating theatre or on surgical rounds and more and more time attending committees which do not achieve any improvement at the sharp end of the service. The Government said that the limited list would save £75 million per year, which could then be used at the sharp end of the National Health Service, but there is no more reason for us to believe Ministers now than there was to believe that the National Health Service was safe in the hands of the Prime Minister, as she claimed at the general election.

I recently asked the Secretary of State how many geriatric beds are available in this country now compared with 1979. There has been an increase of 0·002 per cent. in England and 0·005 per cent. in Wales, but demographic changes mean that there are now far more people over the age of 65 and hundreds of thousands over the age of 75 who need to go into hospitals of that kind when they are ill. Medical practitioners cannot get patients into hospitals because the hospitals are full of chronically sick people, often chronic orthopaedic patients who cannot be taken out into the community.

We heard a great deal from the Government about community care, but it was just another gimmick—just another way of getting care on the cheap—and it has not worked. Nursing staff and community nurses are now discovering that it is impossible to provide in the home the nursing services that were previously provided in the hospitals.

The catalogue goes on and on. If this is not demolition of the Health Service, it is certainly utter demoralisation. Ministers complacently tell us that more is being spent here, there and everywhere. Anyone who wants to know how much more is really being spent should visit the hospitals and talk to the staff who care for the sick and for those unable to fend for themselves. That is where the truth is to be found, not in statistics from the Elephant and Castle. Thirty-five years after the inception of the National Health Service there is discontent, misery and demoralisation, and it is time that that was put right.

9.1 pm

Mr. Tony Favell (Stockport): For too long, in my view, we have distributed social benefits without proper thought not just for the taxpayer, who has to provide them and who is often no better off than the recipient, but for the long-term effect on the recipients themselves. I was therefore delighted to hear my right hon. Friend the Secretary of State say today that the review would ensure that social security was not divorced from the rest of Government policy, especially employment policy. The

[Mr. Tony Favell]

reduction of unemployment is the major task facing the Government, but I believe that in some ways the present social security system exacerbates the problem. Indeed, I believe that in some respects it positively harms the long-term employment prospects of the recipient. I shall give just two examples.

A 16-year-old leaving school in July is entitled to £17·30 per week supplementary benefit in September if he has not found work, and even if he has not tried to find work and is not prepared to undertake youth training. That cannot possibly be in the long-term interests of the school leaver. We must do everything in our power to encourage school leavers to take training. We all appreciate the value of education because we have the knowledge and experience to realise how well our education and training has served us, but young people of 16 often do not appreciate the importance of education and training, and I believe that offering supplementary benefit to them as soon as they leave school discourages them from taking the training that is so vital in the job market today.

It is true that many of the young unemployed live in areas of high unemployment, but nothing is for ever. History repeats itself. The unemployment of the 1920s and 1930s went away. Last week the Prime Minister told us that 300,000 new jobs had been created in the past 18 months. The 16 to 18-year-olds will not stay the same age for ever. They may lose their chance of education and training. By not encouraging them now to take the training that is so necessary we shall condemn them, in the long term, to the scrap heap. I urge my right hon. Friend seriously to consider giving every possible encouragement to those young people to train now.

Rate rebates offer another example of how social security works to discourage employment. One household in three in Britain now receives rate rebates through the housing benefit system. The proportion is even higher in parts of the country where unemployment is highest. In Liverpool, half the ratepayers now receive rate rebates. In Sheffield and Manchester the percentage is about 42 or 43 per cent. Only about a quarter of the electors in Liverpool, Manchester or Sheffield pay full rates. In those areas there are no longer any votes in saving money. Votes are to be gained only by spending money. Votes are attracted by vastly increased and expensive services in areas that are ravaged by unemployment.

What is the effect of high spending in such cities? High spending results in fewer jobs. Those who are in employment and pay full rates leave for less highly rated areas. Stockport is fortunate. In Manchester the rates are 50 per cent. higher than in Stockport. There is in consequence a massive exodus from Manchester to Stockport, not only of domestic ratepayers, but of commerce and industry. Businesses are driven away from Manchester and investment discouraged. Housing benefit and high rates exacerbate the problem of unemployment. Our once-great northern industrial cities are in a downward spiral.

Mr. Kevin Barron (Rother Valley): Will the hon. Gentleman give way?

Mr. Favell: I do not have time. Unless local authorities are encouraged to reduce rate levels, that spiral will become an uncontrollable spin. I urge my right hon. Friend to take advantage of the reviews to deal with the problem.

9.8 pm

Mrs. Margaret Beckett (Derby, South): I wish to begin by quoting some words of the hon. Member for Brent, North (Dr. Boyson), written before he became a Minister in the Department of Health and Social Security. The hon. Gentleman was, of course, in the Department when the decision to institute the reviews was taken. In 1978—no doubt the Prime Minister read these words—he wrote:

"Conservatives must actively work for the welfare state to wither away as personal freedom and independent provision take its place."

That work is what we are debating tonight. We are talking not about certainties or the matters on which the Prime Minister loves to tell us that there is no alternative, but about choices. The record shows us what choices the Government have made. Their social security budget, and the way in which they have changed it in recent years, casts a light on the choices that we may expect them to make through the social security reviews, and the reasons for those choices.

In his pertinent speech, my hon. Friend the Member for Oldham, West (Mr. Meacher) made clear the extent and nature of the choices that the Government have had, and he contrasted the savings that have been made in every Social Security Bill that the Government have presented to the House since 1979—they now total £11 billion—with tax handouts to the wealthiest, which have been given in every Budget—and now total £13 billion.

One of the most frightening features of these debates for the prospect of peace and harmony is the gulf of understanding and experience which opens between the two sides of the House. I sometimes wonder whether Conservative Members know what their Government's record is, or whether they understand the reality of life for those on pensions or benefits. They will not know if they listen to the Secretary of State. It has been a feature of several recent Question Times that Conservative Members have risen, one after the other, to say that, although they do not question the Government's wonderful record as they have done great things for the NHS, could the Secretary of State explain why a ward or hospital in their constituency is closing and could he tell them how to reassure their pensioners. Our clear message to them and the country is that the Government's arguments and figures on the whole of the welfare state are as phoney as their arguments and figures on the NHS, which even Tory Back Benchers are beginning to see through.

Tory Back Benchers are beginning to see through the arguments and figures partly because of the many benefits that the Government have abolished, such as industrial injury benefit, the earnings related supplements to unemployment and sickness benefits and the child addition to benefits, and partly because of the many benefits that the Government have reduced—for example, the 5 per cent. abatement of unemployment, sickness and invalidity benefits. Recently, the invalidity benefit abatement has been restored, only to be offset by other changes in invalidity benefit which mean that, once again, the Government are making a net saving in social security expenditure at the expense of some of the most vulnerable in our society.

Once again there is late payment of pensions and of invalidity benefits this year so that the Government can save money at the expense of those groups. Lest hon. Members still doubt—there seems to be some lack of

understanding of the Government's cuts in social security spending—I shall quote what the Secretary of State said on 13 October 1983. He said, with approval:

"We should remember we have already done a great deal to contain expenditure by abolishing earnings related supplement, by making unemployment benefit taxable and by withdrawing it from better off occupational pensioners."

When it suits them, the Government claim credit for their social security reductions.

The decision in 1980 to cut the link between pensions and benefits and earnings as opposed to the link between pensions and benefits and prices—that vital principle established by the Labour Government which increases the value of pensions and benefits as earnings increase—has most eroded the provision of the welfare state. It means that pensions and benefits at best stand still against prices but are frozen so that people dependent on them are less and less well off compared with those in work. For the benefit of Conservative Members who seem to have a different experience of the scheme, I should like to highlight a few of the facts about it as many of them seem to imagine that it is over-generous. That misunderstanding appears to fuel the pressure on and from the Government to cut social security still further through their reviews.

A survey carried out in 1983 showed that 3 million people cannot afford to heat even their living area properly, that at least 5 million regularly left out a major item of food, such as a joint, that 500,000 children do not get three meals a day because they do not have the money, that about 6 million people who depend on benefit lack a major piece of clothing, such as a warm waterproof coat, that more than 3 million lack items such as carpets, fridges or washing machines, that 3 million cannot afford birthday or Christmas celebrations, and that 10 million could not pay for even one week's holiday.

Hon. Members have talked about the social security scheme. I wonder whether the hon. Member for Stockport (Mr. Favell) is aware that all entitlement to one single penny of housing benefit ceases well below average earnings for those who are on average rents.

The rise in housing benefit has resulted from the rise in rents, which have been forced up by the Government. I wonder how many Conservative Members fully realise that, apart from having his housing costs met, a single householder under 60 gets £28·05 a week to meet the rest of his needs and that a couple get £45·55. All hon. Members will be aware that there is no meals allowance in this House, but I understand that in another place the meals allowance is about £40 a day—over £10 more than a single householder under 60 is expected to live on for a week.

Someone on supplementary benefit is allowed to earn £4 a week or, since the changes the Government made in 1981, to receive £4 a week in cash or kind. Once he receives more, he loses every penny over that value—a 100 per cent. deduction. I referred earlier to a gulf in experience. The contrast between what I have just said and capital transfer tax might be illuminating to Conservative Members. Instead of a 100 per cent. deduction over the threshold, the tax on gifts starts to apply at 15 per cent. In addition, there is a difference between the thresholds. Instead of £4 a week, that tax, even at 15 per cent., begins to bite only when gifts have amounted to £68,000. I calculate that to be about 300 years' worth of supplementary benefit exemption.

The average cost of private health insurance, even as a supplement to the NHS, for a two-child family with a non-working wife is at present about £12 or £15 a week. The average cost of an occupational pension for such a family is about £10 a week. Those who have such supplementary health and pension provision—I suspect that many Conservative Members and their constituents have—might in future try to remember that what they spend on supplementing what the state provides in pension and health care is what people on supplementary benefit must live on.

Those Conservative Members or their constituents with children boarding at public school will be paying an average of £160 per child per week—seven times as much in school fees alone as someone in receipt of supplementary benefit must live on. That is the gulf which exists between the experience of different groups in our society, and that is why the Opposition sometimes get excited when we listen to Conservative Members telling us how over-generous they consider the scheme to be.

Mr. Nicholls: As school fees are not tax deductible, such people will have paid sums in taxation which make benefits a reality. Does the hon. Lady realise that the ability of people to pay after taxation is concomitant with paying the tax which makes those benefits possible?

Mrs. Beckett: This is not the occasion to debate public school provision, although I am quite willing to enter into such a debate. However, most of our senior public schools are charities and receive tax and rate relief because they were founded to educate the poor. I am referring to the difference in levels of expenditure and income. I wonder whether the hon. Gentleman knew what the supplementary benefit level was. If he did, he was probably in a minority among his colleagues.

Those who have never wanted and those who never expect to want in future are very quick to talk about the burden of the welfare state, just as those who have never been seriously ill and think that it is because they are virtuous rather than fortunate seem to despise the NHS.

The Government's main charge over recent weeks, and the charge they intend to try to sustain in the reviews, is that the burden of expenditure overall on social security is too great, is rising and must be cut. The Government have already cut it not just by the detailed changes that they have made in benefit, but by the major change in linking pension and benefit increases only to prices. By that change, they have not only withheld benefits from those in need but destroyed the basis of their own case.

It is often quoted that a pensioner couple have had £5 a week withheld from them by this change. It is less often quoted that someone receiving invalidity benefit has lost £7·35 a week by the Government breaking the link between the benefit and prices, and by the other changes. The Social Security Bill will make another net saving at the expense of pensioners.

When we hear claims from the Government about the extravagance of the social security budget and the state earnings related pension scheme, it is hardly ever quoted that benefits linked only to inflation are basically standing still. The Child Poverty Action Group, in its excellent book, "The DHSS in Crisis", which is meant to be read in the context of the Government's reviews, pointed out that although the bill for social security is likely to rise

[Mrs. Beckett]

because of demographic changes and changes in prices, as a percentage of GDP, the bill will fall over the next few years.

Similarly, the Government say that they are worried about the cost of SERPS in the next 20 to 30 years. However, because the basic pension is linked only with prices, those who retire this year or in the next 10 years will see the value of their total pension, including the earnings related element, so eroded that in 10 or 20 years —the period of time about which the Government claim to be concerned—it will fall back to the relative value of the pension today. Therefore, if the Government abolish the earnings related element, the total pension will be worth far less than it is today, and the pensioners of 10 or 20 years' time will suffer.

Earlier, the hon. Member for Suffolk, South (Mr. Yeo) referred to a terrible thing—the calculation that total national insurance contributions might rise to about 21·6 per cent. of GDP if we maintained SERPS. He wondered how that could be afforded. I am sorry to have to say in his absence that the hon. Gentleman was clearly not aware that this is compared directly with a value of 17·6 per cent. for the same figures today; and therefore it could be argued that we can cope with such an increase.

Clearly, the hon. Member for Suffolk, South was even less aware — and I sometimes wonder whether the Secretary of State is aware—that if the basic pension remains linked only with prices, in the 10 or 20 years' time about which the Government are having nightmares the national insurance contribution will be not 21·6 per cent. in total, but less than 10·3 per cent. because the value of the total pension is so eroded by the link of the basic pension only with prices. The value of the pension and of the national insurance contribution needed to sustain the pension will significantly fall. That destroys everything that the Government are saying about the need to abandon, abolish or weaken SERPS. The Government have already weakened it so much that their fears are ill-founded.

I am sorry that the hon. Member for Bournemouth, West (Mr. Butterfill) is not here, because I do not like commenting on his remarks in his absence. Much has been said about the amorality or immorality of SERPS, so I shall leave Conservative Members with a final thought about the comparisons of costs. It is true that we are talking about putting a lot of money into SERPS and the basic state scheme. It is true that we are putting thousands of millions of pounds into state pensions. Indeed, we are putting in as much this year and last year as we spent on alcohol. That puts into context the Government's remarks about the extravagance of our devotion to the state pension scheme.

The Government say that everything has changed since 1975. The hon. Member for Derbyshire, South (Mrs. Currie) has clearly been taken in by this fiction. The number of pensioners has not changed since 1975. I should have thought that a little simple arithmetic would show any hon. Member that the number of 10 million pensioners was due to increase to 12 million. That was known in 1975 when the state earnings related plan was revised. The prediction about the number of contributions has not changed significantly. There are some marginal differences, but well within any possible margins of error.

What has changed since 1975 is the priority that the Government are prepared to give to ensure dignity and freedom from want in retirement. The Prime Minister likes to talk about people taking more responsibility and providing for themselves in old age. Her lack of understanding of the practicalities involved in people trying to provide for themselves in old age has been evident for at least 10 years. I recall listening to the right hon. Lady during the debate on the Finance Bill 1974 when she was a shadow Treasury Minister, although not shadow Chancellor. The House was debating the level of exemption from capital transfer tax for gifts given to a child on the occasion of his or her marriage. The Labour Government proposed that the exemption level should be set at £2,000, which, I understand, is now worth about £5,300. The right hon. Lady said that that was not enough. There was a certain amount of hilarity among the Labour Members present who asked her how many members of the public she thought could give their children wedding presents to the value of even £2,000. The right hon. Lady said that they could not give such presents, because they did not save.

Such people do not save because they cannot save, because during their lives they never earn sufficient to save enough to think of giving children presents worth thousands of pounds when they marry. Those people certainly never earn enough during their lives to save to cover the cost of their retirement. Any justification for arguing that people should save to cover the costs of their retirement disappears when simultaneously the Government do everything that they can to reduce or hold down wages.

The record of the Government, who have had more money every month from the North sea than the Labour Government had during their five years in office, is one of meanness and mismanagement in social security. The Government's record makes us fear for the future. We wonder what they will do in their social security reviews. The Secretary of State made a great point of telling us that all the anxiety and complaints were misplaced because he had to be prepared to consider any proposal if he wanted to review the pension and benefit system. The right hon. Gentleman did not say that he meant that he was prepared to look at anything, except increased costs in the service, improving the service so that it might give more to claimants and interaction between the pension and benefits system and the taxation system. His colleagues will not permit him to do so.

For the welfare state we pay when and as much as we can so that we can draw on it as of right when we are in need. The hon. Member for Bournemouth, West asked why the Labour party was so antagonistic to means-tested benefits. He asked why our hackles rise when means-tested benefits are mentioned. Our hackles rise then for the same reason as they rise when we hear the Prime Minister talk about Victorian values and hear the Secretary of State in various speeches on different occasions pushing voluntary organisations forward, demanding that they play a greater role in social services and education and talking about a greater role for the private sector in health care.

On all those matters our hackles rise for the same reason. By and large, it is among Opposition Members that there are to be found those whose parents and grandparents remember the means test. It is Opposition Members who remember the bitterness that lasted generations from the days of services being provided through charity and of the concept of the deserving and undeserving poor. Those who were prepared to smarm their way round those in authority

in a manner that seems to returning to fashion in the Conservative party found themselves better off than those who tried to maintain some independence.

The days when those who were wealthy and who chose to do so provided education and hospitals out of the kindness of their hearts are days that Opposition Members remember perhaps without the generosity that Conservative Members might wish for. We remember charity schools and hospitals, and so we are wedded to the concept of a welfare state that provides services as of right, and for which the community as a whole pays—services that most of us on this side of the House could never hope to provide for ourselves.

The welfare state and the NHS can be summarised very simply by saying that they are Socialism in action. That is, of course, what the Prime Minister so much dislikes about them. The creation of the welfare state is the greatest pride and achievement of the Labour party and the Labour movement—*[Interruption.]* Conservative Members who sneer and snigger should remember that it is also something in which the British people take great pride. Since the Conservative party came to power in 1979, it has tampered with the welfare state and damaged and weakened it. Before the Government finally make their decisions and publish their reviews, the purpose of this debate is to warn them that if they now seek to destroy the welfare state the British people and not just the Labour party will destroy this Government and their party with them.

9.32 pm

The Minister for Social Security (Mr. Tony Newton): The debate has been something of a classic of its kind in that it was widely heralded in the press, and trailed on the radio by the hon. Member for Oldham, West (Mr. Meacher) this morning as a slashing attack and an all-out assault that would save the nation from disaster. When he came to the House early this afternoon, attended by a group of supporters who would have comfortably filled a minibus, he made a speech based on assorted press cuttings while denouncing the press as biased and unreliable. Only two of the official Opposition Members then in the House showed any inclination to speak in the debate and, as far as we could judge, all the other Opposition Members spoke because a panic-stricken Whip had fled from the Chamber and had gone rushing round the House.

Mr. Meacher: The hon. Gentleman must be able to do better than that.

Mr. Newton: I may well do better than that, but the hon. Gentleman will have to do better than that, too, if he wants to carry his party with him. Of course, we all know that the motive behind the debate was not to illuminate the Government's work or plans but to cast back into the shadows the work of the hon. Member for Oldham, West as shadow Secretary of State. Until last week I had never thought of the Leader of the Opposition as being closely paralleled by the Duke of Wellington. But it suddenly came into my mind that it is said that, when looking at his own soldiers, the Duke of Wellington thought:

"I don't know what effect these men will have upon the enemy, but, by God, they frighten me."

Now I know how the Leader of the Opposition felt last week when he contemplated the hon. Member for Oldham, West and his paper.

Mr. Walter Harrison (Wakefield): The Duke of Wellington won and my right hon. Friend the Member for Islwyn (Mr. Kinnock) will win, too—and I am referring to the next general election.

Mr. Newton: The monument to the hon. Member for Oldham, West is likely to be a new posting before long.

Taking the debate at its face value, I will deal with at least some of the allegations that have been made about the Government and the welfare state. Although most of the debate, understandably—in view of the way in which the hon. Member for Oldham, West opened it—has concentrated on social security, which was the subject of most of the publicity that surrounded the debate, it is only fair to those who referred to the NHS to place on record some of the facts and figures about what has happened in the service in the last four or five years.

There are now 57,000 more nurses and midwives than there were; over 5,000 more hospital doctors and dentists; 2,500 more family doctors; and over 13,000 more radiologists, laboratory technicians and other professional staff. *[Interruption.]* Opposition Members may not like listening to these figures, but it is time again to put them firmly on the record.

In 1983, by comparison with 1978, the NHS in England was treating about 650,000 more inpatients and over 2·5 million more outpatients; it was providing almost 3·5 million more courses of dental treatment; and there were over 650,000 more visits by health visitors and home nurses to elderly and sick people at home. The hon. Member for Wolverhampton, North-East (Mrs. Short), who is not in her place, would be interested to know that it had succeeded in reducing the degree of perinatal mortality by about one third in just five years.

That is the record not of a Government who are dismantling anything but of a Government who are steadily building a better health for the nation.

Mr. Pavitt: In regard to the statistics of hospital inpatients and outpatients, does the Minister recall that the present Prime Minister said in 1978 that there were 50,000 unnecessary deaths from emphysema, lung cancer and chronic bronchitis? That figure is now 100,000, mainly because the Government have run away from doing something about cigarette smoking. Will the hon. Gentleman take responsibility for that increase?

Mr. Newton: The hon. Gentleman knows that statistics such as those have no validity unless they are related to the overall morbidity and mortality statistics and reflect the extent to which people live longer and reach the stage when they may suffer the consequences of those types of disease. The hon. Gentleman knows that he over-simplifies the point.

My hon. Friends and I do not pretend that there are not still many problems to be overcome in the NHS. It is, however, foolish nonsense for anybody contemplating the statistics to suggest that the Government are dismantling the welfare state. Some of the figures that have been quoted about the NHS have concentrated completely on revenue spending. The Labour record on cutting the NHS hospital capital building programme was appalling. If ever there was a dismantling of the hospital service in the sense of failing to put new capital investment into it, that occurred in response to IMF demands in 1976 and the penalties that were then inflicted on this country and its health service for the profligacy of Labour Members in the

[Mr. Newton]

previous two years. That was when the future of the National Health Service was being dismantled. It is in the restoration and growth of the capital programme that the foundations are being laid for still more of the improvements of the kind to which I have referred in the last few minutes.

I turn from the National Health Service to the main thrust of the debate on social security. One of my hon. Friends has already referred to the increase of £8·5 billion, or nearly 30 per cent. in real terms, in the social security budget during the years from 1979-80 to 1984-85. This is not mainly or solely due to unemployment. Well over half —nearly £5 billion—is the result of this Government meeting the needs of many hundreds of thousands of additional retirement and invalidity pensioners and of claimants to mobility and attendance allowance. It is also because the Government have kept faith with their promise to protect the value of the retirement pension. While prices have risen by about 77 per cent., the pension has risen by nearly 84 per cent. Pensioners have enjoyed a real increase in their standard of living. This has more than fulfilled the promise made by the Government.

Nor are retirement pensioners alone in their position having been improved. For the sick and disabled, the real value of the mobility allowance has been increased. It has been made tax free. We have ended the so-called invalidity trap which, to the shame of the Opposition, kept so many tens of thousands of the long-term sick and disabled trapped within the lower rate of supplementary benefit instead of enjoying the higher, long-term rate. We have heard nothing about that today. However, that trap was ended by this Government and has benefited 70,000 invalidity pensioners.

Last November, the Government replaced two old benefits by the new severe disablement allowance which, when it is fully built up, is expected to result in 20,000 more people benefiting than benefited under the previous system, and it will end—I am sorry that the hon. Member for Barking (Ms Richardson) is not here, because I am sure that it is a point she would have appreciated —the discrimination against disabled married women which the Labour Government left behind.

For war pensioners the Government have introduced, in parallel with the mobility allowance for civilian pensioners, a generous new mobility supplement to replace the old vehicle scheme. Pensions for war widows have been fully exempted from tax. Last November higher allowances for all war widows over 65 were introduced.

The hon. Member for Derby, South (Mrs. Beckett) referred to the Social Security Bill which was debated last week. She mentioned almost everything except that last week the Government invited the House to approve the final removal of the married women's half test—another discriminatory measure. This proposal will bring another £25 million of benefit in the early stages to about 25,000 married women who were previously discriminated against under the social security system.

As with the National Health Service, those are not the facts and figures of a Government whose Ministers do not care or of a Government who are dismantling the welfare state or damaging the social security system. They are welcome, sensible improvements to the social security system. They are made possible by welcome, sensible changes in other ways which have enabled us to concentrate our resources more effectively upon those most in need.

Although I shall try to be fair to every Opposition Member, hard though it is at times to be fair, I shall be especially fair to the hon. Member for Birkenhead (Mr. Field). He very frankly said—I think I took down his words accurately and hope that I am not misrepresenting him—that it was not possible for Opposition Members to claim with any seriousness that there has been any dismantling of the welfare state. He is right about that and I am grateful to him for the fair-mindedness with which he put that point.

Mr. Frank Field: The hon. Gentleman's writing must have let him down. I said that we could not claim that there had been a dismantling of the social security system. What worries me is the proposals which have been discussed in the press as likely to come from the social security reviews. I hope that the hon. Gentleman will take this opportunity to say, for example, that the state earnings related pensions scheme will not be abolished.

Mr. Newton: I was just about to deal with the reviews. The charge in the motion, as the hon. Gentleman readily recognised, and has fairly recognised again in the past few moments, is that nothing has happened at all. The record clearly does not begin to sustain for a moment the charge of dismantling the welfare state or the social security system in particular. The charge relates to nothing except what the hon. Member for Oldham, West says that he has read in the papers about the proposed outcome of the social security review.

I cannot respond tonight either to the questions posed by the hon. Member for Birkenhead or to some of the points raised by hon. Members on both sides of the House about the outcome of the social security review, for the good reason, as my right hon. Friend the Secretary of State made clear, that the Government have not yet made their final decision on the outcome of the social security review. *[Interruption.]* We believe in collective decision-making and consulting our colleagues.

Mr. Michael Cocks (Bristol, South): Who was consulted on the employment of the hon. Member for Suffolk, Coastal (Mr. Gummer)?

Mr. Newton: Obviously not the Labour Chief Whip; nor, as a matter of fact, was I.

Even if I am not in a position tonight to say anything more about the outcome of the reviews, I can tell the House that the social security review was set up not to dismantle the social security system, but with exactly the opposite purpose—to try to make sure that in a world in which resources will never be as large as any or all of us would like, what the Government, or any Government, can make available for social security spending meets the needs of today and tomorrow instead of being so ruthlessly concentrated, as in the Opposition's minds, on the needs of yesterday.

As my right hon. Friend has emphasised time and again, we are seeking to bring about a use of whatever resources are available for the social security system in a way which is most effectively aimed at the least well-off in our community, and a use of resources, however large they may be, within a system which is simpler and easier for people to understand. In view of the strictures of the

hon. Member for Oldham, West on the supplementary benefit system, it is hard to see that he can object to that objective.

We are also seeking to ensure that our social security system is effectively related to wider policies of the Government and wider policies which any sensible Government would need to have to restrain inflation, to generate economic growth and thus to make sure that we have the resources on which any social security system must in the end depend.

As my right hon. Friend made clear, the review has had a significant independent input. It has been based on probably more open public consultation than any comparable exercise in history, including not only the widespread receipt of evidence from those who chose to give it, but public hearings for those who wished to put their views in person. We are now considering the conclusions from all that work and will put them before the House as soon as possible.

I wish that the same could be said for the conclusions, if that is what they are, of the hon. Member for Oldham, West. I say, "if that is what they are" because we repeatedly failed to get any serious answers from him in the course of his speech about precisely what the status of those proposals is or even what they mean. I should like to ask a few questions of the hon. Gentleman. How many people did he consult in drawing up his proposals? No one has yet emerged in the papers who has been consulted in any way, right up to the top of the hon. Gentleman's own party. How much evidence did he receive? How many public hearings did he have? How many members of the public said, "We must have an end to mortgage tax relief"?

Mr. Meacher: How many people came to the hon. Gentleman's reviews and asked for an end to supplementary benefit mortgage payments for the poorest people? If those are removed, as is confidently predicted, how does he justify the fact that unemployed claimants and single-parent families will be left without a house and thrown on to the streets because they will no longer be able to meet their mortgage payments?

Mr. Newton: The only confident predictions that have been made tonight about the outcome of the reviews have been made by the hon. Gentleman on the basis of the odd press cutting that he seems to have seen. i do not propose to comment further on such speculation and rumour.

I should like to know from the hon. Gentleman what he has done to cost his proposals, because that too is a mystery. It is not clear whether they are costed on his authority or that of *The Economist*, because I rather understood him to say, when he was asked about the cost of his proposals, that we should look at *The Economist*. He was conveying the impression that a great independent exercise undertaken by that prestigious magazine would illuminate the matter for us. When I looked at *The Economist*, it was clear that it had used the figures which the hon. Gentleman gave it. They are not even the ones which he got out of his computer, because they have not been in the computer yet. As far as I can see, they are merely his jottings on the back of an envelope.

As my right hon. Friend said, we reckon that the cost of the hon. Gentleman's proposals is at least twice what he suggested. It seems to me that it is at least £15 billion.

Mr. Fowler: At least.

Mr. Newton: At least, as my right hon. Friend emphasises. That is what will be required to pay for what the hon. Gentleman has proposed.

I should like to ask the hon. Gentleman one or two detailed questions about the proposals. As I understand it, he proposes a large increase in child benefit, to be paid for by abolishing the married man's tax allowance. That amounts to a substantial increase in taxation to finance a significant increase in social security benefits. Does the hon. Gentleman intend to have with that a drastic lowering of tax thresholds and the bringing into taxation of another 1 million people who are not currently in taxation? Has he thought about that?

I considered some of the alternative ways of financing the other proposals which the hon. Gentleman has listed in his document. I see the suggestion that we might have a combined rate of national insurance and taxation on "all personal income". I do not know how carefully that has been considered. If it means what it says, it means the ending of personal allowances, the bringing of 12 million more people into taxation, and presumably seeking to collect income tax on every tiny morsel of part-time income. Does the hon. Gentleman mean that? I do not believe that he knows what he means. If it does not mean that, what does it mean? It cannot mean anything else.

It the hon. Gentleman does not know the answer to that, let us return to the proposal about which he seems to have the answer and about which the rest of us are still mystified. I quote from the paragraph on housing allowance in his paper:

> "The level of benefit would relate directly to income, but only those on one and a half times average earnings would receive less assistance from housing allowance than they do now from mortgage interest tax allowance."

That is no slip of the tongue; it is in the roneod version of the document. It can mean only two things. One is that mortgage interest tax relief is to be abolished. The other is that people earning more than one and a half times average earnings — a minimum of nearly 2 million people—will get less help with their housing costs; in other words, they will not only lose their mortgage income tax relief, but will not be compensated in any way for that.

What I and my hon. Friends want to know—and, above all, what at least 2 million people in the country want to know — is whether that is what the hon. Member proposes to do. Will he tell us? There is only one conclusion to be drawn: that there is a clear-cut threat to a large number of people, running to millions, that they will have their housing assistance savagely cut in a form which will make nonsense of all the recent lip service about encouraging owner-occupation.

Mr. Meacher: That is pretty rum, coming from a Government who have produced the highest level of mortgage interest ever in this country and the lowest level of housing starts since the war, and who in the past few months have produced an increase in mortgage interest, as a result of a hike in interest rates, of £57·60 a month for those with a £30,000 mortgage. Perhaps the Minister would like to explain how that is helping owner-occupiers.

Mr. Newton: We now have a little more illumination on the hon. Gentleman's approach.

Mr. Harrison: On a point of order, Mr. Deputy Speaker. I thought that this was a National Health Service debate, not a housing debate. We were talking about the destruction of certain services. I did not know that the Department of the

[Mr. Harrison]

Environment was entering into the discussion. I thought that my hon. Friend the Member for Oldham, West (Mr. Meacher) was dealing with the health services and the social services. I did not know that the Minister spoke for the Department of the Environment——

Mr. Deputy Speaker (Sir Paul Dean): Order. It is a very wide-ranging debate.

Mr. Newton: It seems to range wider by the moment. The right hon. Member for Wakefield (Mr. Harrison) has raised another interesting question. Did the hon. Member for Oldham, West consult the shadow spokesman for the Environment? *[Interruption.]* I said "The right hon. Member for Wakefield," for whom I have the highest regard. If so, the shadow spokesman for the Environment was the luckiest bloke in the House.

We now have some further illumination of the hon. Gentleman's answer to the problem. He is to withdraw mortgage interest tax relief. He is to reduce the housing help to everybody earning above one and a half times average earnings. His apparent answer is to increase expenditure by £15 billion, thus driving up interest rates even further. Then he is to take away the assistance by reason of what he has to pay in interest charges. [HON. MEMBERS: "Rubbish."] If that is rubbish, it has not been denied. I have given the hon. Gentleman enough opportunities to deny it.

The position is this, and the whole House knows it. If there is a serious threat to the welfare state, it comes not from the Government—either now or in the future. It comes from the policies put forward by the hon. Gentleman and his hon. Friends in terms of a renewed surge of inflation, which would hit every pensioner and every less-well-off person harder than anything else. It comes from the threat of higher taxation at every level, which the hon. Gentleman has not denied, the consequences of which will be to raise even further the unhappy total of the unemployed. It is a threat to home ownership, and to all the wishes of people to exercise their own choices with their own money. That is the threat that we face. It is the threat of the hon. Gentleman's proposals. There is no threat from the Government's social security proposals.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 167, Noes 276.

Division No. 188] **[10.00 pm**

AYES

Abse, Leo
Anderson, Donald
Archer, Rt Hon Peter
Ashley, Rt Hon Jack
Ashton, Joe
Atkinson, N. *(Tottenham)*
Bagier, Gordon A. T.
Banks, Tony *(Newham NW)*
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Bell, Stuart
Benn, Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, Hugh D. *(Provan)*
Brown, Ron *(E'burgh, Leith)*
Buchan, Norman
Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carter-Jones, Lewis
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Concannon, Rt Hon J. D.
Conlan, Bernard
Cook, Robin F. *(Livingston)*
Corbett, Robin
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Cunliffe, Lawrence
Cunningham, Dr John
Davies, Rt Hon Denzil *(L'lli)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dobson, Frank
Dormand, Jack
Dubs, Alfred
Dunwoody, Hon Mrs G.
Eadie, Alex
Ellis, Raymond
Evans, John *(St. Helens N)*
Ewing, Harry
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gould, Bryan
Gourlay, Harry
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Central Fife)*
Harman, Ms Harriet
Harrison, Rt Hon Walter
Hart, Rt Hon Dame Judith
Healey, Rt Hon Denis
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Hoyle, Douglas
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Sean *(Knowsley S)*
Hughes, Simon *(Southwark)*
John, Brynmor
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kilroy-Silk, Robert
Lambie, David
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Lloyd, Tony *(Stretford)*
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKelvey, William
Mackenzie, Rt Hon Gregor
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Michie, William
Mikardo, Ian
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Nellist, David
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Park, George
Patchett, Terry
Pavitt, Laurie
Pendry, Tom
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Roberts, Ernest *(Hackney N)*
Robinson, G. *(Coventry NW)*
Rooker, J. W.
Rowlands, Ted
Ryman, John
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Short, Ms Clare *(Ladywood)*
Short, Mrs R. *(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, C. *(Isl'ton S & F'bury)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Stott, Roger
Strang, Gavin
Thomas, Dafydd *(Merioneth)*
Thomas, Dr R. *(Carmarthen)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wardell, Gareth *(Gower)*
Wareing, Robert
Weetch, Ken
Welsh, Michael
White, James
Wigley, Dafydd
Williams, Rt Hon A.
Winnick, David
Young, David *(Bolton SE)*

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. Allen MacKay.

NOES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Benyon, William
Best, Keith
Biffen, Rt Hon John

Blackburn, John
Blaker, Rt Hon Sir Peter
Body, Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brooke, Hon Peter
Browne, John
Bruinvels, Peter
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butterfill, John
Carlisle, John *(N Luton)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clark, Hon A. *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Cope, John
Cormack, Patrick
Couchman, James
Cranborne, Viscount
Critchley, Julian
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
Dunn, Robert
Durant, Tony
Dykes, Hugh
Edwards, Rt Hon N. *(P'broke)*
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Marcus
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Galley, Roy
Gardiner, George *(Reigate)*
Gardner, Sir Edward *(Fylde)*
Glyn, Dr Alan
Goodhart, Sir Philip
Goodlad, Alastair
Gorst, John
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, John Selwyn
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Heddle, John
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howard, Michael
Howarth, Alan *(Stratf'd-on-A)*
Howell, Rt Hon D. *(G'ldford)*
Hubbard-Miles, Peter
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irving, Charles
Jackson, Robert
Jones, Robert *(W Herts)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter, *(Fareham)*
McCrindle, Robert
Macfarlane, Neil
MacKay, John *(Argyll & Bute)*
McQuarrie, Albert
Madel, David
Major, John
Malone, Gerald
Marland, Paul
Mather, Carol
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Merchant, Piers
Meyer, Sir Anthony
Mills, Sir Peter *(West Devon)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Moate, Roger
Molyneaux, Rt Hon James
Morrison, Hon C. *(Devizes)*
Nelson, Anthony
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Norris, Steven
Ottaway, Richard
Parkinson, Rt Hon Cecil
Parris, Matthew
Patten, Christopher *(Bath)*
Patten, J. *(Oxf W & Abdgn)*
Peacock, Mrs Elizabeth
Percival, Rt Hon Sir Ian
Porter, Barry
Powell, Rt Hon J. E. *(S Down)*
Powley, John
Price, Sir David
Prior, Rt Hon James
Raffan, Keith
Rathbone, Tim
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spencer, Derek
Spicer, Jim *(W Dorset)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Stewart, Ian *(N Hertf'dshire)*
Stradling Thomas, J.
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Terlezki, Stefan
Thatcher, Rt Hon Mrs M.
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Walters, Dennis
Wardle, C. *(Bexhill)*
Warren, Kenneth
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitney, Raymond
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Tristan Garel-Jones and
Mr. Michael Neubert.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 33 (Questions on amendments)*:—

The House divided: Ayes 274, Noes 184.

Division No. 189] **[10.14 pm**

AYES

Adley, Robert
Aitken, Jonathan
Alexander, Richard
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Ancram, Michael
Arnold, Tom
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Bendall, Vivian
Benyon, William
Best, Keith
Biffen, Rt Hon John
Blackburn, John
Blaker, Rt Hon Sir Peter
Body, Richard
Bonsor, Sir Nicholas
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brooke, Hon Peter
Browne, John
Bruinvels, Peter
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.

Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Butterfill, John
Carlisle, John *(N Luton)*
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Channon, Rt Hon Paul
Chapman, Sydney
Chope, Christopher
Churchill, W. S.
Clark, Hon A. *(Plym'th S'n)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Cope, John
Cormack, Patrick
Couchman, James
Cranborne, Viscount
Critchley, Julian
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dover, Den
Dunn, Robert
Dykes, Hugh
Edwards, Rt Hon N. *(P'broke)*
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman
Fox, Marcus
Fraser, Peter *(Angus East)*
Freeman, Roger
Fry, Peter
Gale, Roger
Galley, Roy
Gardiner, George *(Reigate)*
Gardner, Sir Edward *(Fylde)*
Garel-Jones, Tristan
Glyn, Dr Alan
Goodlad, Alastair
Gorst, John
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Griffiths, E. *(B'y St Edm'ds)*
Griffiths, Peter *(Portsm'th N)*
Grist, Ian
Ground, Patrick
Grylls, Michael
Gummer, John Selwyn
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Havers, Rt Hon Sir Michael
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Heddle, John
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hogg, Hon Douglas *(Gr'th'm)*
Holland, Sir Philip *(Gedling)*
Holt, Richard
Hordern, Peter
Howard, Michael
Howarth, Alan *(Straf'd-on-A)*
Howell, Rt Hon D. *(G'ldford)*
Hubbard-Miles, Peter
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irving, Charles
Jackson, Robert
Jones, Robert *(W Herts)*
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lamont, Norman
Latham, Michael
Lawler, Geoffrey
Lawrence, Ivan
Lawson, Rt Hon Nigel
Lee, John *(Pendle)*
Leigh, Edward *(Gainsbor'gh)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter, *(Fareham)*
McCrindle, Robert
Macfarlane, Neil
MacKay, John *(Argyll & Bute)*
McQuarrie, Albert
Madel, David
Major, John
Malone, Gerald
Marland, Paul
Mather, Carol
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Merchant, Piers
Meyer, Sir Anthony
Mills, Sir Peter *(West Devon)*
Miscampbell, Norman
Mitchell, David *(NW Hants)*
Moate, Roger
Molyneaux, Rt Hon James
Morrison, Hon C. *(Devizes)*
Nelson, Anthony
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Norris, Steven
Ottaway, Richard
Parkinson, Rt Hon Cecil
Parris, Matthew
Patten, Christopher *(Bath)*
Patten, J. *(Oxf W & Abdgn)*
Peacock, Mrs Elizabeth
Percival, Rt Hon Sir Ian
Porter, Barry
Powell, Rt Hon J. E. *(S Down)*
Powley, John
Price, Sir David
Raffan, Keith
Rathbone, Tim
Rhys Williams, Sir Brandon
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Robinson, Mark *(N'port W)*
Roe, Mrs Marion
Rossi, Sir Hugh
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sainsbury, Hon Timothy
St. John-Stevas, Rt Hon N.
Sayeed, Jonathan
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Shepherd, Colin *(Hereford)*
Shepherd, Richard *(Aldridge)*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Speller, Tony
Spencer, Derek
Spicer, Jim *(W Dorset)*
Spicer, Michael *(S Worcs)*
Squire, Robin
Stanbrook, Ivor
Steen, Anthony
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Stewart, Ian *(N Hertf'dshire)*
Stradling Thomas, J.
Sumberg, David
Taylor, John *(Solihull)*
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Terlezki, Stefan
Thatcher, Rt Hon Mrs M.
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, Patrick *(N'ich N)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Twinn, Dr Ian
van Straubenzee, Sir W.
Vaughan, Sir Gerard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Walker, Rt Hon P. *(W'cester)*
Waller, Gary
Walters, Dennis
Wardle, C. *(Bexhill)*
Warren, Kenneth
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Whitney, Raymond
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wolfson, Mark
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Ayes:
Mr. Ian Lang and
Mr. Tony Durant.

NOES

Abse, Leo
Alton, David
Anderson, Donald
Archer, Rt Hon Peter
Ashley, Rt Hon Jack
Ashton, Joe
Atkinson, N. *(Tottenham)*
Bagier, Gordon A. T.
Banks, Tony *(Newham NW)*
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Beith, A. J.
Bell, Stuart
Benn, Tony
Bennett, A. *(Dent'n & Red'sh)*
Bermingham, Gerald
Bidwell, Sydney
Blair, Anthony
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, Hugh D. *(Provan)*
Brown, Ron *(E'burgh, Leith)*
Buchan, Norman
Caborn, Richard
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carlile, Alexander *(Montg'y)*
Carter-Jones, Lewis
Cartwright, John
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Concannon, Rt Hon J. D.
Cook, Robin F. *(Livingston)*
Corbett, Robin
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Cunliffe, Lawrence
Cunningham, Dr John
Davies, Rt Hon Denzil *(L'lli)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dobson, Frank
Dormand, Jack
Dubs, Alfred
Dunwoody, Hon Mrs G.
Eadie, Alex
Ellis, Raymond
Evans, John *(St. Helens N)*
Ewing, Harry
Faulds, Andrew
Field, Frank *(Birkenhead)*
Fields, T. *(L'pool Broad Gn)*
Flannery, Martin
Foot, Rt Hon Michael
Forrester, John
Foster, Derek
Foulkes, George
Fraser, J. *(Norwood)*
Freud, Clement
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Golding, John
Gould, Bryan
Gourlay, Harry

Hamilton, James *(M'well N)*	Owen, Rt Hon Dr David
Hamilton, W. W. *(Central Fife)*	Park, George
Hancock, Mr. Michael	Patchett, Terry
Harman, Ms Harriet	Pavitt, Laurie
Harrison, Rt Hon Walter	Pendry, Tom
Hart, Rt Hon Dame Judith	Penhaligon, David
Healey, Rt Hon Denis	Pike, Peter
Heffer, Eric S.	Powell, Raymond *(Ogmore)*
Hogg, N. *(C'nauld & Kilsyth)*	Prescott, John
Holland, Stuart *(Vauxhall)*	Randall, Stuart
Home Robertson, John	Redmond, M.
Hoyle, Douglas	Rees, Rt Hon M. *(Leeds S)*
Hughes, Robert *(Aberdeen N)*	Richardson, Ms Jo
Hughes, Roy *(Newport East)*	Roberts, Allan *(Bootle)*
Hughes, Sean *(Knowsley S)*	Roberts, Ernest *(Hackney N)*
Hughes, Simon *(Southwark)*	Robinson, G. *(Coventry NW)*
John, Brynmor	Rooker, J. W.
Johnston, Russell	Rowlands, Ted
Jones, Barry *(Alyn & Deeside)*	Ryman, John
Kaufman, Rt Hon Gerald	Sedgemore, Brian
Kennedy, Charles	Sheerman, Barry
Kilroy-Silk, Robert	Sheldon, Rt Hon R.
Kirkwood, Archy	Short, Ms Clare *(Ladywood)*
Lambie, David	Short, Mrs R. *(W'hampt'n NE)*
Leadbitter, Ted	Silkin, Rt Hon J.
Leighton, Ronald	Skinner, Dennis
Lewis, Ron *(Carlisle)*	Smith, C. *(Isl'ton S & F'bury)*
Lewis, Terence *(Worsley)*	Snape, Peter
Litherland, Robert	Soley, Clive
Lloyd, Tony *(Stretford)*	Spearing, Nigel
Loyden, Edward	Steel, Rt Hon David
McCartney, Hugh	Stewart, Rt Hon D. *(W Isles)*
McDonald, Dr Oonagh	Stott, Roger
McKelvey, William	Strang, Gavin
Mackenzie, Rt Hon Gregor	Thomas, Dafydd *(Merioneth)*
Maclennan, Robert	Thomas, Dr R. *(Carmarthen)*
McNamara, Kevin	Thompson, J. *(Wansbeck)*
McTaggart, Robert	Thorne, Stan *(Preston)*
McWilliam, John	Tinn, James
Madden, Max	Torney, Tom
Marek, Dr John	Wainwright, R.
Marshall, David *(Shettleston)*	Wallace, James
Mason, Rt Hon Roy	Wardell, Gareth *(Gower)*
Maxton, John	Wareing, Robert
Maynard, Miss Joan	Weetch, Ken
Meacher, Michael	Welsh, Michael
Meadowcroft, Michael	White, James
Michie, William	Wigley, Dafydd
Mikardo, Ian	Williams, Rt Hon A.
Mitchell, Austin *(G't Grimsby)*	Winnick, David
Morris, Rt Hon A. *(W'shawe)*	Wrigglesworth, Ian
Morris, Rt Hon J. *(Aberavon)*	Young, David *(Bolton SE)*
Nellist, David	
Oakes, Rt Hon Gordon	Tellers for the Noes:
O'Brien, William	Mr. Frank Haynes and
O'Neill, Martin	Mr. Allen McKay.

Question accordingly agreed to.

Mr. Deputy Speaker *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

'That this House notes the Government's commitment to improving the Social Security and Health care systems in this country as shown by increased spending on the National Health Service and increased benefit levels for pensioners and others; supports the Government's aim of reducing the burden of taxation and National Insurance contributions especially for the lower paid; notes the Opposition's plans to end mortgage tax relief and increase income tax and National Insurance contributions; and congratulates the Government on having set in hand the most thorough review of the Social Security system for 40 years'.

The Planning System

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Garel-Jones.]*

10.26 pm

Mr. Peter Thurnham (Bolton, North-East): This is the second time that I have been called for an Adjournment debate, and on both occasions I have been doubly fortunate. The first occasion was the day after the House had been suspended and the previous day's Adjournment debate had been lost. On this occasion, I nearly lost the notes for my speech on a District line train at six o'clock on Friday morning. The quick wits of Mr. Kingham, the station foreman at South Kensington station, together with the alertness of Mr. McConnachie of Baron's Court station saved the papers that I had inadvertently mislaid. When I read the Government's report "Burdens on Business", I thought that many of our obsolete planning restrictions should be lost.

It is estimated by Barclays bank that unnecessary planning delays and restrictions cost £1,000 million per annum. The *Financial Times* estimated that perhaps 1 million jobs have been lost in the past five years through restrictions on business. I have received complaints in my constituency about delays to business through planning restrictions, and that is why I have chosen the subject of simplyfying the planning system for my debate tonight.

Furthermore, from my experience in building up a business employing over 500 people, I know the extreme frustration caused by unnecessary legislative restrictions, delays and uncertainties. I shall be pleased to hear what my hon. Friend the Under-Secretary of State for the Environment has to say about the Government's intentions to act, as I hope that they will, on their "Burdens on Business" report. I am happy to put forward a 10-point action plan to improve employment prospects both in my constituency and elsewhere in the country.

First, I feel that Parliament should remove the beam from its eye. We should rid ourselves of all surplus planning and other legislation. I support the proposals put forward last Wednesday by my noble Friends in the other place to set up a Joint Standing Committee of both Houses to prepare a miscellaneous provisions Bill as an annual springclean of Government legislation to clear away all redundant legislation that causes unemployment. For example, we should not have a law that forces the tiniest limited liability companies to go to the expense of preparing and filing annual statutory audited accounts. We should not put the same expenses on the smallest and on the largest companies.

Secondly, new legislation to streamline existing procedures is needed. For instance, fire regulations should be covered by a general statutory duty enforced with as much freedom of choice and by the same authority as will enforce the new building regulations. The fire insurance companies could act in the same way as garages which issue MOT certificates for vehicles.

Thirdly, we should enact the legislation for simplified planning zones so that councils can use this option to take the initiative in granting planning permission in advance of an application. Governments should be empowered to declare compulsory SPZs in areas where planning authorities are clearly inefficient. I am glad to say that the London boroughs are at the bottom of the efficient list, while northern authorities are the more efficient. The long

[Mr. Peter Thurnham]

delays over the London STOLport are an example of how Governments should streamline the appeal process. Mowlem did all its preliminary work and put in its planning application in no more than 12 months, but it has been kept waiting for more than two and a half years for planning permission. Not only Londoners but northerners and other provincial travellers look forward to using this airport sooner rather than later. Mowlem deserves better treatment for its initiative, which is now waiting for the Government's decision.

Fourthly, we should amend the 1971 Act to make it easier for small businesses to make small extensions of up to, say, 15 per cent. and for local authorities to grant changes-of-use planning permission, especially for mixed use and from warehouse to general industrial use as well as from general industrial to warehouse use. From my experience, I know the difficulty of finding premises that are 50 per cent. office and 50 per cent warehouse. Yet these are the sort of premises that are most needed by many of the new technologies.

Fifthly, we should remove the powers of local authorities to prevent council house tenants from starting businesses in their own homes, as long as it does not in any way offend our common laws of nuisance, noise and so on. Millions of tenants are denied the chance to start a business in their spare time or to employ themselves usefully at home if they become unemployed. No wonder there is so much vandalism and hooliganism if people are not allowed to occupy themselves usefully. In my constituency, many empty council houses are boarded up because no wants to live in them. Why not allow these buildings to be usefully occupied by small businesses, instead of being used as targets for vandals with nothing else to do? Council house tenants should not have to worry if some one is using a typewriter or computer next door, so long as there is no noise or nuisance.

Sixthly, we should put more teeth into the planning circulars issued to local authorities. For instance, circular No. 22/80 says that councillors should not make the mistake of

> "enforcing the rigid separation of employment and services—especially small scale — from the residential communities which they support".

In practice, the opposite happens. A playgroup run by Mr. and Mrs. Whenlock from their home in Egerton was opposed by Socialists on the council on the grounds that that it was a business in a residential area. Where should a playgroup be but in the community that it serves? It is all very well for councillors to attempt to protect local interests and for officials to protect their structure plans, but it is central Government who have to pick up the bills for the unemployment that results. If unemployment benefit had to be paid out of the local rates, local planners would have a real incentive to encourage small businesses instead of standing in their way.

Seventhly, I should like my hon. Friend the Under-Secretary of State to introduce a timetable for district authorities to produce individual unitary plans to replace the metropolitan structure plans. Bolton council has an opportunity in 1986 to rid itself of the straitjacket of the Greater Manchester council structure plan and provide development opportunities, free of constraints from imagined fears about the effect on other districts.

Eighthly, we should empower the officers of local authorities to issue immediate planning permission, only refusals and appeals going to committee. Eight weeks is too long to delay for most small businesses, which want immediate decisions. Councillors should appoint officers of the right calibre to make quick decisions themselves, and only refer to the committee the refusals and appeals. There is no need for every single application to be delayed for a committee decision. Councillors should be content to see the list of decisions, and bring to committee only those that they oppose.

Ninthly, we should ensure that when decisions go to appeal, the councils bear the costs when the decisions go against them. That would discourage councils from being so restrictive and from forcing small businesses to incur costs which they cannot afford.

Tenthly, councils should not be tempted to act as large-scale developers. They should be compelled to dispose of surplus land holdings and discouraged from acting so as to lay themselves open to allegations of misuse of their powers as planning authorities by attempting to dictate the development of their own sites. A tendency to draw magic lines on the map means that in a town such as Bolton perfectly sensible schemes to redevelop eye-sores such as Prospect Mill are opposed because they do not fit in with the council's preconceived ideas. Tens of millions of pounds of development could get under way immediately in Bolton, with jobs for many hundreds of people, if the council was not so blinded by its excitement over the Bark street project, worthy as that may be.

I shall give some examples of the problems and delays caused by planners. For 10 years the retailer MFI was prevented from coming to Bolton. Recently, the proprietor of another firm, a frozen food business, has been told that he must wait three years before he can have a suitable site in Bolton. An exciting new development such as Dave's Aquarium, the largest retail aquarium in Europe, was held up because the GMC structure plan made no provision for novel opportunities made possible by cheap air freight from the far east. An entrepreneur, Mr. Fred Bridge, is wondering whether it is worth all the hassle to go ahead with his next new project, which would employ 100 people.

I believe that Bolton council is probably better than most councils in wishing to encourage employment, but its answer to these questions is:

> "It is important to have a consistent policy framework to ensure that incompatible uses are avoided."

But what is consistent or compatible about Bolton's 17,000 unemployed people? Where is the plan that encourages the initiative to provide employment? Where is the plan for 17,000 jobs?

In conclusion, we were once thought of as having the finest planning system in the world, but it did not plan for 3 million unemployed. The recent publication, "The Cambridge Phenomenon," helps to explain why. In the 1950s and 1960s Cambridge council had a policy of restricting any individual business in Cambridge from taking on more than five extra employees. Indeed, IBM, the world's leading computer manufacturer, was refused planning permission to establish its European research headquarters in Cambridge. The whole country is now paying the price for such attitudes. But I wonder whether we are any better at planning today. Do we still have two worlds: the world of the planners and the real world?

Next month we have Enterprise Week, and 1986 is designated as Industry Year. I hope that both occasions will see a bonfire made of restrictions. If not, both taxpayers and the unemployed should rise up and demand to be freed from the bonds that tie us all down.

10.38 pm

The Parliamentary Under-Secretary of State for the Environment (Mr. Neil Macfarlane): I am grateful to my hon. Friend the Member for Bolton, North-East (Mr. Thornham) for the way in which he introduced this important subject, and I congratulate him on his shopping list and on the 10 points that he raised. I shall certainly take note of them.

This subject is very important and highly topical. Simplifying the planning system is a subject of national and local interest. Whether one is a developer, employer, householder or someone who enjoys good countryside and good architecture, it is vital that the development control system is easy to use, effective and efficient.

My hon. Friend mentioned a number of cases in which he suggests local planning authorities have been less than helpful to businesses seeking to expand. I am sure he will understand that it is difficult for me to comment on particular cases, although many of those that he quoted tonight are familiar to me, because he has, as a diligent Member of Parliament, approached me about the background. Obviously many of the details are important, and I shall be glad to look into them separately and write to him about them at a later stage. I should also be glad to write to him more fully about many of the points that he has raised tonight. It might be helpful, in that context, if I emphasised just how much we have already achieved in this field.

The Government have done much to make the planning system more efficient. About 90 per cent. of all applications are now granted and 70 per cent. of decisions are issued within eight weeks. The appeal system, administered by my Department, exists to ensure that over-zealous refusals of permission are promptly remedied. The whole country is now covered by up-to-date development plans which set a coherent context for decisions on individual applications.

The system and its operation can, and will, be further improved. There have, however, already been impressive achievements, and I shall set the background to the situation. Local planning authorities continue to deal with over 400,000 applications every year, and since 1979 the proportion decided within eight weeks has risen by 17 per cent. The number of appeals received by my Department was 25 per cent. higher last year than in 1979, and the number of full-time planning inspectors employed to deal with them was 10 per cent. lower, yet the great majority of appeals were still decided more speedily. These figures represent the cumulative effect of many small decisions and improvements in efficiency, each one in itself perhaps unspectacular, but the whole now reaping sound rewards in terms of speedier decisions and an earlier response to the developer.

Improvements in management have played their part. They have done this within the context of a more flexible framework. In 1979 we introduced the Local Government Planning and Land Bill, which concentrated development control functions at district council level and simplified procedures for the adoption of local plans. In 1980 we issued a new circular revising the basic ground rules for development control and giving special emphasis to the need for a positive approach, for efficient decision-making and for the application of sensible yardsticks in dealing with the sometimes difficult issues of small firms, housing land and the enforcement of control.

Also in 1980, we issued a consultation paper on streamlined appeal procedures, a paper which we followed up with a management consultants' study, with many detailed changes of practice and with the issue of a circular stressing the value of early appeal decisions.

In 1981, we revised the Town and Country Planning General Development Order, increasing the range of home and industrial extensions which can be built without the need to make a planning application, and creating new rights to use small warehouses as industrial buildings and vice versa, a point raised by my hon. Friend, and I shall be happy to develop it in correspondence with him in due course.

Also in 1981 were the new regulations transferring all classes of planning appeal to planning inspectors for decision. Since then only 5 per cent. of cases have had to be recovered for detailed consideration in my Department, which has meant substantially quicker decisions on many appeals.

Within the last couple of years we have put out a new code of practice on the determination of planning applications, which has made a contribution to the progress which planning authorities have made in this area. We have issued a new booklet of guidance for industrial developers, coupled with a hard-hitting circular on industrial development. We have puplished a new memorandum giving detailed guidance on the content and procedures of structure and local plans.

Early this year we gave comprehensive new advice, for the first time in 17 years, on the use of planning conditions, emphasising their crucial role in allowing development to proceed and the importance of ensuring that the restrictions they impose on development are confined to what is strictly necessary.

These measures have been effective and successful, but there can be no complacency in trying to improve the planning system. That system has a complex task. It must preserve our heritage in the towns and in the countryside, it must maintain and improve the amenity of the public , and it must be quickly responsive to the changing needs of society for new developments and new land uses which will contribute to economic growth and the provision of jobs. These objectives are not always easy to reconcile, but we must be alert to every opportunity which will allow us to streamline the system. We have not been backward in trying new approaches.

In the Local Government Planning and Land Act, for example, we took powers to create new enterprise zones, where a scheme could grant a general and broadly-based planning permission so that developers could go straight ahead with their projects without awaiting the determination of an application. The enterprise zone idea has been a great success. An independent report commissioned by my Department and published last year shows that, even then, 10,000 new jobs in just over 1,000 firms had been attracted in the first 11 zones. The house will appreciate that not everywhere can be an Enterprise Zone.

We have now suggested building on the success of the enterprise zones by creating a new type of zone, a simplified planning zone, with a planning scheme which, once adopted by the local authority, will act to grant a

[Mr. Neil Macfarlane]

similar broadly-based permission tailored to the area involved and in many cases eliminating the need to seek specific permission.

Last year, when we consulted on simplified planning zones, we also sought comments on another idea to reduce the scope of control in line with local circumstances. This proposal would involve, where planning permission could be granted for a number of alternative uses on the same site, an ability to change freely between those uses once the original permission was granted, with no need to go back to the planning authority for a fresh permission on each occasion. A provision of this kind would be particularly useful for some new technology firms, a point mentioned by my hon. Friend as one of his 10 conditions for improvement.

Both of these proposals would enable us to make important advances in reducing unnecessary regulatory controls. Both my hon. Friend and I want this. It can be done in a way which can be carefully tailored to the circumstances of each case and each area. We are still considering responses to consultation on simplified planning zones, and I am certain that my hon. Friend will appreciate that I cannot comment further at this stage on his remarks about them. If, having considered the results of consultation, we proceed with our SPZ proposals, I hope that we shall find an early opportunity in the next Session to translate both of these new ideas into legislation.

I do not intend, however, that we should await that opportunity before taking further steps to reduce unnecessary burdens in the planning field, for although much has already been achieved it is clear that further opportunities for streamlining are now before us.

My hon. Friend laid stress in his remarks on the need for planning control to be particularly responsive to the needs of small businesses. I echo his sentiments 100 per cent. Our principal circular on development control policy, circular 22/80, places great emphasis on small firms and their problems, and I am glad to reaffirm its message this evening. Small businesses are important in themselves, in their economic contribution and in creating jobs. If allowed to grow they can multiply the benefits they provide. Planning control must not stand needlessly in their way. Old-fashioned prejudices against commerce in residential areas or the countryside, or against people working from home, must not be allowed to stand in the way of enterprises. Many small firms are perfectly acceptable in such circumstances, although there will obviously be cases where the impact of a business on amenity is unacceptable. We have made our policy clear on these matters and we will impose it through the appeal system. But there is more that we can and will do.

Let me take the example of telecommunications, a new and burgeoning industry with which I know my hon. Friend is familiar and one which involves many small firms in many different roles.

The liberalisation of telecommunications and the promotion of growth and competition in this field inevitably raise planning issues. It is an area of rapid technological change and we have to respond to innovations such as cellular radio, broadband cable TV and microwave systems. Planning policies must ensure that no unnecessary impediments and obstacles lie in the way of such developments, since development, very prominently in this field, represents economic growth, new jobs and greater prosperity. In 1982 a special development order was made which granted planning permission for the carrying out of development for the Mercury system on British Rail land. This was a most important step within deregulation.

A number of broader charges are currently in hand to ensure that the planning system reflects the needs of today and does not subject minor telecommunications development to otiose procedures and regulatory impediment. Our proposals will mean that all telecommunications operators with a public service obligation under the terms of their telecommunications licence will enjoy freedom from planning control when installing apparatus such as wires, poles, ducts, and smaller masts and antennae, subject to reasonable size and other limits.

This will be achieved by amendments to the Town and Country Planning General Development Order to be introduced in the next few months. The order will also be amended to permit other users of telecommunications, again without the need for a planning application, to install microwave and satellite dish antennae on larger buildings. We intend to take a very close look at any further procedures which may be necessary, because we recognise fully their effects on small firms.

My hon. Friend will be familiar with the report, published last month, of the Government's scrutiny of legislative and administrative burdens on business—he touched upon this in his remarks—and in particular their impact upon small firms. He will know the welcome which that report gave to our proposals to introduce simplified planning zones and greater freedom to change the use of buildings. We will be examining the other proposals in that report very carefully over the coming months and seeing how much we can add to them to create a package which has a real impact on the problems of small firms. But I would like to announce today two specific initiatives which I intend to take to ease the impact of the planning system on small firms.

First, I intend to issue a new circular to local planning authorities giving further guidance on the treatment of small firms. In part this will be a statement of good practice, drawing firmly to the attention of authorities the problems that businesses have in finding out what is expected of them, and by whom. But in part it will be a statement of policy which authorities will be obliged under the planning Acts to take into account in their decisions. It will reaffirm and elaborate on existing advice and make it clear that the planning approach to business development must be positive, not protectionist.

Secondly, I propose to publish a new handbook which will tell small business men, in a clear and down-to-earth way, what to expect of the planning system, when they need permission, and how to go about getting it when they do.

We have already achieved a great deal in making the planning system more prompt, more efficient and more responsive to enterprise. It is becoming clear that one of the major remaining problems is the difficulty which planners have in understanding what it is like to run a small business and that which entrepreneurs have in finding their way around the planning system. This is a real problem. It can lead to firms buying premises which are quite unsuitable in planning terms, failing to present a proper case for permission, believing permission is needed when it is not and suffering enforcement action unnecessarily.

It can lead to firms failing and to jobs being lost. I fully accept the figure given by my hon. Friend in his opening remarks. The Government are making a real effort to improve understanding, and our new circular and handbook will make a real contribution to that effort.

My hon. Friend has often expressed his concern in the past about building regulations both formally and informally. The Government are already engaged on a fundamental review of the building regulations. The object of the review is the simplication of building control procedures and their requirements. The first stage of the review will be completed later this year when new building regulations will be made. The new regulations will be much simpler in form than the current ones. They will give complete exemption to many more kinds of work. They will introduce quicker, less detailed procedures and they will also provide for private certification of building work by approved inspectors as an alternative to local authority control.

The new regulations will be supported by documents giving clear, practical guidance on how to comply with the requirements. All those improvements, making the regulations simpler to understand and quicker to use and exempting some work altogether, will, I hope, be of help to small businesses.

In the first stage of the review we have recast the existing requirements in the way that I have described. The next stage, which is about to start, will be to review the scope and content of the regulations to see that they are the minimum required to ensure reasonable standards of health and safety for people in and around buildings. That part of the review will cover all the requirements in the regulations, including those on fire safety.

There is obviously no intention here of abandoning basic safety standards, but there is scope for making the regulations simpler and less onerous. The scrutiny of administrative burdens on small businesses has pointed the way and highlighted in particular the problems of the conversion of existing buildings for commercial use. That scrutiny recommended that the Department's review should proceed with all speed, and that is the Government's intention.

The simplification of the planning system is the subject of the debate and that is the Government's strategy. I shall develop many of the points that my hon. Friend has raised tonight in correspondence with him, but I am grateful to him for giving the House the opportunity of discussing this important subject. It is our intention to make all haste. Simplifying the planning system is one of the most integral and important means that we have to regenerate the economy at all levels.

Question put and agreed to.

Adjourned accordingly at seven minutes to Eleven o'clock.

House of Commons

Tuesday 23 April 1985

The House met at half-past Two o'clock

The Clerk at the Table informed the House of the unavoidable absence, through illness, of MR. SPEAKER *from this day's sitting.*

Whereupon MR. HAROLD WALKER, THE CHAIRMAN OF WAYS AND MEANS, *proceeded to the Table and, after Prayers, took the Chair, as* DEPUTY SPEAKER, *pursuant to the Standing Order.*

PRIVATE BUSINESS

KING'S COLLEGE LONDON BILL *[Lords]*

LUTON BOROUGH COUNCIL BILL *[Lords]*

Read a Second time and committed.

Oral Answers to Questions

EDUCATION AND SCIENCE

Truancy

1. **Mr. Hayes** asked the Secretary of State for Education and Science when he expects to announce the details of his renewed effort to tackle truancy, as promised in the White Paper "Better Schools".

The Parliamentary Under-Secretary of State for Education and Science (Mr. Bob Dunn): As my right hon. Friend said in reply to a question from my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) on 22 March, at column 626, a draft circular on school attendance and education welfare services was sent on 21 March to local authority and teacher associations and to other relevant organisations. Comments on the document have been sought by the end of June and it is hoped that the final version of the circular will be issued soon after that date.

Mr. Hayes: Does my hon. Friend agree that the problem of truancy is particularly worrying in the fourth and fifth years, especially in the light of a recent report that in Salford schools 20 per cent. non-attendance occurs every day? Does my hon. Friend regret the shocking fact that today's truant is very often tomorrow's unemployed, and, worse still, tomorrow's unemployable?

Mr. Dunn: I am grateful to my hon. Friend for bringing to my attention and that of the House the report on the school in the city of Salford. I undertake that inquiries will be made. I am sure that the House will accept his other observation as well. There are a number of reasons why young people play truant from school, and we are grappling with the causes in many ways. I hope that, in future, many people who encourage children to play truant, whether parents, employers or others, will think long and wisely about their action in taking young people out of the classroom, which can only be to the detriment of the young people concerned.

Mr. Flannery: Is it not clear that the lack of motivation for many young people in schools, which stems from the knowledge that they will be thrown on the scrapheap as soon as they leave school, with no job to go to, is one of the main causes of truancy? Is it not also clear that a better pupil-teacher ratio, so that children can be better taught, particularly at that age, would be helpful? When the Minister has handled that problem, will he deal with the truancy in this place, which is enormous compared with that in schools?

Mr. Dunn: My responsibilities do not extend to the House. The hon Gentleman's interpretation is, as usual, far too simplistic and therefore unhelpful. There are a variety of reasons why young people play truant, and we should address our minds to those matters rather than make party political points.

Mr. Favell: Does my hon. Friend agree that one of the best ways to combat truancy is to improve the quality, and not the quantity, of teachers, as the better the teacher the easier it is to maintain the interest of a pupil?

Mr. Dunn: I agree, and we are attempting to make the curriculum broader and more relevant and attractive to young people who are, to use the vernacular, turned off by what happens in schools today. My hon. Friend is right in his interpretation of what is needed.

Mr. Skinner: Is the Minister aware that since the end of the war the level of truancy in shire county schools has hardly changed, by and large, taking into account areas such as that covered by the Derbyshire education authority? Will he bear in mind that I agree with my hon. Friend the member for Sheffield, Hillsborough (Mr. Flannery) that it is bordering on hypocrisy for Tory Members to talk about absenteeism when some hon. Members turn up for less than 30 per cent. of the time —*[Interruption]* like the leader of the SDP, who voted in only 30 per cent. of all the Divisions in the last parliamentary Session?

Mr. Dunn: There was an Opposition debate yesterday on the social services, during which the Opposition Benches were empty. If the proportions had remained the same as they were in 1945, far too many young people would still be playing truant from school.

Universities (Jarratt Report)

2. **Mr. Andrew F. Bennett** asked the Secretary of State for Education and Science if he will make a statement on the Jarratt report about efficiency in universities.

The Parliamentary Under-Secretary of State for Education and Science (Mr. Peter Brooke): Sir Alexander Jarratt's steering committee for efficiency studies in the universities, which was set up by the Committee of Vice-Chancellors and Principals, has produced recommendations which merit serious and early consideration by those to whom they are addressed. My right hon. Friend will be considering with the CVCP and the University Grants Committee how the report can best be pursued.

Mr. Bennett: Does the Minister not agree that the Jarratt report indicted the Government for the way in which they had imposed the 1981 cuts, which led not to greater efficiency within the universities, but to short-term

inefficiency, and took the view that if the Government continue to insist that university resources should be cut by 1 or 2 per cent. each year the situation will become even worse? Was not the strongest recommendation of the report the suggestion that we should return to a quinquennial review system so that the universities could have a continual re-assessment of funding, on level terms at least?

Mr. Brooke: The Government accept that they must give the best possible indication of longer-term policies for higher education. However, the difficulties of providing precise funding indications are the same for higher education as for other public expenditure programmes. Planning requires the management of resources in circumstances of uncertainty. The Green Paper on higher education policy, which the Government hope to publish shortly, and the subsequent discussions, will help to set the scene for the development of higher education policy into the next decade.

Mr. Jim Callaghan: After the publication of the study of efficiency in the universities, is it the Minister's intention to produce a Green Paper on scientific research in the universities? If so, when does he propose to introduce it?

Mr. Brooke: The Green Paper which my right hon. Friend proposes to publish on higher education, which will be issued shortly, will certainly cover that subject.

Mr. Pawsey: How much funding is reaching the universities from industry? Is my hon. Friend aware of what has taken place at Warwick university, especially at the business school and the science park there? Does my hon. Friend appreciate how much funding is reaching our universities from private sources?

Mr. Brooke: I can give my hon. Friend the encouraging news that since 1979 contributions to universities from private sources of one sort or another have risen by 18 per cent. in real terms.

Education Needs (Bradford)

3. **Mr. Madden** asked the Secretary of State for Education and Science if he will make additional resources available to meet education needs in Bradford.

Mr. Dunn: It is for Bradford to provide for education within the total resources available to the authority.

Mr. Madden: Does the Minister appreciate that the education crisis in Bradford does not flow from the parents, from a headmaster who has insulted many of his pupils' parents and caused them to lose confidence in him, or from teachers and pupils who are trying to work together in schools, many of which are old, dilapidated, overcrowded, under-staffed and seriously under-equipped? When will the Government give Bradford the money to combat its education crisis and enable it to give the young people there a decent start in life and provide the education which parents are fully entitled to expect for their children?

Mr. Dunn: I am fully aware of the problems at Bradford, but it is for the authority to balance its judgment of the need to spend on services against the interests of the local ratepayer.

Mr. Galley: My hon. Friend is fully aware of the difficulties of multi-racial education in Bradford and other parts of west Yorkshire, and the issues raised by the disgraceful hounding of Mr. Honeyford. In a number of instances in west Yorkshire and Bradford there are racial minorities within a school with a large ethnic majority. Will my hon. Friend issue guidance to local education authorities to ensure that they adopt an even-handed approach and give the educationally disadvantaged special attention, whether they are brown, black, yellow or white?

Mr. Dunn: We are concerned about disadvantaged children, irrespective of their background. The House ought to know that the Department of Education and Science is currently investigating Mr. Honeyford's case under section 68 of the Education Act 1944. In view of my right hon. Friend's quasi-judicial role in that matter, I cannot comment further.

Mr. Torney: Is the Minister aware that Bradford has many Asian and other immigrant people? Does he agree that the Honeyford case is a red herring, brought up by the Tory representatives on the council to cover up the colossal shortage of the amount of money that is needed to provide the type of pupil-teacher ratio required in Bradford's schools because they have so many immigrant children? Will he take account of the fact that rate capping has an effect on the education of our children? These are the real issues, not the Honeyford case. Will the Minister pay attention to them?

Mr. Dunn: Bradford's primary and secondary school pupil-teacher ratios were at their lowest ever level, at 20 and 17·4 respectively, at January 1984. Both ratios have fallen significantly since 1982, when they were 20·9 and 18·9 respectively. Those figures do not suggest a decline in provision.

Drug Abuse (Teacher Training)

4. **Mr. Sackville** asked the Secretary of State for Education and Science whether he plans to provide central funding for specialised in-service courses for teachers in the problems of drug abuse.

The Secretary of State for Education and Science (Sir Keith Joseph): Under the Department's programme for supporting regional in-service training courses, regional courses concerned with drug misuse, and arranged in consultation with the Department, will be eligible for central funding.

Mr. Sackville: Does my right hon. Friend feel that to have one key teacher who understands something about drugs in each school is the minimum that we need to tackle the problem? Does he feel that his Department has done enough to achieve that end?

Sir Keith Joseph: I agree with the purpose of my hon. Friend's question. The Government are now addressing themselves to ensuring that more information is available on which crucial groups such as teachers can rest with self-confidence in their detection of and advice to those concerned.

Mr. Boyes: Is the Secretary of State aware that after only one shot of heroin some youngsters are on a short journey to death? Has he had an opportunity to read in today's *Daily Mirror* the tragic story of Fiona Marshall, aged only 17? Does he acknowledge the tremendous campaign being run by the *Daily Mirror* against drug abuse, and does he agree that that campaign, calling for

advice, co-ordination and treatment on drug addiction and for drug addicts, is vital? Does he further agree that the Government's suggestion of providing £2 million is insufficient and that there should be a massive injection of cash into schools so that people can be caught early and given treatment?

Sir Keith Joseph: I do not want in any way to minimise the importance which the hon. Gentleman rightly wishes to give the subject or to the efforts of the *Daily Mirror*, but we are advised that there is a danger of being counter-productive and of glamourising the subject. That is why we are taking care to put together constructive advice for those immediately concerned.

Sir Bernard Braine: Although shock tactics might not always be the right answer for drug misuse by young children, does my right hon. Friend agree that we cannot start too early to warn young children of the dangers involved? Will he take seriously the suggestion of our hon. Friend the Member for Bolton, West (Mr. Sackville)? Is he contemplating issuing any directive to local education authorities on the subject? He must surely be aware that the problem is serious, and growing.

Sir Keith Joseph: My right hon. Friend has a fine record in trying to mobilise solutions to a parallel social problem — alcoholism — and I take what he says extremely seriously. He mentioned the key element — the danger of giving the wrong impression and of steering children in the wrong direction. There is also danger in trying to bring the truth to children at too early an age, as is might do more harm than good. Nevertheless, I take the subject extremely seriously.

Teacher Training

5. **Mr. Sedgemore** asked the Secretary of State for Education and Science if he will make a statement on the Government's plans for the future number of teacher training places.

Mr. Dunn: Provisional decisions on intakes to initial teacher training in England and Wales from 1986 were announced last month. We propose that intakes to primary training should increase from 8,620 in 1985 to 10,950 by 1989 and that intakes to secondary training over the same period should increase from 9,032 to 9,850.

Mr. Sedgemore: Will the Minister confirm that the number of graduates seeking teacher training places has fallen by 16 per cent.? Does he agree that if we are to raise numbers and standards we must pay teachers adequately?

Mr. Dunn: I undertake to look into the point raised by the hon. Gentleman and to write to him. I think he shares our concern that the quality of the teacher is important in the life of the school and in the educaton that a child receives. When CATE, the Council for the Accreditation of Teacher Education, has finished its work, we shall be somewhat further forward in that goal.

Mr. Forman: Adequate teacher training numbers are obviously important, but is my hon. Friend satisfied with the efforts of his Department and others to improve the curriculum of teacher training colleges so that the element of teacher training practice is given suitable prominence?

Mr. Dunn: I agree entirely with my hon. Friend's supplementary question. As he will know, last September we appointed to CATE a number of people who will have a great deal of work to do in that regard in the assessment of courses. He will share my concern that that work is done as soon as possible so that we may bring the results to bear in the classroom, where they are needed.

Mr. Haynes: Is the hon. Gentleman not ashamed of himself? *[Interruption.]* I hope that the Minister can hear me. He should be, and the Secretary of State should also be ashamed. They have every reason to be ashamed of the teacher training figures, when many of those with the necessary qualifications are sweeping the streets when they should be teaching the children. When will Ministers wake up and do the job for which they have been elected?

Mr. Dunn: I had some difficulty in hearing the hon. Gentleman. Unemployment among teachers rose early in the 1980s largely as a result of the fall in pupil numbers, which has now ended, in primary schools. The number of vacancies for primary school teachers is expected to rise for a number of years, and training intakes have been adjusted accordingly.

Mr. Radice: Is not the real reason why the number of teacher training applicants is reported to be down this year the fact that the message is getting through that teaching is a badly paid job? Does that not provide a further powerful argument for the Government to respond positively to the call from the management side of Burnham for extra resources from the Government to help solve the teachers' dispute?

Mr. Dunn: That supplementary question would be best directed to a group of questions which will be answered together later. There are still a far greater number of applicants for places at teacher training institutions than there are vacancies at those institutions.

Teachers (Pay)

6. **Mr. Cohen** asked the Secretary of State for Education and Science what recent representations he has received concerning the level of teachers' pay.

Sir Keith Joseph: I have received about 1,300 letters, including some 300 from hon. and right hon. Members, about all aspects of the current pay dispute.

Mr. Cohen: Is it not a fact that under the pressure of the county council elections the employers are beginning to see the light and are adopting a new negotiating position? Does the right hon. Gentleman agree that it is time for the Government to be more forthright and to improve the funds which they are making available so that a proper settlement, which recognises the excellent worth of the teachers to the community, can be reached?

Sir Keith Joseph: The hon. Gentleman is not quoting the employers' statement. The employers, in a carefully drafted statement, say that they want to discuss with me "the basis upon which additional resources can be sought." I think they mean by that statement that they want to discuss with me, and with the teachers, the offer that I have made, namely, that if the teachers and employers can make a bargain which I judge to be to the educational benefit of the children and to be affordable, I shall at once take it to my Cabinet colleagues to see whether I can obtain from them — I cannot guarantee the answer — extra finance. That is what the employers were referring to.

7. **Mr. Proctor** asked the Secretary of State for Education and Science if he will make a statement on the current teachers' dispute.

12. **Mr. Freud** asked the Secretary of State for Education and Science whether he will make a statement on the teachers' pay dispute.

13. **Mr. Adley** asked the Secretary of State for Education and Science if he will make a statement on the effect of the teachers' strike.

17. **Mr. Wainwright** asked the Secretary of State for Education and Science whether he will make a statement on the teachers' pay dispute.

19. **Mr. Eastham** asked the Secretary of State for Education and Science if he will make a statement on the teachers' pay dispute.

Sir Keith Joseph: Management's offers of a 4 per cent. increase, arbitration and further discussion of pay structure reform remain on the table. All three have been rejected. The two largest teacher unions are set on a course of intensified industrial action, causing deliberate harm to children's education, in support of their claim for an extra £1,200 for all teachers. That claim is wholly unrealistic and no amount of industrial action will change the fact that increases of that order are not remotely affordable.

Mr. Proctor: Is my right hon. Friend aware that last week the hon. Member for Durham, North (Mr. Radice) advocated the expenditure of £50 million to employ 14,000 more teachers, which works out at £3,500 per teacher? Is that not totally unrealistic? Is not the real solution to the teachers' dispute to be found through negotiations, rather than through disruption or unrealistic claims?

Sir Keith Joseph: I agree with my hon. Friend that negotiations on one of the three options open to the teachers is the way forward. I think that before the hon. Member for Durham, North (Mr. Radice) says anything about the current teachers' dispute, he should explain to the House how he justifies his view, which seems to emerge from his press statement, that £50 million will buy 14,000 extra teachers; that is to say, £3,500 per teacher.

Mr. Freud: Will the Secretary of State give the House an assurance that appraisal will not be linked to the quality of teaching—[HON. MEMBERS: "Why not?"]—and does he accept that the introduction of merit awards in a low-pay sector would have disastrous consequences?

Sir Keith Joseph: I shall make no such pledge. I ask the hon. Member to bear in mind that promotion, which carries with it higher pay, is, of course, already based on an informal system of assessment or appraisal, and that what the Government seek is that that system of appraisal should be made formal with the agreement and with the help of teachers through discussions. I am saying, not that appraisal has to be connected with merit pay, but that the whole subject should be discussed and tried out in pilot schemes for which money from the taxpayer has been set aside. The one inexcusable thing is to refuse even to discuss it, which is what the teachers' unions are doing.

Mr. Adley: Will my right hon. Friend try to answer a question which was put to me by a constituent at the weekend and which I found difficult? Why, he asked me, did the teachers last year go on strike because they could not get arbitration, and why are they taking strike action this year even though they have been offered arbitration? As my constituent also said, is it not emerging from some of the teachers' leaders that their ambition is to try to embarrass Her Majesty's Government by organising a strike in this way?

Sir Keith Joseph: I think that the apparent contradiction to which my hon. Friend refers must be explained by the fact that last year the teachers obtained from arbitration only 0·6 of 1 per cent. more than they had already been offered. The idea that an arbitrator can, as it were, find free and floating in the air extra resources is part of the Utopian approach of many Opposition Members.

Mr. Flannery: Is the Secretary of State aware that during the conference over Easter of the two major teachers' unions, embracing the vast majority of all teachers, the most determined unity emerged? Does he not realise that it is useless for him to say that he does not decide the wages of teachers, but that the employers do? He knows that he has 15 votes on the Burnham committee and that he decides the teachers' wages. Does he accept that the unity of the teachers is so massive that unless new money is put on the table, separate from the negotiations on reappraisal, this strike and industrial dispute will go on indefinitely and will be the longest teachers' action of all time?

Sir Keith Joseph: I pay tribute to those teachers' unions, and to the members of other teachers' unions, which have decided not to disrupt children's education. I do not accept the hon. Gentleman's view that the teachers' unions are unanimous. In fact, I seem to detect among them a great deal of disagreement about what they should or should not be seeking to do. Indeed, some unions disagree with the whole idea of causing disruption.

Mr. Mark Carlisle: Does my right hon. Friend agree that the leadership of the National Union of Teachers, in encouraging strike action, thereby disrupting children's education, is doing immense damage to the professional standing of teachers? Does he further agree that the only way to settle their pay claim is either by returning to the restructuring talks on teachers' salaries or by going to arbitration? Will he confirm that any award made by arbitration under section 3 of the Remuneration of Teachers Act 1965 is binding and can be turned down only by a vote of both Houses of Parliament, on the basis that the economic conditions of the country do not allow it to be implemented?

Sir Keith Joseph: I agree with all that my right hon. and learned Friend says. I believe, in addition, that the leadership of the NUT was guilty of grossly misleading its members in the expectations that it aroused last year—witness the arbitration award—and is doing so again this year.

I should like to take the opportunity of my right hon. and learned Friend's question to say that, while an arbitration award would be binding, except in the circumstances that he described, the Government still stand by their refusal to find any extra money for the honouring of an arbitration award which, over the level of the offer already made by the employers, would have to come out of local authority funds.

Mr. Fatchett: Given the Secretary of State's obstinate refusal to play a constructive part in looking for a solution to the dispute, how far does he personally feel responsible for the disruption of the education of children in his own constituency and in the city of Leeds? Is that not really an indictment of his own period in office as Secretary of State?

Sir Keith Joseph: The hon. Gentleman is guilty of thinking that it is constructive to spend taxpayers' money regardless of the consequences. We have been through that period under both Labour and Conservative Governments, and the result has been rocketing inflation and rocketing unemployment. That would be no service to the teachers, to the children or to their parents.

Mr. Greenway: Will my right hon. Friend join me in saying firmly and fairly that schools are, first and foremost, for children and their education? Further, will he join me in saying that it was excellent that the teachers' conference decided not to disrupt examination invigilation? However, is it not deplorable that some examination teaching may be disrupted? Is it not also important to say that all education, not just examinations, is important and that the teachers should call off their strike straight away?

Sir Keith Joseph: I agree with my hon. Friend. I think that the Opposition, by accepting the dogma of more spending regardless of the consequences, are espousing a thoroughly perverse set of policies. The hon. Member for Durham, North (Mr. Radice), the Opposition spokesman, must explain how he can offer, as he did in his press conference last week, hundreds of millions of pounds—indeed, over £1,000 million—of extra spending. He gave no explanation at the time. The hon. Gentleman has evidently not costed in the £200 million the implications of what he was pleased to pledge—the phasing out of private schools. Presumably he does not take that seriously, as he did not cost it at all.

The hon. Gentleman has also failed to cost the implications in hundreds of millions of pounds of the pledge which he has made, and will reinforce tomorrow, I understand, to provide nursery education for all. He has grossly underestimated the cost and has priced teachers at a salary of £3,500 each. The hon. Gentleman really must explain the cost of what he has left out and how any Labour Government, which I pray are unlikely to be returned, would find the money.

Mr. Radice: I thank the Secretary of State for devoting at least most of his answer to the Labour party programme. I must say that it is a bit rich for him to talk about costs when his own White Paper is not costed at all. He knows perfectly well that his own White Paper would cost £1 billion to implement. He has not come clean with the House. Is he aware that the Conservative Central Office has not understood that £50 million was a net figure? The right hon. Gentleman intends to cut the number of teachers by over 6,000 in the coming year. Finally — *[Interruption.]*—and let us get back to the teachers' dispute, which he started—is he now saying that he will respond positively—*[Interruption.]*

Mr. Deputy Speaker: Order. Questions from the Front Bench should be brief—all questions should be brief—and should be listened to with courtesy and attention.

Mr. Radice: Is the Secretary of State going to respond positively to the request from the management side of Burnham for extra resources — and that is in the statement—to help solve the teachers' dispute?

Sir Keith Joseph: The question is whether the Labour Opposition intend, if given the chance, to phase out independent education. [HON. MEMBERS: "That is not the question."] If so, why did they not include the cost of it in the budget in the Labour party programme?

Adult Education

8. **Mr. Dormand** asked the Secretary of State for Education and Science if he will convene a conference of organisations concerned with adult and continuing education to discuss the future of this part of the education service.

Sir Keith Joseph: I have no plans to do so. I spoke last week at the annual conference of the National Institute of Adult Continuing Education and, during questions, offered to meet some of those present on specific aspects.

Mr. Dormand: Is the Secretary of State aware of the universal dissatisfaction with Government policies of all interested organisations because of the constant cutting of resources in adult continuing education? I challenge the right hon. Gentleman not only to meet the body, which is not fully representative, as he knows, but to meet all representatives to answer the criticisms which some of us receive virtually every week. In particular, in the case of an adult who is capable of taking and wishes to take a university degree, will he say that there will be no obstacles to that adult doing so, not only for his personal fulfilment, but for the good of the country?

Sir Keith Joseph: I share with the hon. Gentleman a great respect for all those who work in adult education. I will gladly meet, as I have offered, various groups from those concerned. But I think that the hon. Gentleman is doing injustice to Government policy. He is probably accepting the figures contained in the White Paper on public expenditure without taking account of the unallocated margin, and he forgets that the Government, to their credit, have four new initiatives in adult education, for which they have provided extra money.

Mr. Squire: As my right hon. Friend takes direct responsibility for adult education, will he apply his considerable intellect to breaking the cycle of poorly educated parents producing poorly education children, and recognise that one of the most effective ways of doing that is through an expansion of the adult education programme?

Sir Keith Joseph: I agree about the importance of breaking that cycle to the extent that that is humanly possible. I also accept that the adult education work done through "Outreach" can do much to help. I respect that, and will try to encourage it.

Mr. Sheerman: The Secretary of State challenged teachers at last week's conference to explain their role in motivating the disadvantaged, but they could tell him that, as professionals, they know how to do that if they are given the resources to carry out the work. Is it not true that this Government do not believe in further and continuing education, as illustrated by the cuts in local authority

provision, in extramural departments, and in the Open University, as well as by the savage cuts in aid to the Workers Education Association?

Sir Keith Joseph: I repeat that to the extent that adult education can help to break that cycle, I shall seek to encourage it to do so. The hon. Gentleman's story of cuts is not accurate. The unallocated margin explains that adult education spending by local authorities may not be cut at all.

Teachers (Pay)

9. **Mr. Maclean** asked the Secretary of State for Education and Science if he will introduce legislation to replace the present negotiating machinery for teachers' pay with a system which directly links pay with performance.

Sir Keith Joseph: The current pay structure for school teachers, as negotiated by the Burnham primary and secondary committee, allows employers some discretion, through scale promotions, to relate pay to performance. I am not persuaded that the replacement of the negotiating machinery is the key to bringing about a structure in which pay is more directly linked to performance.

Mr. Maclean: I thank my right hon. Friend for that reply. Does he agree that those who take so-called industrial action should abide by the other rules by which those involved in industry have to live, where pay is directly linked to performance? Is it not time that my right hon. Friend introduced legislation to sweep away the present machinery and impose a system of pay related to performance?

Sir Keith Joseph: I do not accept that it is the machinery that prevents a move in the direction that my hon. Friend seeks. The experience before our eyes in Scotland shows that even when the machinery is reformed in the way that he now seeks the results are not as had been hoped for.

Mr. Canavan: Does the Secretary of State accept that the vast majority of teachers are dedicated, overworked and underpaid, and that if a system were introduced to link ministerial pay to performance he would be sent home with an empty pay packet?

Sir Keith Joseph: Underneath the banter, there is a certain amount of common ground between us — *[Interruption]*—I stress "a certain amount." I accept that most teachers are dedicated and hardworking. I also believe that most of them would welcome a system of appraisal in the preparation of which they had had some say.

Mr. Madel: As the important salary restructuring talks need to proceed, will my right hon. Friend remind those involved in the negotiations that the Government's aim is to reward the effective classroom teacher with improved pay and promotion prospects?

Sir Keith Joseph: Yes, Sir. The Government have declared their intention to introduce legislation and extra finance to expand in-service training so that an appraisal system can back up improved professional and career prospects, as well as perhaps having an influence on pay.

Engineering and Science (Undergraduates)

10. **Mr. Iain Mills** asked the Secretary of State for Education and Science if he will make a statement about the recently announced increase in places for undergraduates in engineering and science.

Mr. Brooke: My right hon. Friend announced on 3 April the 20 institutions which should participate in the first phase of the programme and gave details of the relevant departments and the proposed intakes. The second phase of the engineering and technology programme will be announced later.

Mr. Mills: I thank my hon. Friend for that answer. Given the increasing shortage of engineering and science graduates and technicians, can he reassure me that this switch is not really a switch, and that the increase in places for engineering and science is not simply a substitution for places in other disciplines?

Mr. Brooke: The Government have been urged frequently by industry in the past year that the number of students in engineering and technology, and particularly in information technology subjects, should be increased. The programme which my right hon. Friend the Secretary of State has announced is in response to that.

Dr. Bray: Is the Minister aware that only a very temporary glut in the supply of micro circuits has prevented the demand for electronic engineers going through the roof this year? Is he further aware that the proposed increase in the production of engineers is totally inadequate, given the demands of industry?

Mr. Brooke: We are confident that the industry can certainly absorb more graduates with appropriate qualifications. The hon. Gentleman would not expect me to share his faith in manpower planning, but he will be glad to know that an IMS study is being conducted on demand for and supply of information technology manpower.

PRIME MINISTER

Engagements

Q1. **Mr. David Marshall** asked the Prime Minister if she will list her official engagements for Tuesday 23 April.

The Prime Minister (Mrs. Margaret Thatcher): This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today, including one with President Rene of the Seychelles.

Mr. Marshall: Will the Prime Minister confirm her cynical policy to reform the rating system before the next general election? In view of the disastrous situation now facing Scottish ratepayers, will she immediately authorise an emergency allocation of £100 million—only 1 per cent. of the cost of Trident — to ease their burden? Instead of visiting Singapore and Bali, will she visit Shettleston and Baillieston to see the consequences of her policy, or is she afraid to leave London and visit other parts of Britain?

The Prime Minister: I shall, of course, be going up to Scotland in May, as is customary. I cannot agree to the allocation of £100 million. As the hon. Gentleman is

aware, we have made a special allocation to help the domestic ratepayer, who is particularly hard hit. I am aware that a number of commercial ratepayers are also particularly hard hit. If local authorities were to spend less, that would be a great help to ratepayers.

Mr. Steel: As the Secretary of State for Employment has given a cautious welcome to the setting up of the Employment Institute, and the chairman of the Conservative party has sought to belittle it, will the right hon. Lady say which of her colleagues' views she supports?

The Prime Minister: Everyone who can help to solve the problem in practical terms, as distinct from talking about it, is welcome. I hope that some of them will be able to create new businesses which, in practice, will create new jobs. In the meantime, I recognise that two of the suggestions which it has proposed which would help have already been put in hand by this Government. For example, it has proposed a cut in the employers' national insurance contribution, and that has already occurred. It has proposed an increase in the community programme, and that has already occurred. It would seem that we have a number of things in common.

Mr. Michael McNair-Wilson: Is my right hon. Friend aware of the concern felt by some of us at the remark made by the Prime Minister of Malaysia during her recent visit that the Commonwealth is now just a sentimental attachment? Does she agree that it is a unique grouping of nations which, given the will, have the potential to play a major part in world development and peace?

The Prime Minister: Yes, I believe that the Commonwealth still has a role. It is a unique group of nations which girdle the world. We meet alternate years in conference, and there are regional conferences. I believe that that is valuable both politcally and economically and for technical co-operation. I believe that Malaysia, too, will find it valuable.

Mr. Rooker: Will the Prime Minister tell us why, after seven Conservative Budgets, workers on average earnings and half average earnings are paying a higher proportion of those earnings in tax and national insurance than under the previous Labour Government?

The Prime Minister: The hon. Gentleman tells only half the story. Were the rates of income tax and the structure as in 1979 when we took them over, people would be paying £6 billion more in income tax. The Conservative Government put up thresholds—that is, tax-free allowances—in real terms by 16 per cent., whereas the Labour Government put down tax-free allowances in real terms.

Q2. **Mr. Adley** asked the Prime Minister if she will list her official engagements for 23 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Adley: Following the question from the leader of the Liberal party, will my right hon. Friend make it quite clear that she is prepared to welcome any groups of new people who may have time to spare and be willing to put themselves forward for the study of a possible solution to the problem of unemployment? Will she endorse the statement of my right hon. Friend the Secretary of State for Employment concerning a group which may come up with new ideas and which, even if it does not, certainly at the beginning of its life should be given some sort of welcome?

The Prime Minister: I hope that I have indicated my view. We need new business, and anything that will assist in the formation of new business will be helpful. We are already considering a number of measures, including tax incentives. In particular, we are reducing the considerable number of regulations and examining planning permission. Anything that is conductive to the development of new business will certainly be very helpful.

Mr. Kinnock: The Prime Minister is now considering the report and recommendations of the review body on nurses' pay. Will the right hon. Lady give an undertaking that, as a matter of policy, she will support an award that at least will begin the return to the levels of real pay received by nurses in 1980? Will she also give an undertaking that in no circumstances will she finance any part of any award by taking money from the rest of the NHS?

The Prime Minister: Three reports arrived yesterday, including the report on nurses. We shall consider these reports together. I cannot give the right hon. Gentleman undertakings in advance of proper consideration. He will be aware that he will be the first to accuse me of increasing public expenditure if we do so. He knows that the Labour party wants increased public expenditure, but he will be the first to accuse us if it results in increased interest rates or increased taxation. The right hon. Gentleman referred to the levels of real pay received by nurses in 1980. He will therefore be very much aware that this Government have done much better by the nurses than the previous Labour Government.

Mr. Kinnock: The right hon. Lady, the country and the nurses will recall that that level was achieved because of the Clegg award, which the right hon. Lady opposed at the time but which had to be introduced because of the way in which she undertook during the general election campaign to take action. Can the right hon. Lady now tell me, without evasion, whether she agrees that public expenditure should be used to give justice and proper rewards to those who obviously deserve such rewards? Does the right hon. Lady think that the nurses are properly paid in 1985?

The Prime Minister: I noted what the right hon. Gentleman said about Clegg. This Government honoured the Clegg award. The previous Labour Government, not having the resources, made empty promises which they left us to honour. This Government honoured the nurses' award and reduced their working week from 40 hours to 37½ hours. This Government have found the resources for 57,000 extra nurses and midwives. The right hon. Gentleman has a nerve even to ask that question.

Mr. Richard Page: Is my right hon. Friend aware that her visit two weeks ago to the far east has been very much welcomed by British exporters? Would my right hon. Friend care to build on that by examining our overseas aid budget to ensure that it will generate the maximum activity at home, especially to create jobs? In particular, will my right hon. Friend consider increasing the overseas aid and trade provision?

The Prime Minister: My hon. Friend is correct. Exporters very much welcomed the visit. The visit to those

regions was necessary. I cannot give an undertaking to increase the overseas aid budget or the overseas aid and trade provision. We must examine carefully the distribution of that aid to maximise the number of jobs that we can secure in this country from the expenditure of that money.

Q3. **Mr. Terry Fields** asked the Prime Minister if she will list her official engagements for Tuesday 23 April.

The Prime Minister: I refer the hon. Gentleman to the reply that I gave some moments ago.

Mr. Fields: Will the Prime Minister admit that, despite her boast during her visit to semi-dictatorships in the far east that she saw off the miners, the miners' magnificent struggle for jobs has been the source of inspiration for those who are prepared to stand up and fight against unemployment, especially the young people and students who, supported by parents and teachers, will take strike action on Thursday against industrial conscription? In view of the fact that the right hon. Lady is prepared to introduce compulsory industrial conscription for 16-year-olds, is she prepared to give youth the vote at 16?

The Prime Minister: Although I tried to follow the hon. Gentleman's meanderings, what is painfully clear is that he supports strikes. In doing so, he defeats the prospects for getting export jobs for this country. Then he will assuredly complain about unemployment. I doubt whether he really wants to solve the unemployment problem. If he did, he would not support strikes; he would support action to prevent strikes.

Mr. Mark Carlisle: In view of the emphasis placed upon education by the Labour party during the current county council elections, will my right hon. Friend take time today to look at that party's recent education proposals? Will she note that the Labour party's commitment to additional resources is equalled by its commitment and pledge to do away with independent schools? Therefore, despite all that the Labour party says about the shortage of resources, it is planning for no increase in expenditure on state education.

The Prime Minister: I am grateful to my right hon. and learned Friend for so cogently making that point. As he will be aware, expenditure per pupil and the proportion of teachers to pupils in the state education system is at an all-time record under the Conservative Government. It is we who deliver the goods; it is the Labour party which does the talking.

Mr. Litherland: Does the Prime Minister agree that the increase in inflation, on top of the appalling level of unemployment, confirms that the Government's monetarist policies are not working and are bringing only misery and deprivation to this country, especially in the inner city areas?

The Prime Minister: No. I think that many of us would be quite glad to have had the level of inflation that we now have for a longer period. The hon. Gentleman will recall that under the Labour Government inflation went up to 27 per cent. and that it fundamentally undermined the social as well as the financial fabric of this country.

As for unemployment, the hon. Gentleman will be aware that we have achieved record output, a record standard of living and record investment. We have a very considerable unemployment problem, but the answer to it lies not in the direction which the hon. Gentleman would go, but in the formation of new small businesses, which will grow and create genuine jobs.

Mr. Douglas Hogg: Following the question put by the hon. Member for Liverpool, Broadgreen (Mr. Fields), does my right hon. Friend agree that the leadership of the National Union of Mineworkers would greatly enhance its reputation if it condemned the intolerable treatment by the miners who went on strike of those who chose not to go on strike? Does she further agree that the treatment of those who did not go on strike is an intolerable blot upon the reputation of the trade union movement?

The Prime Minister: Yes. I wholly agree with my hon. Friend. Unfortunately, the whole world knows that the miners' strike lasted for a year, that it was perpetuated through violence and intimidation, that it was supported by the Labour party, and that it was the Government, the working miners and the mass of the trade union movement that stood out against it and saw it off. I hope that my hon. Friend's advice will be taken in the quarters where it should be taken.

Mr. Home Robertson: May we have a little less humbug from the Prime Minister about rates in Scotland? Is she aware that in a written reply to me last week the Secretary of State for Scotland confirmed that, as a result of revaluation and successive cuts in rate support grant, domestic and commercial ratepayers in Scotland are bearing a 50 per cent. greater share of the burden of the costs of local services than they were when this Government came to power. So let us have a little less humbug. Will the Prime Minister admit that it is the Conservative Government who are responsible for the miseries of Scottish ratepayers?

The Prime Minister: The hon. Gentleman refers to proportions. If the total expenditure were less, the burden on the domestic ratepayer would be less. Although comparatively few Scottish electors pay rates, Labour local authorities unfortunately do not hesitate to place an intolerable burden upon them.

Mr. Beaumont-Dark: Has my right hon. Friend noticed today that Dr. Sidney Gee has been awarded libel damages amounting to £75,000 against the "That's Life" programme? Does she agree that the time has come for the lawyers' profession to be investigated, just as every other profession is investigated, since the actual costs in that case, in order to obtain justice, amounted to £1·2 million? Has not the time come when those who are libelled should at least obtain a fairer share of the costs, instead of £1·2 million going to the lawyers?

The Prime Minister: I know that my hon. Friend feels strongly about that matter. I shall draw his remarks to the attention of the appropriate Law Officers.

Mr. O'Brien: Having advised the House that she has now received the report on nurses' pay, will the Prime Minister assure the House and the nurses that she will not sit on the report, as she did last year? Will she implement the decision as quickly as possible, given the full implications?

The Prime Minister: We have still more reports to receive. The one from the Top Salaries Review Body will be some time, and therefore we shall probably not wait for it. It has a number of matters to consider. I hope that we

shall be able to consider the rest before that one. There is still, of course, the doctors' and dentists' review body report to come. I am sure the hon. Gentleman understands that we must consider carefully how to find all the money that we decide must be found across the board, bearing in mind that it comes not from the Government but from taxpayers.

Later——

Mr. Heddle: On a point of order, Mr. Deputy Speaker. During education questions, the hon. Member for Bolsover (Mr. Skinner) caught your eye in order to ask a question about truancy. Was it not a gross abuse of Question Time for the hon. Gentleman to raise such a subject when 90 per cent. of the parliamentary Labour party were not in the Chamber, only one member of the Liberal party was present, and the Social Democratic party Member——

Mr. Deputy Speaker: Order. If there was an abuse, it is being repeated now. I do not propose to let it continue.

Soviet Diplomats (Expulsion)

3.30 pm

Mr. Denis Healey (Leeds, East) *(by private notice)* asked the Foreign Secretary if he will make a statement on the expulsion of Soviet diplomats from London and the Soviet response.

The Secretary of State for Foreign and Commonwealth Affairs (Sir Geoffrey Howe): Our policy towards the Soviet Union is consistent and clear, and has been made clear to the Russians on numerous occasions including most recently when informing them of the expulsions. We wish to improve relations with the Soviet Union. We have made considerable efforts in that direction which will be maintained, but they have been hampered by the unacceptable activities of certain Soviet officials in this country. In the circumstances, and in accordance with our long-established policy, we had no choice but to expel the officials concerned.

We deeply regret the retaliatory action taken against three members of the staff of our Moscow embassy. That was wholly unwarranted, and the accusations made against them without substance. We have protested strongly to the Soviet authorities.

There can be no relaxation of our policy where national security is concerned, but we shall continue our policy of seeking improved relations with the Soviet Union, and better relations between East and West.

Mr. Healey: The Foreign Secretary will recognise that the Opposition approve his attempt to improve relations with the Soviet Union and welcome the progress that he has made in recent weeks. That makes it all the more difficult to understand why he mishandled the case of the behaviour of Soviet diplomats. As I understand it, the Foreign Office made it clear last night that it was prepared to ask three of the Soviet diplomats engaged in illegitimate activities to leave without publicity, on condition that the Soviets did not expel British diplomats in retaliation. In that case, why did he not approach all five diplomats in the same way, when he might have received an acceptable response? He must recognise now that the way in which he mishandled the case—the fact that he has made a distinction between two expelled with publicity and three expelled with the promise of no publicity—is difficult not just for the Opposition but for foreign diplomatists in Moscow to understand.

Sir Geoffrey Howe: I do not believe that the right hon. Gentleman can sustain that charge. When the Soviet ambassador was informed last Thursday, he was told that Captain Los, the assistant naval attache, who had been found to have engaged in activities incompatible with his status, should leave the country within seven days. He was further informed that Mr. Grigorov, a member of the staff of the Soviet airline Aeroflot, was also found to have engaged in unacceptable activities and that, if he were still in the country in seven days, measures would be taken against him.

The ambassador was informed at the same time that we wished the Soviet authorities to withdraw a further three officials within one month for activities agair incompatible with their status and presence in this country. The Soviet ambassador was also told that if, in response to the expulsion of Captain Los and Mr. Grigorov, the Soviet authorities expelled any member of the British community in Moscow, we would then publicly expel the three named officials and reduce the Soviet embassy's ceiling accordingly. The Soviet authorities chose to disregard that warning and informed us last night of their requirement that three members of our embassy staff in Moscow should leave. It was in those circumstances that we informed the Soviet chargé d'affaires that three further named officials — Captain Zaikin, assistant naval attache, Colonel Cherkasov, assistant military attache, and Mr. Belaventsev, the third secretary, must also leave this country within seven days and that the appropriate embassy ceiling had been reduced.

In those circumstances, the way in which we handled the matter was consistent with our overall objective of wishing to diminish the impact of this incident on our search to improve East-West relations. We had also to take into account our intention to protect, as far as we could, the position of the British community in Moscow. It was on that basis that we gave the original information. It was as a result of the Soviet response that we found it necessary and right to follow through the original warning.

I must emphasise that this sort of incident arises because of unacceptable conduct by Soviet officials in this country. It is necessary to respond appropriately to such conduct and at the same time to underline the fact that we remain committed to improving relations between East and West. That fact was emphasised in each of the conversations with the Soviet ambassador and Soviet authorities during the past three days.

Mr. Healey: The Foreign Secretary has confirmed my suggestion that he mishandled the affair. He still has not explained why he drew a distinction between announcing the expulsion of two of the offending diplomats and being prepared to keep secret the expulsion of the other three. Is it not the case that his hand was forced by a quite impermissible leak in a British national newspaper of his intention to expel the first two diplomats?

Sir Geoffrey Howe: The right hon. Gentleman has failed to understand the position. We made it plain to the Soviet ambassador that we were requiring the withdrawal of five Soviet officials from this country. We intended to publicise the fact that two of them were required to withdraw within seven days, and we said that if the Soviet Union expelled any member of the British community in Moscow we would give publicity to the other three Soviet officials who were also required to withdraw.

It was handled in that way to give the Soviet Union the opportunity to avoid doing damage to the British community in Moscow and to give it the opportunity to withdraw five people, as we required, without publicity. It is because of the Soviet response that it has become undoubtedly necessary and right to give publicity, as we promised, to the three other people involved. The matter was handled throughout in a fashion entirely calculated to do the least damage to Anglo-Soviet relationships. The responsibility for what has happened rests upon the shoulders of those who have committed unacceptable activities in this country.

Sir Anthony Kershaw (Stroud): Is my right hon. and learned Friend aware that the years of creeping and crawling by the right hon. Member for Leeds, South-East (Mr. Healey), to the Soviets — when the right hon. Gentleman had influence—were as barren as they were

humiliating to this country? Is it not the position that Russia knew the rules, it broke them, it was caught, and it should now stop whining?

Sir Geoffrey Howe: My hon. Friend puts the matter very clearly. It is because of the activities of Soviet citizens that these actions have been necessary. They have been carefully judged to make them as consistent as possible with our long-term desire to see a continued improvement in our relations with the Soviet Union.

Mr. James Callaghan (Cardiff, South and Penarth): If the Foreign Secretary's intention was to safeguard the security of the country, to minimise damage to our relations with the Soviet Union and to protect the British community in Moscow, why did he give any publicity at all to the incident?

Sir Geoffrey Howe: Because if one is securing withdrawals in that way, accompanied by a reduction in ceilings, that inevitably leads to speculation about why that has happened. In addition, and in a wider sense, it is necessary in the case of conduct that threatens national security to demonstrate to all concerned, and not only the Soviet Union, that such activities cannot be tolerated.

Mr. Patrick McNair-Wilson (New Forest): I congratulate my right hon. and learned Friend on his action. Is there any truth in the report that at least one of those expelled was trying to obtain information about British laser technology? Are any proceedings likely against a United Kingdom citizen as a result of investigations by the security services?

Sir Geoffrey Howe: Action is taken in cases of this kind on the basis of irrefutable evidence, but the House would not expect me to give details about the background of this operation.

Mr. Russell Johnston (Inverness, Nairn and Lochaber): Is there any reason why the Secretary of State should not at least give us some idea what these diplomats were doing, which might help the House?

Sir Geoffrey Howe: The hon. Gentleman ignores the necessary, regular and prudent practice. It is not appropriate in places such as this to give any further details than I have given. I can assure him that the actions were based on irrefutable evidence.

Mr. David Winnick (Walsall, North): Does the right hon. and learned Gentleman recognise that it would be disastrous if these expulsions prevented the continuing improvement in Anglo-Soviet relations? While I recognise the need at all times to protect our national security against any country, would it not be right for the Foreign Secretary to make it clear to the Soviet authorities at the highest level that it is the wish of Her Majesty's Government to see a continued improvement in Anglo-Soviet relations? Should that not be made clear at the first opportunity?

Sir Geoffrey Howe: The position is entirely clear. We have to remain serious and vigilant in our protection of national security. We have to remain serious and realistic in our search for improved relations with the Soviet Union, and both those matters have to be considered alongside each other. I have made it plain, through the Soviet ambassador on Thursday, through the Soviet chargé d'affaires last night and through our ambassador to Moscow, that we intend to sustain our policy of searching for improvement in East-West relations, and with the Soviet Union. I shall take an early opportunity, I expect when I meet Mr. Gromyko in Vienna early next month, to make the same point to him.

Mr. Nicholas Soames (Crawley): I congratulate my right hon. and learned Friend on his handling of the affair. Does he agree that what is required in the handling of East-West relations is consistency? By undertaking this act, he has shown the Soviet Union that, unless it obeys the rules and behaves according to diplomatic circumstances, we shall not be prepared to forward our friendship with it, except on a proper basis?

Sir Geoffrey Howe: I agree. We have always made it clear to the Soviet Union that our search for improved relations would have to be conducted on the basis of realism and proper reconciliation of the interests of both sides, and that includes continuing to take proper account of national security.

Mr. Gavin Strang (Edinburgh, East): Presumably, the alleged offences of the three officials were less serious than those of the first two officials about whom we heard. Why did the Foreign Secretary think that restricting publicity to the first two would influence the Soviet response?

Sir Geoffrey Howe: It is customary in these cases to make a judgment of how far one publicises the action that one has taken, as has been pointed out. In this case, we judged that it was right to require the withdrawal of two Russians with publicity at the outset, to make it plain that such conduct would not be tolerated, while the withdrawal of the other three would not be accompanied by such publicity. We did so to try to limit the damage to the British community in Moscow. That was the intention and it is a matter of great regret that the Soviet Union chose not to respond to our suggestion in the way that we hoped.

Mr. Jonathan Aitken (Thanet, South): Has my right hon. and learned Friend noticed the interesting contrast between the noisy if unconvincing protest of the Soviet embassy spokesmen in London on this issue on the one hand, and on the other the uncharacteristic silence of the state-controlled media in Moscow on the subject? Does my right hon. and learned Friend conclude from this, as I do, that this may be a case of the Soviet authorities knowing that they are in the wrong and hoping that this incident will not damage our long-term relations?

Sir Geoffrey Howe: I certainly hope that the Soviet Union will draw that conclusion, and will recognise that such activities are bound to impair the process of improving relations. I hope that the Soviet Union recognises that we are serious in our intention to secure such an improvement.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I have to protect the remainder of the day's business. I intend to take only two more questions from each side of the House.

Mr. David Crouch (Canterbury): Is my right hon. and learned Friend aware that the great majority of hon. Members and of the people of this country appreciate his realistic and determined approach to improved relations with the Soviet Union and the eastern bloc countries, and

[Mr. David Crouch]

thank him for it? They also appreciate his determined, even gentle, approach to matters concerning our security, which are of equal importance, and thank him for that, too.

Sir Geoffrey Howe: I am grateful to my hon. Friend.

Mr. Barry Sheerman (Huddersfield): Does this case have further ramifications? Will any British citizens be arrested under the Official Secrets Act? Is it true that, as has been rumoured, a spy network has been uncovered?

Sir Geoffrey Howe: I am not in a position to add to what I have said about the background to the case. In this as in every other case, the prosecuting authority will investigate the matter fully.

Mr. Bill Walker (Tayside, North): Will my right hon. and learned Friend confirm that Soviet diplomats in the United Kingdom are given freedoms that British diplomats in the Soviet Union do not enjoy? If so, are there any plans to advise the Soviet Union that we shall restrict the movement of Soviet diplomats to the level of that of our diplomats in the Soviet Union?

Sir Geoffrey Howe: I do not propose, at this time, in this case, to outline any of the steps that I may have in mind.

Mr. Campbell-Savours: Has not the Foreign Secretary bungled it? Could not all five Soviet diplomats have been expelled without publicity, in private, as was done in previous cases by Labour Governments? Were not the first two expulsions publicised simply because the Government wanted to do some Commie-bashing?

Sir Geoffrey Howe: The hon. Gentleman's question could not more clearly illustrate how completely he fails to understand the policy of Her Majesty's Government. We are not interested in Commie-bashing, as the hon. Gentleman so crudely puts it. We are interested, and have been engaged on a sustained basis, in improving relations between East and West and between this country and the Soviet Union.

However, we must make it clear that that pursuit cannot be conducted at the expense of national security. In this case, it was necessary to give publicity to the initial expulsions to make it clear to all those who might be concerned in such activities that they will not be tolerated.

Mr. Healey: May I assure the Foreign Secretary that we share his suffering at the pompous congratulations that he has received from Conservative Members whose aim is to make relations between Britain and the Soviet Union more difficult, rather than less?

May I ask the right hon. and learned Gentleman to bear in mind the damage that he has done to his major objective through his mishandling of this issue?

Sir Geoffrey Howe: I assure the right hon. Gentleman that the greater cause for dismay—not suffering—is the patronising inaccuracy of his own question.

STATUTORY INSTRUMENTS, &c.

Mr. Deputy Speaker: By leave of the House, I will put together the motions relating to draft Statutory Instruments.

Ordered,

That the Building (Fourth Amendment) Regulations 1985 (S.I., 1985, No. 488) be referred to a Standing Committee on Statutory Instruments, &c.

That the Housing (Limits of Rateable Value for Improvement Grants and Repairs Grants) (Scotland) Order 1985 (S.I., 1985, No. 297) be referred to a Standing Committee on Statutory Instruments, &c.

That the Protected Tenancies and Part VII Contracts (Rateable Value Limits) (Scotland) Order 1985 (S.I., 1985, No. 314) be referred to a Standing Committee on Statutory Instruments, &c.—*[Mr. Archie Hamilton.]*

Lancashire

3.48 pm

Mr. Jack Straw (Blackburn): I beg to move,

That leave be given to bring in a Bill to make further provision regarding local government services in Lancashire.

In the 1930s, the urban areas of Lancashire were deeply scarred. More than 50 per cent. of the insured population of many towns, including Blackburn, Preston and Burnley were without work. That devastation was wanton and unnecessary. It was caused by blind and doctrinaire policies. The people of Lancashire resolved that it should never happen again. They fought for policies of full employment, they voted for policies of full employment and, for 35 years, they got full employment. *[Interruption.]* From the end of the second world war until 1980, Lancashire had virtually full employment. Unemployment rarely went above 6 per cent. People could find work—*[Interruption.]*

Mr. Deputy Speaker (Mr. Harold Walker): Order. I apologise for interrupting the hon. Gentleman, but I am finding it extremely difficult to follow what he is saying because of all the background conversations. I hope that the House will give the hon. Gentleman the courtesy and attention that he deserves.

Mr. Straw: I am grateful to you, Mr. Deputy Speaker. As I was saying, unemployment rarely went above 6 per cent. and people were able to find work. New towns were created and prosperity was established, not least as a result of the successful policies of regional aid and assistance pioneered by a Labour Government, but broadly maintained by previous Conservative Administrations.

Since 1980, disaster has struck our county. Since then, 60,000 jobs have been lost across the county and one in four young people are without work. Many of them have never had a proper job in their lives. One half of the men in many Asian areas are without jobs, and hundreds of men and women over 50 might never work again.

The despair spreads across the county. From Morecambe and Lancaster in the north, to Blackpool and Fylde in the west, to Skelmersdale and Ormskirk in the south, to Preston, Leyland and Chorley in the centre, to Blackburn, Hyndburn, Darwen, Burnley, Nelson, Colne and the Rossendale valley to the east, the story has been the same—closure and cuts.

Many people remain in work, but there is not one family in the county of Lancashire which is not now affected by the scourge of unemployment. There is not a family which does not have a member without work or in which the parents, even in prosperous areas, are not worried sick about their children's future.

The Government have washed their hands of responsibility for all this and deliberately made a bad situation worse. Regional assistance for the county was all but abolished between 1975 and 1982. Housing investment has been halved during the past six years. It was £95 million in 1979 at today's prices and is now £39 million. Grants to Lancashire county council and district councils have been slashed. Lancashire county council estimates that, since 1980-81, £180 million has been cut from Government assistance to the county—equivalent to £130 per head of population.

In those circumstances, the work of the Labour-controlled Lancashire county council and Labour-controlled district councils has shone like a beacon. They have stepped in to create jobs—1,200 new jobs have been created directly by the county council in the front line, not in bureaucracy. Lancashire Enterprises Limited has been established. It has protected and promoted 2,200 jobs, created 800 training opportunities and made a £300,000 profit for the ratepayers. Its cost per job created, at £4,000, is less than the Government pay to keep people on the dole.

The county has pioneered cheap travel for the elderly, improved rail and bus services, and opened 17 nursery schools and classes—and there are another 12 on the way. It has expanded the number of home helps and services to the elderly, especially in Blackpool, the Fylde and Morecambe—areas to which many people retire. It has done all that with one of the best financial records in the country.

In national terms, ratepayers in Labour shire counties pay 50p a week less than ratepayers in Conservative shires—£5·31 is paid each in week in Conservative shires and £4·83 is paid in Labour shires. In Lancashire, the record is even better. Average rate bills are £3·99 a week. No fewer than 33 counties have higher rate bills than Lancashire.

Despite Lancashire's excellent record, we are still spending £16·6 million less than the Government's assessment of the needs of the area, thanks to the target system. Because of that record, Labour's majority in Lancashire will increase on 2 May. But to meet the massive needs of the area, created by the reckless economic policies of the Conservatives, Lancashire needs assistance from central Government, not the hindrance that we have had from them in the last six years.

The Bill sets out a new framework for a real partnership between Whitehall, Westminster and the county to provide positive assistance to restore prosperity, jobs and services to the county. Clause 1 provides that within three months the Secretary of State for the Environment shall present a report to Parliament estimating the loss of rate support grant that has been suffered by the county in the last six years and the effect that that has had on business and domestic ratepayers. Most rate increases have occurred as a direct result of cuts in rate support grant.

Clause 2 provides for the Secretary of State to make a report to Parliament on the social and economic needs of the county of Lancashire and on plans, drawn up in consultation with the county, as to what the Government propose to meet those social and economic needs.

Clause 3 provides that the Secretary of State shall present proposals to Parliament to meet the pressing housing needs of Lancashire, which have got so much worse in the last six years. Clause 4 provides for extensive consultation with the districts and the county so that plans and proposals are not imposed on the county but are presented in collaboration with the districts.

Because private Members cannot move money Bills, the measure proposes no plans for increases in public expenditure. However, it is the first stage in a new partnership with the county. I hope that it will enjoy support from Conservative as well as Labour Members in the House.

Tory Members know that unemployment in the county of Lancashire would be even higher without the fine work of the county council. They know that many Conservative

[Mr. Straw]

business men have been knocking on the doors of Lancashire Enterprises Limited seeking help for their firms, which have been ravaged by the present Government. They know of the hundreds of jobs that have been created and of the damage that has been done to the county by the Government. I hope that they also know that if they fail to support the Bill, bearing in mind the hope for the county that it holds out, the people of Lancashire will never forgive them.

3.57 pm

Mr. Kenneth Hind (Lancashire, West) *rose*——

Mr. Deputy Speaker: Does the hon. Gentleman seek to oppose the Bill?

Mr. Hind: I do, Mr. Deputy Speaker. I rise to comment on what must be considered one of the most cynical abuses of the House that we have witnessed for a long time. The county council is facing elections on 2 May and it is not without significance—*[Interruption.]*—that, although this Bill could have been introduced on any day this Session, it has been introduced today, nine days before those elections.

As the only hon. Member whose constituency includes the name "Lancashire", I feel qualified to draw the attention of the House to some of the flaws in the Bill. All hon. Members who represent Lancashire constituencies — there are some on these Benches — want more resources spent on Lancashire as a whole — *[Interruption.]*—but we must see the whole of the national purse in the context of what the country can afford. We cannot ignore the interests of every other county.

I have no doubt that this measure will be followed by other cynical attempts at campaigning for the county council elections in the days to come, with similar Bills being brought, for example, on behalf of the counties of Avon, Kent and Northumberland. Such Bills will probably be brought only on behalf of counties where Opposition Members feel that they might have a chance of winning on 2 May. We shall not hear from Conservative-held shire counties where they do not stand a chance.

When we consider increasing the resources of local authorities, we must examine the way in which they spend their money. Have the authorities given good value for money? The record of Lancashire, to quote the hon. Member for Blackburn (Mr. Straw), stands out like a beacon; it has an appalling record in abuse and waste of public money. Lancashire Enterprises Limited has been referred to. It was set up by the Labour group on a supplementary rate of 18p about six weeks after Labour got into power, simply as a campaigning tool for the benefit of the Labour party.

Attached to that was Enterprise Associates Limited, a public relations consultancy. I am told that newspaper reporters were paid £15,000 a year and provided with a car to spread the message about what the Labour party was doing in Lancashire. This was nothing more than a publicity campaign for the Labour party in Lancashire at the ratepayers' expense. It is cynical and an abuse, but presumably the Labour party hopes that it will produce results. I am sure the ratepayers of Lancashire will not be convinced.

The rates in Lancashire have been increased because of Lancashire Enterprises Limited. In this electoral year they may not have been increased as much as previously, because the Labour party knew that it was going to the polls. Those high rates since 1981 have done more damage to investment prospects in Lancashire than anything other than the recession itself.

The hon. Member for Blackburn talked about 1,200 jobs that were created. If the money taken by the Labour-controlled Lancashire county council for high rates had been left in the hands of ordinary manufacturers and industrialists, not only would 1,200 jobs have been preserved but more jobs would have been created through the investment of that money. May I say on behalf of my constituents in Lancashire, West that, although in parts of Skelmersdale there is 30 per cent. unemployment, we are still waiting for Lancashire Enterprises Limited to create one job in my constituency?

Another abuse is that £15,000 was given by Lancashire to the miners' welfare fund. The council has just spent £150,000 on attacking the Government's Transport Bill. I have a letter here from the chief executive of Lancashire county council who says, in a nutshell, that the council totally opposes the Bill and is not taking any part in providing advice for Conservative Members of Parliament who are sitting on the Transport Bill Committee. Rather than spend a train fare to come to the Committee, the council has spent £150,000 of ratepayers' money cynically to campaign in Lancashire against the Conservative Government.

We have received through our letter boxes the *Lancashire Clarion*, produced by Enterprise Associates Limited, it is supposed to be a news sheet for Lancashire county council. I challenge anyone reading that news sheet to hunt the Conservative, or find any mention of Conservatives. It is nothing more than a publicity sheet for the Labour campaign in Lancashire.

I am sure my hon. Friends will join me in supporting the provision of more money for the counties at a favourable opportunity, but it has to be seen within the context of total public expenditure and what the country can afford. Hon. Members should bear in mind the cynical abuse by Lancashire county council when they decide what they will do at the end of the debate. I am sure that they will vote against the Bill for one reason only: that it is a cynical abuse of the House, electioneering and nothing more. I therefore beg the House to reject the motion.

Question put, pursuant to Standing Order No. 15 (Motions for leave to bring in Bills and nomination of Select Committees at commencement of public business):—

The House divided: Ayes 122, Noes 155.

Division No. 190] **[4.4 pm**

AYES

Anderson, Donald	Bruce, Malcolm
Ashdown, Paddy	Caborn, Richard
Ashley, Rt Hon Jack	Callaghan, Jim *(Heyw'd & M)*
Atkinson, N. *(Tottenham)*	Canavan, Dennis
Barnett, Guy	Cartwright, John
Barron, Kevin	Clark, Dr David *(S Shields)*
Beckett, Mrs Margaret	Clarke, Thomas
Beith, A. J.	Clay, Robert
Bell, Stuart	Clwyd, Mrs Ann
Bennett, A. *(Dent'n & Red'sh)*	Cocks, Rt Hon M. *(Bristol S.)*
Blair, Anthony	Cohen, Harry
Boothroyd, Miss Betty	Concannon, Rt Hon J. D.
Boyes, Roland	Cook, Frank *(Stockton North)*
Bray, Dr Jeremy	Cook, Robin F. *(Livingston)*
Brown, Gordon *(D'f'mline E)*	Corbett, Robin
Brown, Hugh D. *(Provan)*	Cowans, Harry

Craigen, J. M.
Cunliffe, Lawrence
Davis, Terry *(B'ham, H'ge'n)*
Dewar, Donald
Dixon, Donald
Dormand, Jack
Dubs, Alfred
Duffy, A. E. P.
Eadie, Alex
Evans, John *(St. Helens N)*
Fatchett, Derek
Fields, T. *(L'pool Broad Gn)*
Foot, Rt Hon Michael
Forrester, John
Freud, Clement
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Central Fife)*
Hancock, Mr. Michael
Harrison, Rt Hon Walter
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Howells, Geraint
Hoyle, Douglas
Hughes, Robert *(Aberdeen N)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kirkwood, Archy
Lambie, David
Leadbitter, Ted
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Loyden, Edward
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
Maclennan, Robert
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meadowcroft, Michael
Michie, William
Mikardo, Ian
Morris, Rt Hon J. *(Aberavon)*
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Owen, Rt Hon Dr David
Park, George
Patchett, Terry
Pavitt, Laurie
Pendry, Tom
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Radice, Giles
Randall, Stuart
Redmond, M.
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Sedgemore, Brian
Sheerman, Barry
Shore, Rt Hon Peter
Short, Ms Clare *(Ladywood)*
Short, Mrs R.*(W'hampt'n NE)*
Skinner, Dennis
Smith, Cyril *(Rochdale)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Stott, Roger
Strang, Gavin
Thomas, Dafydd *(Merioneth)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Torney, Tom
Wallace, James
Weetch, Ken
Williams, Rt Hon A.
Winnick, David
Wrigglesworth, Ian

Tellers for the Ayes:
Mr. D. N. Campbell-Savours and
Mr. John Golding.

NOES

Adley, Robert
Alison, Rt Hon Michael
Ancram, Michael
Arnold, Tom
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Biffen, Rt Hon John
Blackburn, John
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Bottomley, Peter
Bowden, A. *(Brighton K'to'n)*
Brandon-Bravo, Martin
Brittan, Rt Hon Leon
Bruinvels, Peter
Buchanan-Smith, Rt Hon A.
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Channon, Rt Hon Paul
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Cockeram, Eric
Colvin, Michael
Coombs, Simon
Cope, John
Critchley, Julian
Crouch, David
Dicks, Terry
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Durant, Tony
Edwards, Rt Hon N. *(P'broke)*
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Favell, Anthony
Forth, Eric
Fox, Marcus
Franks, Cecil
Gale, Roger
Garel-Jones, Tristan
Goodhart, Sir Philip
Goodlad, Alastair
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Gregory, Conal
Grist, Ian
Grylls, Michael
Hamilton, Hon A. *(Epsom)*
Hannam, John
Harris, David
Haselhurst, Alan
Hayes, J.
Hayhoe, Barney
Hayward, Robert
Heathcoat-Amory, David
Heddle, John
Hickmet, Richard
Higgins, Rt Hon Terence L.
Hind, Kenneth
Holland, Sir Philip *(Gedling)*
Holt, Richard
Howell, Ralph *(N Norfolk)*
Hunt, David *(Wirral)*
Jackson, Robert
Kershaw, Sir Anthony
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knowles, Michael
Lamont, Norman
Lang, Ian
Lawler, Geoffrey
Lennox-Boyd, Hon Mark
Lewis, Sir Kenneth *(Stamf'd)*
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter, *(Fareham)*
Lord, Michael
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
Maclean, David John
McNair-Wilson, M. *(N'bury)*
McQuarrie, Albert
Major, John
Malone, Gerald
Maples, John
Marland, Paul
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Mitchell, David *(NW Hants)*
Montgomery, Sir Fergus
Moore, John
Morrison, Hon C. *(Devizes)*
Morrison, Hon P. *(Chester)*
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Onslow, Cranley
Pawsey, James
Portillo, Michael
Powley, John
Prentice, Rt Hon Reg
Price, Sir David
Proctor, K. Harvey
Rees, Rt Hon Peter *(Dover)*
Renton, Tim
Ridley, Rt Hon Nicholas
Roberts, Wyn *(Conwy)*
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Silvester, Fred
Sims, Roger
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speed, Keith
Squire, Robin
Stanley, John
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stewart, Andrew *(Sherwood)*
Taylor, Teddy *(S'end E)*
Thatcher, Rt Hon Mrs M.
Thompson, Donald *(Calder V)*
Thorne, Neil *(Ilford S)*
Thurnham, Peter
Townend, John *(Bridlington)*
Tracey, Richard
Twinn, Dr Ian
Waddington, David
Walker, Bill *(T'side N)*
Walker, Rt Hon P. *(W'cester)*
Wells, Sir John *(Maidstone)*
Wheeler, John
Wiggin, Jerry
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Robert Atkins and
Mr. Ken Hargreaves.

Question accordingly negatived.

Opposition Day

[3RD ALLOTTED DAY]

[SECOND PART]

Trade Unions (Ballots)

4.17 pm

Mr. David Harris (St. Ives): On a point of order, Mr. Deputy Speaker. It is clear that there is going to be trouble in the House in that certain Opposition Members are trying to deny the leader of the Social Democratic party, the right hon. Member for Plymouth, Devonport (Dr. Owen), his customary seat. In view of that, and in an attempt to be helpful and constructive, would it not be a good idea if the leader of the Liberal party, the right hon. Member for Tweeddale, Ettrick and Lauderdale (Mr. Steel) vacated his seat and his expensive microphone so that the leader of the Social Democratic party could speak there? That would avoid the occurrence of any unseemly scenes in the House.

Mr. Dennis Skinner (Bolsover): On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker (Mr. Harold Walker): There is no point of order.

Mr. Skinner *rose*——

Mr. Deputy Speaker: Order. There seems to be no point of order. What we have heard seems to have caused more trouble than it was suggested we might cure.

Mr. Skinner: Further to that point of order, Mr. Deputy Speaker. You will recall that the only provision for securing a seat in the House is if hon. Members come in for prayers, having put in their prayer cards. That is what some of my hon. Friends have done in this case—as they always do. In view of the fact that this matter is about trade unions and ballots, we thought that the leader of the Social Democratic party should sit on the Tory Benches to deliver his speech.

Mr. Dennis Canavan (Falkirk, West) *rose*——

Mr. Deputy Speaker: Order. I can see plenty of empty seats. I do not see any reason for any hon. Member to be unduly cramped. *[Interruption.]* Order. Perhaps the leader of the Social Democratic party will take one of the empty seats rather than occupy the Gangway.

Mr. Canavan: On a point of order, Mr. Deputy Speaker. Is it in order for an ex-heavyweight politician like the leader of the SDP to be sitting on the floor on my right-hand side and for the Whip of the SDP to be sitting down on my left-hand side? I have noticed that both of them have been throwing threatening glances at my hon. Friend the Member for Don Valley (Mr. Redmond) because he is occupying the seat that they have their eye on.

Mr. Deputy Speaker: It might be sensible if hon. Gentlemen made best use of the seating that is available.

Mr. Ron Leighton (Newham, North-East): Would it be helpful to suggest that, as the leader of the SDP is trying to outflank the Conservative party from the right, he should be offered a seat in the far right-hand corner which is empty?

Mr. Deputy Speaker: All the so-called helpful suggestions do not seem to be very helpful at all.

Sir Kenneth Lewis (Stamford and Spalding): Further to that point of order, Mr. Deputy Speaker. May I suggest in a purely neutral sense that the leader of the SDP, in view of his opinions on the political parties on both sides of the House, might take his seat up above the clock?

Mr. Deputy Speaker: I have to tell the House that I have selected the amendment that stands in the name of the Prime Minister and her right hon. Friends. Dr. Owen.

Dr. David Owen (Plymouth, Devonport) *rose*——

Mr. John Prescott (Kingston upon Hull, East) *rose*—*[Interruption.]*

Mr. Deputy Speaker: Order. When I am on my feet, hon. Members must sit down.

Mr. Prescott: On a point of order, Mr. Deputy Speaker. It would appear that the Leader of the SDP has decided to speak from this Dispatch Box in order to move the Motion. Such a proposal is not normally dealt with in this way in the House. I wonder whether you would rule that the official Opposition spokesman speaking in the debate has the right to present the Opposition's case from this Dispatch Box.

Mr. John Cartwright (Woolwich): Further to that point of order, Mr. Deputy Speaker. May I refer you to a number of cases in which hon. Members have spoken from the Opposition Dispatch Box when they were not speaking on behalf of the official Opposition? I refer, for example, to an occasion on 4 August 1980 when my right hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Mr. Steel) spoke from the Opposition Front Bench and referred in his speech to the fact that he was speaking from the Opposition Front Bench. He said:

"In speaking from the Opposition Dispatch Box, I am sticking to the long-standing tradition of the House under which any Privy Councillor may speak from the Dispatch Box." — [*Official Report*, 4 August 1980; Vol. 990, c. 352.]

I refer also the occasion on 22 May 1984——

Mr. Deputy Speaker: Order. At this stage, I do not think that it is necessary for the hon. Gentleman to go through that, because the question to which he is addressing himself has not been raised. The hon. Member for Kingston upon Hull, East (Mr. Prescott) asked me whether it was in order that the official Opposition spokesman address the House from the Dispatch Box. Of course that is the case. But I do not know—and he has not yet raised with me the question — whether that excludes the right of any other right hon. or hon. Member to address the House from the Dispatch Box — *[Interruption.]* I know of no responsibility or authority that I have to prevent any hon. Member from so doing.

Dr. Owen *rose*——

Mr. Canavan: On a point of order, Mr. Deputy Speaker. Is it in order for any hon. Member to be called to speak who is not sitting in his or her place?

Mr. Deputy Speaker: I hesitate to suggest that the right hon. Member for Plymouth, Devonport (Dr. Owen) is sitting in his place—it is not a matter for me.

Mr. Brian Sedgemore (Hackney, South and Shoreditch) *rose*——

Mr. Deputy Speaker: If the right hon. Member for Plymouth, Devonport (Dr. Owen) will be patient a little longer, until we clear these points of order, we might have a more orderly start to the debate.

Mr. Sedgemore: May I draw your attention, Sir, to the provisions of the Mental Health Act 1959, under which you have a reserve power to call a psychiatrist to examine——

Mr. Deputy Speaker: Order. I think that the hon. Gentleman has the wrong day. Dr. Owen.

Mr. Sedgemore: Further to that point of order, Mr. Deputy Speaker. The Leader of the SDP clearly thinks that he is the Leader of the Opposition. In my respectful submission, he should be submitted to the psychiatrist's couch because, if he is mad, he is not allowed to sit in the House.

Mr. Deputy Speaker: That is not a point of order. We have an important debate before us. All this is taking time out of that debate.

Mr. Harry Cohen (Leyton): Further to that point of order, Mr. Deputy Speaker. In ruling on the point of order raised by my hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott), you seemed to imply that hon. Members can speak from wherever they like in the House, including from the Dispatch Box. Are you then saying, Mr. Deputy Speaker, that all hon. Members can deliver their speeches from the Prime Minister's Dispatch Box if they so wish? If that is the case and all hon. Members proceeded to do so, I submit that there would be chaos in the House. Therefore, there is a long-established convention that hon. Members of the House do not speak from the Dispatch Box except those who by convention are allowed to do so—those on the Front Benches. As that is the convention of the House, Mr. Deputy Speaker, I think that it is your duty to uphold that convention.

Mr. Deputy Speaker: I said earlier that I knew of no authority that I had to prevent any right hon. or hon. Member addressing the House from the Dispatch Boxes, but of course the hon. Gentleman is right to remind us of the long-standing conventions of the House. It is a universally recognised and observed convention that the Dispatch Boxes are used on the one hand for Ministers to address the House and on the other for the leaders and spokesmen of the official Opposition party to address the House. I can only ask the House to observe and sustain the convention, but I have no authority to prevent any hon. Member who decides that he will breach the convention.

Mr. Ian Wrigglesworth (Stockton, South) *rose*——

Mr. John Golding (Newcastle-under-Lyme): Further to that point of order, Mr. Deputy Speaker. I see the point of order, but can I put it to you, Mr. Deputy Speaker, that it will be impossible for the Leader of the Social Democratic party to speak from behind the line if he speaks from the Dispatch Box without thrusting the Members who were already sitting on the Front Bench from their places. If right hon. and hon. Members are already occupying their places in front of the Dispatch Box and a right hon. Member comes to try to force them out of the way or speaks from beyond the red line, how can he be in order? It can hardly be in order for a right hon. Gentleman to push other right hon. and hon. Gentlemen out of their seats. It can hardly be in order to speak from beyond the red line.

Mr. Wrigglesworth *rose*——

Mr. Deputy Speaker: Order. That is not a point of order; it is a purely hypothetical matter.

Mr. Wrigglesworth: Further to that point of order, Mr. Deputy Speaker. Is it not also the convention that right hon. and hon. Members should be allowed to speak in the Chamber from the Bench upon which they normally sit — [HON. MEMBERS: "No."] — and that there is a deliberate attempt by the bully boys and thugs of the Labour party, as we saw in the miners' dispute, to stop free speech in the House—*[Interruption.]*

Mr. Deputy Speaker: Order. When I am on my feet, hon. Members must resume their seats. We have debated the miners' dispute many times, but we are not going to have it re-run this afternoon.

The hon. Member has raised a useful and constructive point of order. If it is suggested that all will be well and tranquillity restored if the leader of the Social Democratic party was allowed to resume his usual seat below the Gangway, then I would address an appeal to the hon. Gentlemen who are occupying that Bench to allow him to do so. *[Interruption.]* It is only an appeal.

Mr. Eric S. Heffer (Liverpool, Walton): Further to that point of order, Mr. Deputy Speaker. I am temporarily occupying the seat of the leader of the Ulster Unionist party, which is, incidentally, in the view of some people just another facet of the Conservative party. I am prepared to move out of this seat in order to allow the right hon. Member for Plymouth, Devonport (Dr. Owen) to address the House from here. I think that that is a very fair proposal.

Sir Anthony Kershaw (Stroud): Further to that point of order, Mr. Deputy Speaker. A joke is a joke, but is there anything in the rule book that says that this loutish and vulgar display by the Labour party should be permitted to prevent free speech in this House?

Mr. Kevin Barron (Rother Valley): Further to that point of order, Mr. Deputy Speaker. I should like you to advise me. When I came into the House at 2.30 pm to take prayers, there was a card on the Bench where my hon. Friend the Member for Falkirk, West (Mr. Canavan) is sitting containing the name of the right hon. Member for Plymouth, Devonport (Dr. Owen). Obviously, he managed to come in earlier and put down the card but could not get to the Chamber for 2.30 pm for prayers. Perhaps this incident has been sparked off by the right hon. Gentleman's inability to attend the House regularly. It is now 4.30 pm on a Tuesday afternoon, and all hon. Members know that the right hon. Gentleman attends the House for about half an hour on Tuesday and Thursday afternoons and that normally he would have left by now.

Mr. Deputy Speaker: That is not a point of order for me.

Mr. Max Madden (Bradford, West): Further to that point of order, Mr. Deputy Speaker. The motion that we are supposed to be discussing was, according to the Order Paper, tabled by the Liberal party and the SDP. We were recently told that another microphone had been introduced in the Chamber in order to facilitate the leader of the Liberal party who normally sits in the seat beneath it. As the leader of the SDP is now occupying a seat under the microphone which was provided recently at considerable

[Mr. Max Madden]

expense for the Liberal and Social Democratic parties, most reasonable people would see no reason why he should not speak from where he is sitting.

Mr. Deputy Speaker: That is not a matter upon which I can rule. The House is doing itself no credit whatever by proceeding in this way. Hon. Members should realise that there is a very serious debate before us and that the time for it is being spent on largely bogus points of order. Hon. Members should try to get on with the debate.

Mr. Ron Lewis (Carlisle): On a point of order, Mr. Deputy Speaker. I have sat in this House for many years and I believe that the attack made by the hon. Member for Stroud (Sir A. Kershaw) was unwarranted——

Mr. Deputy Speaker: Order. The hon. Gentleman is helping neither the House nor himself.

Mr. Robert Jackson (Wantage): On a point of order, Mr. Deputy Speaker. Is it not true that the Social Democratic and Liberal parties drew a place in the ballot, and that we are now seeing a lamentable attempt to destroy their right to free speech?

Mr. Deputy Speaker: There is no question of ballots. The dispute revolves around the question whether a right hon. or hon. Member should have a particular place from which to speak. I can see many empty places in the House. If there is space, right hon. and hon. Members should try to get on with the debate.

Mr. Leighton: Further to that point of order, Mr. Deputy Speaker. As the leader of the SDP is sitting, singularly appropriately, on top of the leader of the Liberal party, would it not be fitting to allow him to speak from the seat in which he has been quite comfortable for the past 10 minutes?

Mr. Deputy Speaker: The hon. Gentleman knows perfectly well that that is neither a point of order for me nor a serious approach to what is becoming a serious matter. The right hon. Member for Devonport should be allowed to——

Mr. Doug Hoyle (Warrington, North): Further to that point of order, Mr. Deputy Speaker. I just want to know what your ruling is. Does it mean that any right hon. or hon. Member can speak from the Dispatch Boxes? If so, given the arrogance and political views of the leader of the SDP, would he not be far happier speaking from the Government's Dispatch Box?

Mr. Deputy Speaker: My ruling was that I knew of no power that I had to prevent any right hon. or hon. Member from addressing the House from the Dispatch Box. I have reminded hon. Members of the long-standing and deeply held conventions of the House and appealed to the House to uphold them. I have no power to impose them, as is being suggested.

Mr. Prescott: Further to that point of order, Mr. Deputy Speaker. I am sure that you will recognise that a serious point is involved concerning the conventions surrounding where right hon. and hon. Members speak from—*[Interruption.]* The issue involves not freedom of speech but the place from which a right hon. or hon. Member speaks. That is the only point at issue. Questions have been raised about prayer cards on seats as well as about the conventions. Am I to understand from your ruling that it would be entirely proper for any right hon. or hon. Member to speak from either Dispatch Box at any stage during a debate? I understand that you are saying that this convention of the House does not have to be recognised, that it may be taken into account but that right hon. and hon. Members can speak at any time from any part of the House. Is that the point?

Mr. Deputy Speaker: I have said that I have no power to impose that convention. Questions of propriety are a different matter, and I have not said that it would be proper to act in that way. The question is whether I have any authority to prevent any right hon. or hon. Member from addressing the House from the Dispatch Box. I remind hon. Members again of the conventions, and hope that they will be observed.

Mr. David Steel (Tweeddale, Ettrick and Lauderdale): Further to that point of order, Mr. Deputy Speaker. It should not be allowed to pass into the record that there has been a sudden outbreak of religious fervour on the Benches in front of me. The truth has nothing to do with prayer cards. It is well known to hon. Members that, ever since my right hon. Friend the Member for Plymouth, Devonport (Dr. Owen) became leader of the SDP, he has occupied a place on this Front Bench and has always spoken from there. You may not have noticed, Mr. Deputy Speaker, but we noticed that throughout the Division that Bench was deliberately occupied by a movable group of hon. Members to prevent him from taking his seat. What we are seeing is not the Militant Tendency but the yobbish tendency in this House. I believe that there are procedures and conventions in this House, and that one of them is that my right hon. Friend should be able to address the House from the Front Bench without there being a conspiracy to prevent him from doing so.

Mr. Deputy Speaker: The right hon. Gentleman knows that that is not a matter for me and that no right hon. or hon. Member has a seat in the Chamber as of right, other than is provided for in our Standing Orders by the prayer card procedure.

Mr. Guy Barnett (Greenwich): On a point of order, Mr. Deputy Speaker. The House is clearly in a difficult position, partly because you cannot rule upon the matter as it is one that involves convention. I wonder whether you would be prepared to accept a motion on this matter from me as to where the right hon. Member for Devonport should speak from.

Mr. Deputy Speaker: I think that the difficulty arises because of the determination of the leader of the SDP to disregard the long-standing convention. I have no power to prevent him from doing that. We should get on with the debate. Dr. Owen.

Mr. Alan Williams (Swansea, West): Further to that point of order, Mr. Deputy Speaker. Is it not a fact that it is the duty of any hon. Member who wants a particular seat in this House to make sure——

Mr. Deputy Speaker: Order. The right hon. Gentleman has heard me already deal with that point. I do not think that there is any need to go over it again. All these points of order, many of which are bogus, are only detracting from the fulfilment of our serious responsibilities and from the debate that we ought to have embarked upon quite some time ago.

4.41 pm

Dr. David Owen (Plymouth, Devonport): I beg to move, That this House calls upon the Government——

Mr. Roland Boyes (Houghton and Washington) *rose*——

Mr. Derek Fatchett (Leeds, Central) *rose*——

Mr. Boyes: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: The hon. Gentleman must address me from where he is standing. He must not move around the Chamber.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. We cannot have this kind of nonsense. Hon. Members must address the House and the Chair from the place where they rise.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. Hon. Members must resume their seats when I am on my feet. It seems to me that a very large number of hon. Members are seeking to disregard conventions this afternoon. Will the hon. Gentleman who now wishes to raise a point of order please address it to me from the place which he is now occupying?

Mr. Boyes: In view of the fact that we have been continuously harassed by Social Democratic Party members, did you notice that in order to get from the Front Bench and to speak from that Dispatch Box it was necessary for the leader of the Social Democrats physically to assault members of the Labour party? Did you further notice that the leader of the Social Democrats already had an established place?

You have just insisted, Mr. Deputy Speaker, that when I raised a point of order I had to speak from the place in which I was standing and that I had no right to go to the Dispatch Box. Why is it all right for the leader of the Social Democratic party to leave the place where he was sitting? He is only a Back Bencher, the same as I am, so why is it all right for him to move but not for me to move?

Viscount Cranborne (Dorset, South) *rose*——

Mr Deputy Speaker: Order. Perhaps I had better deal with one point of order at a time. The difference is that the hon. Gentleman started to address me and raised his point of order from the position which he at present occupies. The leader of the Social Democratic party started to address the House from the Dispatch Box and, to the best of my recollection, had not spoken earlier.

Mr. Williams: On a point of order, Mr. Deputy Speaker. If I understood correctly, you gave a ruling a few moments ago that a Member must address the House from the place at which he is called. Will you confirm that when you called the leader of the Social Democratic party he was sitting in the second row below the Gangway, as we all saw? Should he not, therefore, in keeping with your ruling a moment ago, have to make his statement from that position?

Mr. Deputy Speaker: I have given my ruling and it seems to me that the right hon. Gentleman is now challenging it. That he must not do. I will read to the House the relevant passage from "Erskine May", which we take as our guide on these matters. We find on page 418, running over to page 419, the following:

> "Upon a Member inquiring whether a private Member was acting within the conventions of the House in speaking from the ministerial despatch box, the Chair declined to intervene and the Member concerned continued his speech from that place."

It then goes on to say:

> "A Member should not move his place while speaking."

To the best of my recollection, the right hon. Gentleman the leader of the Social Democratic party did not commence his speech until he put his notes on the Dispatch Box. The hon. Member for Houghton and Washington (Mr. Boyes), having raised a point of order, proceeded to move along the Gangway. It was on the basis of what is in "Erskine May" that I ruled as I did. I have ruled and I do not think that there is any need to go over that ground.

Viscount Cranborne: On a point of order, Mr. Deputy Speaker. If hon. Members care to go along the corridor to another place, they will see an important debate being carried on by non-elected people in this Parliament. Any hon. Member who then returns to this more important Chamber will see that a debate on an important subject upon which many of us on this side of the House feel extremely strongly is being deliberately resisted in an undemocratic manner by democratically elected Members. *[Interruption.]* May I finish?

Mr. Deputy Speaker: The hon. Gentleman may not, because quite clearly he is delivering a speech which is expressing his opinion. I do not question the strength of feeling or the sincerity with which the hon. Gentleman holds his views, but the matters which he is raising are not matters for me.

Mr. Heffer: On a point of order, Mr. Deputy Speaker. It is quite clear that the situation in the House at the moment is reaching an impasse, and it has to be resolved. It can be resolved on the basis of common sense if the right hon. Gentleman who speaks for the Social Democratic party is prepared to occupy another seat. Obviously he is not. Have you no powers at all, as a Deputy Speaker of the House of Commons, to make a ruling? It seems to me to be very strange that if you were the chairman of the Labour or Conservative party you would have such powers and could make a ruling, but that the chairman of the House of Commons—that is what the Speaker is—has no power to make a ruling. Surely the time has come for you to make a ruling to resolve this impasse.

Mr. Deputy Speaker: The task of Mr. Speaker and his Deputies is to interpret and apply the Standing Orders and to seek to ensure the observance of the courtesies and conventions of the House. It is not for me or any other occupant of the Chair to make the rules, except by way of decisions which create precedents. I think that it would be very unwise for me, in what is for me and for the House a somewhat unprecedented situation, to make an off-the-cuff ruling that might be binding on other occupants of the Chair and their successors and have far-reaching implications for the liberties of the House.

It might be sensible for us to have a cooling-off period and for the House to have an opportunity to reflect on the situation and the impasse into which it seems to have got itself.

4.48 pm

Sitting suspended.

5.2 pm

Sitting resumed.

Dr. Owen *rose*——

Mr. Canavan: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. I shall not take any further points of order.

Dr. Owen: I beg to move——

Mr. Canavan: On a point of order, Mr. Deputy Speaker.

Mr. Deputy Speaker: Order. The hon. Member for Falkirk, West (Mr. Canavan) must resume his seat. We have had enough points of order for one afternoon. We ought to get on with the debate.

Dr. Owen: I beg to move——

Mr. Canavan: On a point of order, Mr. Deputy Speaker.

Hon. Members: Name him.

Mr. Deputy Speaker: Order. I am not prepared to take any further points of order. We have had a good run. I hope that the hon. Member for Falkirk, West will now allow the House to get on with its proper business, which is the motion set down for debate.

Dr. Owen: I beg to move,

That this House calls upon the Government immediately to amend the Trade Union Act 1984 to ensure that, unless absolutely impossible in a particular case, all strike ballots, political fund ballots and elections for trade union executive committees are held on the basis of full secret postal voting conducted by independent returning officers and scrutineers so as to minimise the risk of abuse.

This is an important issue, relating to the role of the trade union movement. First, it needs to be clearly established that in this country there are millions of trade unionists who belong not just to the Labour party, the Conservative party, the Social Democratic party and the Liberal party, but to the nationalist parties and to the Ecology party. It would be a great mistake for this House to debate trade union matters and think that any single party had a pre-emptive right to speak for all trade unionists. Furthermore, I believe that it is in the interests of the trade union movement, of trade unionists and of the prosperity of this country for the trade union movement not to feel itself to be politically bound or institutionally linked to any political party.

It is a reflection of the inadequate financial support for political parties that the political situation is so polarised, and that because of long-standing financial links politics have come very close to the vested interests which financially support particular political parties. That is just as much a problem for the Conservative party, because of its links with big business and its funding by large companies, as it is for the Labour party. I believe that all of us wish that a better system could be devised.

Mr. Robert Hughes (Aberdeen, North): Will the right hon. Gentleman give way?

Dr. Owen: I should prefer not to do so but instead to develop my argument.

We need to reflect on the fact that at the last general election only 39 per cent. of trade unionists voted for the Labour party and that 61 per cent. voted for the other political parties. Therefore, the Labour party can no longer claim to speak for the majority of trade unionists. For that reason, I think that we would all agree with the views of the Secretary of State for Employment, who said during the Third Reading debate on the Trade Union Bill:

"We believe that the law should protect the whole community—employers, employees, union members and non-union members alike—from the abuse of industrial power."—[*Official Report*, 25 April 1984; Vol. 58, c. 832.]

I believe that the right hon. Gentleman spoke for everybody when he used those words, but I do not believe that the Trade Union Act 1984 is fulfilling those expectations.

We have before us the sad situation which is facing the Transport and General Workers Union. Most people are glad that there is to be an emergency meeting of the union on Thursday next. We must hope that, as press statements appear to indicate, the request of the general secretary elect, Mr. Ron Todd, for another ballot is agreed to, but I have serious misgivings about such a ballot taking place under the existing procedures. It is not my job to conduct a witch hunt into the procedures of the Transport and General Workers Union, and I do not intend to go into those matters. They have been fairly well discussed and other hon. Members will no doubt refer to them.

Ever since the scandal that affected the Electrical Trades Union, as it then was—it is now the Electrical, Electronic, Telecommunication and Plumbing Union—the view held in this country is that trade union balloting arrangements leave a great deal to be desired. It is important to realise that before the Trade Union Act 1980 some of the major trade unions were prepared to make payments out of their own funds in order to establish democracy. They were prepared to pay for postal ballots.

The Secretary of State ought to make it clear that some of his statements in recent weeks about the way in which the old ETU scandal first broke are incorrect. As was stated by its general secretary:

"The postal element in this union's balloting system prior to 1961 was very limited."

It was based upon branch returns. Mr. Eric Hammond, the general secretary, said yesterday:

"We do not wish to intrude into the TGWU's difficulties but we cannot allow the present burst of distortion to go on unchallenged. We regard our system as fiddleproof and we urged the Secretary of State to adopt it if he was intent on legislating. He failed to do so, and it is reprehensible that he and others who have ignored our advice should now misrepresent our position."

The 1961 procedure was not a quasi-postal ballot. The Secretary of State knows that well, and I urge him now to listen, as he did not listen in Committee, on Report, on Third Reading or to the House of Lords, to the criticisms that have come from a substantial body of opinion—not, perhaps, within, the House but outside the House—from shop stewards in union after union who warned him that workplace ballots were open to great abuse.

What happens if on Thursday the TGWU decides to hold a re-ballot? The new Act will not stop what happened. Part 1 does not come into force until October. Even if the re-ballot were not held before then, the Act does not cover non-voting general secretaries. Most general secretaries, including that of the TGWU, are non-voting. We have all realised that that is a gap in the legisation.

Even if non-voting general secretaries were covered, the Act allows unions to have a workplace ballot. The system used for the 1984 TGWU general secretary ballot could be used again. The only changes would be that all ballot boxes, not just most, would have to be at the workplace. Some were at the branches. The boxes would

have to be open for longer in some cases. The count would have to be more secure. No doubt arrangements will be made to change the cardboard boxes and a few other issues, but the substantive issue would not change.

Since the Act was passed we have seen how the National Union of Mineworkers has changed its rules. Mr. Arthur Scargill has arranged for his casting vote on the NUM executive to be taken away. *[Interruption.]* I agree that that has not happened yet.

Mr. Skinner: The right hon. Gentleman is wrong again.

Dr. Owen: Mr. Scargill will not be covered by the Act, as I understand it. If I am incorrect, I withdraw that remark.

Mr. Alexander Eadie (Midlothian): The right hon. Gentleman will not want to mislead the House. He said that the president of the NUM has arranged for his vote to be given away. That is inaccurate. He never had a vote. The chairman of the executive had a vote. Whether the present chairman of the national executive or the president will have a vote will be decided at the national conference. I hope that the right hon. Gentleman will correct what he said. A national conference will decide on the new rules.

Dr. Owen: The hon. Gentleman is a better man. I said a "casting vote". As I understand it, the present chairman is Mr. Arthur Scargill. He uses his casting vote. The recommendation may not be followed, but it shows how the Act does not cover all circumstances.

I should like to consider the General, Municipal, Boilermakers and Allied Trades Union's election for the successor to David Basnett. It will be by branch block vote. A vote, for example, of 10 to 6 in favour of one candidate could cast thousands of votes for that candidate. The Act does not stop that, as the general secretary does not have a vote. The new general secretary, Brenda Dean——

Mr. Skinner: The right hon. Gentleman has got it wrong again.

Dr. Owen: —has just been elected by workplace ballot.

The Secretary of State for Employment (Mr. Tom King): Wrong again.

Dr. Owen: The right hon. Gentleman will no doubt make it clear whether the GMBATU election is covered. I think he will find that it is not.

We then come to the role of the certification officer under part 1 of the Act, which covers union executive elections. It comes into force on 1 October 1985. Unions can choose workplace instead of postal ballots. The right hon. Gentleman had better realise that there is a good deal of anxiety on his back Benches about that issue. There is a general feeling that if he had listened a little more he would not find himself in the mess that he is in. The right hon. Gentleman did a fiddle. He knew that that point would cause a great deal of trouble and he made an arrangement with the trade unions, which he now regrets.

Mr. Richard Tracey (Surbiton): The right hon. Gentleman is perhaps being premature when he refers to my right hon. Friend's Back Benches. The relevant part of the Act does not come into force until 1 October this year. Most of us wish to see how it will work.

Dr. Owen: That is a possibility, but it is also possible to anticipate some of the problems that will arise. The first thing that we have to face is that even if we argue about the role of the certification officer under part 1 of the Act we must remember that 47 unions, with 8·5 million members eligible to vote, will have to vote on political funds between April 1985 and March 1986. That will be the largest number of union ballots to take place in one year. They will take place not just under union rules but, nominally, under an arrangement made in the House to provide for true democratic procedures. The ballots must be held by 31 March 1986.

The unions have a choice between postal and workplace ballots on political funds. Three unions only at the moment —I hope that it will be more—are expected to use full postal ballots on the political fund. They are the Electrical, Electronic, Telecommunication and Plumbing Union, the Amalgamated Union of Engineering Workers and the Furniture, Timber and Allied Trades Union.

Mr. Skinner: The National Union of Seamen.

Dr. Owen: I hope that that is the case. I had always understood that there was a strong case for workplace ballots for the NUS. It has often been quoted as a case for special arrangements. The NUS is a special union. Most people recognise that there must be some flexibility. I shall be delighted if it holds a postal ballot. There is likely to be a postal element in most of the other ballots, with 10 per cent. of the members in the categories of being on holiday, sick, retired or applying for a postal vote.

Mr. Patrick Nicholls (Teignbridge) *rose*——

Dr. Owen: Some unions will operate a semi-postal ballot system with ballot papers sent to the workplace for distribution and then returned by post by each member to head office or independent scrutineers. What is wrong with workplace and semi-postal ballots? Why has there been disquiet about them for many years? The points at which workplace ballots can be open to abuse are in the number of ballot papers claimed for distribution at each location, in the unsupervised distribution of ballot papers, in the return of ballot papers, in the improper use of discarded papers, which, in many cases are over 50 per cent. of those issued, and in undue influence exerted on the voter. The variety of the form of pressure is legend. The abuse can be in the local count and in the national return.

Semi-postal ballots usually involve the distribution of ballot papers at the workplace and the posting back of the papers to union head office or the independent scrutineers. They are usually only a variant on the workplace ballot.

Why is there a resistance to postal ballots? The 1980 Act——

Mr. Canavan *rose*——

Dr. Owen: The hon. Gentleman can make his own speech. There has already been fairly substantial Labour party disruption during the debate.

The House must ask why there is such resistance. In the past one could understand that postal ballots were a costly procedure. For some unions it was not easy. I, like many other people, decided that some of those things had to change. We lived through some of the results of unrepresentative trade union decisions. The Government

[Dr. Owen]

were right, under the 1980 Act, to make it possible to provide funding for democratic postal ballots, and I support that.

Mr. Nicholls *rose*——

Dr. Owen: If the hon. Gentleman intends to make the obvious point that I did not vote for it, he is right. I voted against it, and I regret that. When we formed the SDP, we made it clear that we regretted it. We decided to back democracy in trade unions. We should like to have democracy in political parties and other organisations. Postal ballots, as the SDP knows, are expensive. We know that the Labour party will not trust its members to vote for its leader. We know that the Labour party will not trust the one-member, one-vote system,. We will not have lectures on democracy from the Labour party. *[Interruption.]* I have had those arguments. I went to the Labour party conference and urged it to adopt the one-member, one-vote system.

Mr. Canavan: If the right hon. Gentleman is so obsessed with the idea of secret ballots, why, when he set up the SDP, were he and all the other SDP MPs who defected from other political parties afraid to give their constituents the opportunity of an immediate secret ballot? The only one who did, Douglas-Mann, was thrown out on his neck.

Dr. Owen: It is clearly a constitutional issue. Once elected, a Member of Parliament is answerable to the House, not to the general management committee of the Labour party. He is elected to the House to speak for his constituents. When this issue was put the to constituents of Plymouth, Devonport, they well understood it, as did 7·75 million people who voted for the Liberal party/SDP, and of course the 3·5 million who voted for the SDP. It may stick in the gullet of Labour Members to realise that many of those people were trade unionists. Many of them want to see, as do the SDP and the Liberal party, a strong, democratic trade union movement in this country——

Mr. Hugh Dykes (Harrow, East): So does the Conservative party.

Dr. Owen: If the Conservative party really means that, it will carefully consider making amendments to the legislation—and the sooner the better.

The Secretary of State appears to be taking the matter personally, as though we should not make any criticism. The legislation contains substantial achievements and he should not be ashamed of them. He knows that the Government changed their mind during the passage of the Bill. After all, the Paymaster General and chairman of the Conservative party, the hon. Member for Suffolk, Coastal (Mr. Gummer), who was the Minister of State, Department of Employment, during the passage of the legislation, had the grace to say on Report:

"I admitted to him in Committee that I began by believing that postal ballots were the best, and perhaps the only, way of electing the executive committee of a union. I must explain why I moved from that position."—[*Official Report*, 26 March 1984; Vol. 57, c. 99.]

The hon. Gentleman must be regretting that he moved from that position. It was not until an amendment was carried in the House of Lords that we put back into the Bill any presumption of postal ballots, and that is still only in part 1.

The House must remember that that provision does not cover strike ballot procedures. Why is that important? It could be argued that in electing a general secretary there are many different views among the officials of the union. We know that this is true of the Transport and General Workers Union. A substantial body of people support Ron Todd, with an equally substantial body of officials and others supporting Mr. George Wright. There is a discipline within the union to ensure that there is no fiddling of the ballot—yet there have been serious allegations.

What about a strike ballot, when almost all the officials of a union want a strike? They will supervise the workplace ballot, and there is no provision for a postal ballot. They will have the temptation to take all the shortcuts involved in a workplace ballot.

More than 82 per cent. of the political fund goes effectively to support the Labour party.

Mr. Skinner: Members of Parliament are sponsored.

Dr. Owen: It is for individual Members of Parliament to decide whether they wish to be sponsored. I was never a sponsored Member of Parliament.

Mr. Skinner: The right hon. Gentleman had union money.

Dr. Owen: It is extremely difficult for members of the Labour party to examine the issues objectively, yet it would be in their interest to do so. Mr. Ron Todd appears to understand that if there is doubt about a ballot, there is doubt about the authority of the general secretary. Therefore, Ron Todd would not be in a position to carry credibility——

Mr. Skinner: The right hon. Gentleman had £10,000 over the years.

Dr. Owen: I hope that the hon. Gentleman will never make such an allegation. If he would like to say that standing up, I would be grateful. I was never sponsored, and no money was given to me—*[Interruption.]*

Mr. Deputy Speaker (Sir Paul Dean): Order. The right hon. Gentleman is entitled to a hearing.

Dr. Owen: I beg the Secretary of State to look at this matter seriously. All the officials in the unions believe that the political fund should be involved, and they supervise the massive elections. Those elections will not simply be under union rules which we can all disown. If we hear reports of incidents, such as those affecting the TGWU, we will all be involved. This House will be involved. The workplace ballot on the political fund to support the Labour party is, in effect, a straight question of a political levy—it is Labour's levy. We are being asked to accept that the supervision of workplace ballots for the levy and for strikes should be undertaken by full-time officials of the union at their place of work.

Whatever the Secretary of State may say about the onus of proof in part 1—the reading of counsel is that the wording leaves it open to any union which so wishes to use a workplace ballot and not a postal ballot—the onus is not on the union to hold a postal ballot. The Government and the Prime Minister have misled their supporters. I do not believe that they did so deliberately, but the fact is that under part 1 any union which so wishes can hold a workplace ballot. If that is then challenged to the Certification Officer by an individual member of the

union, it is possible under part 1 for the Certification Officer to reject the workplace procedures and to insist on a tougher procedure or a postal ballot.

The Secretary of State has been on radio and television and given the impression that under part 1 the onus of proof is on someone to show why he should not have a postal ballot. The reverse is the truth. The alliance wanted the onus of proof to be on those who wished not to have a postal ballot to show why that should be so. For those unions with special circumstances, we suggested that they went to the Certification Officer and asked for an exemption. That is the right way. Postal ballots should be the norm, and workplace ballots the exception.

It is not quite an accident that SOGAT '82 has been chosen to be the first trade union in relation to the political fund. It is not an accident that this union has been carrying out its procedures with hardly any examination in the press. If the SOGAT '82 ballot is to become the hallmark of ballots for the political fund over the next year, the stories that we have heard about the TGWU will run on throughout the year.

Mr. Golding: Where is the evidence?

Dr. Owen: We find the evidence if we examine SOGAT '82. Its official journal describes why its members should support the political fund. The Labour party is not mentioned on any page. It is well known that the only way that SOGAT '82 can get its members to support the political fund is to pretend that it has nothing to do with the Labour party; that the funds go nowhere near the Labour party.

Matters are even more serious than that. Members of SOGAT '82 are being asked to vote for a voice in Parliament. They are told that they will not be able effectively to carry out their union activities unless they have a political fund. It has been made clear time and time again that any normal trade union activity, including lobbying, can be provided for from normal funds. I hope that the Secretary of State will confirm that they do not need a political fund to campaign or to lobby.

Mr. Leighton: Is the right hon. Gentleman aware that SOGAT '82 has a very good voice in Parliament? Is he further aware that our union wants the unfettered right to campaign on anything that the right hon. Gentleman might call politics? It does not want to be dictated to by him or by anybody else. No other country in western Europe dictates to a union how it will spend its money. When we want advice from renegades and turncoats, we will ask for it.

Dr. Owen: That is diametrically opposite to what the Act states. It states that the members should decide fully, openly and democratically whether they wish to make contributions to the Labour party. If they decide to do so, openly and democratically—*[Interruption.]* The Act is a bit like the *SOGAT Journal*. It does not mention the Labour party, but 82 per cent. of the political fund goes to the Labour party, and everybody knows that. It is not for normal, traditional lobbying.

In case anybody is in doubt about what the *SOGAT Journal* says, I shall read it out. It says:

"'We would like to say on behalf of our members . . .' If we lose our rule which allows unions to be active politically we could soon be banned from campaigning publicly on questions which affect our members. And it would be illegal to lobby Parliament!"

The journal is entitled "Say yes to a voice". That will not lead to a fairly conducted ballot and everybody knows it. The tragedy is that the Secretary of State for Employment will be seen to be putting the veneer of respectability over this process. It is vital that we say no. These political fund ballots must be conducted democratically. They should be contracted in. If a political fund ballot is to take place, it should be postal and the cost should be borne by the country as an investment in democracy.

Any of us who advocate fair elections in trade unions will be traduced up and down the country and will be told that we are anti-union. We are not. It is part of the assumption of a monopoly of conscience that the Labour party believes that only it can speak for trade unions. Many hon. Members of all parties believe in the need for collective action and for unions and members to organise. They believe that there should be some special safeguards in the law, as the present legislation rightly gives trade unionists.

However, these hon. Members desire from trade unionists that if they are given special privileges and protection in the law, they should have within their procedures a fully open and democratic mechanism so that the commonsense judgment of the members can be carried out. We would like to see that more widespread. I urge the Secretary of State and the Government to listen this time. They did not listen to the House of Commons or the House of Lords, and instead partially made an adjustment to the House of Lords amendment.

What has happened in the case of the Transport and General Workers Union is, I fear, the tip of a particularly ugly iceberg. It is giving too much temptation to any person with strong views in a trade union to ask him to supervise an election. We have not yet reached the stage where the Labour party, the Conservative party, or the alliance parties supervise the collection of the ballot boxes in a general election, or are involved in the counting of votes. The supervision of the ballot is completely separated from us as politicians, and rightly so. Supervision should be conducted independently, even if there is a workplace ballot, and even if we allow some unions to go ahead before the full operation of the 1984 Act. It is incumbent upon us to insist that there should be independent supervision at all stages of any workplace ballot. I urge the Secretary of State to think again.

5.33 pm

The Secretary of State for Employment (Mr. Tom King): I beg to move, to leave out from "House" to the end of the Question and to add instead thereof:

"welcomes the success of the Government's step-by-step approach to the reform of industrial relations law and to the strengthening of rights of individual trade union members; welcomes the new and stringent provisions of the Trade Union Act 1984 concerning secret ballots before strike action, for trade union elections and for the maintenance of political funds; notes the fundamental change in trade union attitudes and practices now taking place; welcomes in particular the increasing interest and involvement of trade union members in the conduct of their unions' affairs; and congratulates the Government on making the achievement of greater democracy in trade unions a central objective of its industrial relations policy."

I took no exception in any personal sense to what the right hon. Member for Plymouth, Devonport (Dr. Owen) said, but on an issue as important as this, he could have done the House the courtesy of being more careful about his facts. He was wrong about the position of the president of the National Union of Mineworkers, about the position

[Mr. Tom King]

of the general secretary of the GMBATU and about the powers of the certification officer in the example that he used. He was also wrong in the letter that he wrote to me, and I sought to set out his inaccuracies. This is an important subject, and the right hon. Gentleman owes it to the House to come better prepared and equipped to deal with the argument.

I assume that the right hon. Gentleman was not wrong in referring, as he does in the motion—I had assumed that this was a mistake—to the need for postal ballots before all strikes and presumably before those to end strikes. If that is what he intended—he referred only briefly to it—this is the first time that it has been mentioned. The hon. Member for Stockton, South (Mr. Wrigglesworth) sat through all the proceedings—Committee, Report, Third Reading and the debates on Lords amendments—and said nothing about it. Is this a new policy proposal or merely a mistake in the motion? If the right hon. Gentleman rehearsed his arguments on the merit of compulsory postal ballots before all disputes, he might find it difficult to rally the support for which he is looking.

We welcome this debate, not least because it is an opportunity to correct some of the gross inaccuracies that the right hon. Gentleman has perpetrated, not only in the House but outside. I and my right hon. and hon. Friends are not embarrassed to discuss the cause of trade union reform. I am glad to see my right hon. Friend the Member for Waverney (Mr. Prior) here. He initiated the step-by-step approach that has been such a significant success. I look across at some of the remainder of the participants in the battle on "In Place of Strife" and of the battles on the Industrial Relations Act 1971. Any honest observer will recognise the significant difference in the successes of our step-by-step approach. It is improving the climate of industrial relations, and its measures are here to stay.

The right hon. Member for Devonport was candid enough to admit that he voted against the first step of the step-by-step approach. He does not, however, rush forward to say that, while he supports the use of public funds for postal balloting, he voted against my right hon. Friend the Member for Waveney when he introduced that proposal.

Mr. Cyril Smith (Rochdale): I did not vote against it.

Mr. King: It comes as no surprise to find that different Members of the two alliance parties voted in different ways. The real surprise would be if they voted in the same Lobby at the same time. There have been some thoroughly unwelcome scenes in the House, but it is welcome to see the new development of such a good turnout from the alliance parties.

The right hon. Member for Devonport has chosen to lecture the Conservative party on the system of balloting for elections, secret ballots for union elections, a system of ballot before strikes and secret and periodic ballots for trade union funds. However, he would not have had the opportunity to comment on any of those items if we, as the Government, had not carried them through on to the statute book. We see this as a further development in our programme. We have tackled the abuse of the closed shop, have introduced financial support for postal ballots and have outlawed secondary action. We have introduced secret ballots for the union elections to principal executive committees, for strike ballots and for political funds.

Many of our critics, some of them on the Opposition Benches, have said that these measures would never be used and that they would blow back in our face, but the record does not bear that out. The National Graphical Association may have second thoughts when it is £750,000 lighter because of its efforts towards intimidation and mayhem at the *Stockport Messenger* and have begun to realise that, in the end, the law will have to be observed.

The Transport and General Workers' Union learnt painfully and to its cost, at Austin Rover, that the car park meeting will no longer be tolerated and that the members must be consulted. The south Wales area of the NUM thought that it could black two hauliers with impunity. It found—it was another painful exercise—that unlawful actions will be punished and that the law must be observed. Most recently, in the Post Office at Mount Pleasant and even in the Civil Service, the requirement to consult the members, imposed through injunctions or through the serving of a writ, has ensured that disruption or strike action did not take place.

Our legislation seeks to give rights to union members, not to the Government. That has led to a major change of attitude. I cannot vouch for it, but according to a newspaper report, the TUC has referred to

"the apparent wish of many members for ballots in any event, regardless of the provisions of the law".

That underlines the fact that we are right to give members rights, and easier access to remedies when those rights are obstructed.

Our determination has been to improve democracy in trade unions. Unions belong to their members. It is to the members that we must look and to whom the rights must be given. Many politicians jump up and down about ballot rigging and allegations of ballot rigging, but it is the members who are robbed and deprived of their rights by unfairness or injustice.

Mr. Cyril Smith: Will the right hon. Gentleman give way?

Mr. King: Because of the exceptional circumstances, I owe it to the House to reply. I will give way in a moment.

The worst abuses in union practices took place either at branch meetings or in the car park voting procedures. I do not think that any hon. Member would dispute the fact that the Act will render both those forms of abuse illegal.

Mr. Smith: Is the Minister aware that I was the Liberal party's spokesman on employment while the legislation to which he has referred—apart from the Trade Union Act 1984 — was passing through the House? Both in Committee and on the Floor of the House, I and my Liberal colleagues consistently supported the Government in the passage of those Bills. The right hon. Gentleman's claim that the legislation is the achievement only of the Conservative Government is not based on fact. Furthermore, if the right hon. Gentleman is so concerned that the unions should belong to the members, why is he tonight denying those members the right to vote by post, so ensuring that the results would be unchallengeable?

Mr. King: Is the hon. Gentleman suggesting that, in order to carry through the legislation, we had to depend solely upon the support of the Liberal party, or that we

should equate the Liberal contribution with the effort of the Conservative party? I cannot readily accept those propositions.

We have been at pains to tackle the problems. I note, for instance, the reference to the need to get away from branch voting. The right hon. Member for Devonport knows a great deal about such problems. I believe that he is a member of the Association of Scientific, Technical and Managerial Staffs. The branch voting procedures of ASTMS may be among the most inadequate. I do not know whether the right hon. Gentleman has raised the matter with the president or the general secretary of the union. I understand that, at the last election for their president, some 400 branches of the union either failed to return a vote or returned a nil vote. Some 10,000 members voted in the election — about 2 per cent. of the membership. It is interesting to note for how long the right hon. Gentleman has belonged to that union.

I wish to deal with the innuendos that the right hon. Gentleman introduced into his speech. Immediately after talking about the failure of the operation of the 1984 Act, he referred to the situation in the TGWU. However, the right hon. Gentleman knows that the procedures for secret elections will not come into operation until 1 October. The right hon. Gentleman said that the TGWU situation will give the green light to many other people, showing them the opportunities for rigging. I have come to the opposite conclusion. To the union's credit, the complaints were raised under the existing procedures. A cook in a secondary school in my home city of Bristol found that someone had incorrectly stamped her membership card. She raised the matter, and further procedures led, I believe, to the dismissal of two trade union officials. The message is that we are giving the members rights that they are prepared to use.

Mr. Kevin McNamara (Kingston upon Hull, North) *rose——*

Mr. King: I do not wish at the moment to labour the point, but there is another message for us in the situation of the TGWU. Any senior trade union official standing for election and seeing the problems and difficulties that the TGWU is facing in connection with allegations of ballot rigging will not consider that he has been given a green light. The TGWU's problems will reinforce the determination of responsible unions to see that their procedures are properly carried out.

Mr. McNamara: Will the right hon. Gentleman give way?

Mr. King: I must make progress, so that other hon. Members will have a chance to speak.

We outlawed branch voting and car park proceedings. Under the original provisions in the Bill, either workplace ballot or postal ballot requirements could meet the situation. Allegations have been made that I met Mr. Moss Evans and was completely persuaded by his arguments, and that as a consequence the Bill was weakened. In fact, the Bill, far from being weakened, was significantly strengthened.

There have been so many misleading allegations about the procedures in the Act—in some instances from ill-informed people—that I should like to make it clear what they involve. The Act lays down a whole series of new statutory requirements that will override existing union procedures entirely. For the first time ever, it lays down statutory requirements about the frequency of elections, balloting arrangements, who can vote and who can stand. It lays down that elections must be secret, free from interference or constraint, that votes must be fairly and accurately counted, and that all those entitled to vote must be given an equal chance to do so at no direct cost to themselves.

Those are powerful new safeguards, and they are statutory. They do not depend on which union a member belongs to or what the union rule book happens to say. Any election that meets those standards will be a free and fair election. From 1 October, anyone claiming that a union has failed to meet those standards will be able to apply to the independent certification officer for a declaration to that effect, or to the court, at no expense to himself.

That is one of the measures designed to help members with any problems connected with raising grievances. Conservative trade unionists attach great importance to the opportunity to be able to make representations.

We have added a new requirement that will pave the way for the opportunity for postal ballots on the widest possible basis. We have already imposed upon the unions a duty to compile and maintain a register of the names and proper addresses of their members. That duty was imposed upon the unions on Royal Assent. The registers must be completed by 1 October and kept up to date thereafter.

Mr. Peter Thurnham (Bolton, North-East): Will my right hon. Friend assure the House that such a register, like any other electoral register, will be open for inspection, so that all the members may be satisfied that it is in order?

Mr. King: It should be available to members of the union.

Any failure to comply with the requirements of the register will make the union open to the risk of being challenged by its members in the High Court or before the certification officer.

We have gone further than that, as we have given much greater emphasis to postal voting. Postal voting is the system most likely to be free from interference and intimidation. The motion refers to "full secret postal voting", and I should like to consider why others think that an exception is justified. I should also like to tell the right hon. Member for Devonport why I have said that sections 2 and 3 of the 1984 Act introduce the most powerful presumption in favour of postal ballots.

A union that is considering holding a workplace ballot must meet all the existing requirements for free and fair postal elections, meet additional ones concerning the supply of ballot papers and giving electors a convenient opportunity to vote, and satisfy itself in advance of the ballot that there are no reasonable grounds for believing that any of the Act's electoral safeguards will be breached. A union member can go to the certification officer in advance of the ballot and get his support with a view to getting the High Court to act. That was the error of the right hon. Member for Devonport, because the certification officer has no power in this regard. If there is malpractice or intimidation, the ballot is put at risk.

If a union is not challenged by its members before an election, but the conduct of that election is found to have fallen short of the legislation's requirements, the High Court has a duty to order a re-run of the election to be conducted by a full postal ballot unless that is plainly

[Mr. King]

inappropriate. A few unions seem not to have taken those provisions fully on board as they are making fairly relaxed comments about them. It would be wise for union leaders to reflect on those provisions and the events of the past few months.

This is not an argument about mandatory full postal ballots. On 1 December 1983, the hon. Member for Stockton, South said:

"We strongly favour the principle of one member, one vote and believe that postal ballots should be the norm. That is as far as we go. We do not say that it should be laid down as the only way of organising ballots within unions."—[*Official Report, Standing Commitee E*, 1 December 1983; c. 135.]

On 25 April 1984, the hon. Member said:

"Postal ballots could not be adopted in every instance."—[*Official Report*, 25 April 1984; Vol. 58, c. 844.]

On 24 July 1984, the hon. Member said:

"There is a need also for some flexibility in the operation of postal ballots. We accept that it is wrong that postal ballots should be imposed on every union."—[*Official Report*, 24 July 1984; Vol. 64, c. 864.]

My hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) also accepts that there are cases when exceptions might have to be made. It is accepted that there is a case for postal ballots. The question is, therefore, under what terms and arrangements they are to be permitted. I am anxious to ensure the greatest possible democracy and to establish higher standards of democracy in trade unions where they have been lacking. I do not include all trade unions in that criticism. Two criteria must be met. We must ensure fair and secret elections, which are free from intimidation and malpractice, and we cannot walk away from the problem of encouraging every member to vote, because turnout matters in a democracy.

If properly organised, workplace ballots tend to attract a much higher percentage ballot. The classic illustration of that is the National Union of Mineworkers. There was an 11 per cent. turnout in a fully postal ballot in the furniture trade union. For those who believe that workplace ballots can always be rigged by a union leadership, we should remember that Mr. Scargill was defeated twice in such ballots. He had polls of 87 and 93 per cent. and lost both ballots. Most recently he tried to persuade his members to vote for the 50p levy, which proposal was also defeated by a workplace ballot.

I have already said that the postal ballot can be the best solution if the avoidance of intimidation and malpractice is the overriding consideration. I accept that there must be postal ballots in some circumstances, because of the activities of the union leaders. There has been some interesting research on the problems of organising a postal ballot and getting the electoral roll in order. Right hon. and hon. Members know about the problems associated with parliamentary elections. I understand from the research that, in a fully postal ballot conducted by the AUEW, which has confirmed these findings, 200,000 members never received a vote and 20,000 received a vote to which they were not entitled. The Electrical, Electronic, Telecommunication and Plumbing Union has tried hard to establish the best possible postal ballot system, but there are still problems. Right hon. and hon. Members know that people who come to our constituencies after October are not able to vote for us for 15 months — [HON. MEMBERS: "After March."] I am grateful. I hope that I am better on union law than perhaps I am on electoral law. Democracy must be about giving the maximum number of people the maximum opportunity to vote. However, they must be able to vote free from intimidation and malpractice in a secret ballot. Our legislation ensures that they have the best possible chance to do that.

The argument between us is whether it is better to give the power of determination of when there should be workplace ballots to a public officer—the certification officer—or to members, who should be given access to the courts. I have chosen the latter course. Our approach will succeed because it works with the grain of all union members. We are giving them rights, not imposing obligations on them. The defence of freedom and the avoidance of malpractice and intimidation, which all responsible right hon. and hon. Members deplore, will lie with the vigilance of union members. But it is our duty to see that they have proper rights and proper access to remedy. Because, in that spirit, our legislation embarks most effectively on that course, I commend the amendment to the House.

6 pm

Mr. John Prescott (Kingston upon Hull, East): I had better get to the Dispatch Box quickly, while I have the opportunity to do so.

The amendment reflects the Government's anti-trade union attitude, and their legislation applying to unions must be seen in the light of their overall policy.

SDP opportunism is reflected in the motion, which was not particularly ably moved by the right hon. Member for Plymouth, Devonport (Dr. Owen)—*[Interruption.]* On the facts, the right hon. Gentleman did not make a good case. As he was motivated to initiate this subject at the first opportunity he had from the alliance point of view, he should have mugged up on the facts, particularly in relation to the unions to which he referred.

From the comments made in the debate, it would appear that neither side believes that the universality of the ballot is in issue. There are clearly problems in the trade union movement about how ballots should be applied. That is why flexibility and choice are allowed. Flexibility is necessary. It appears in the legislation and it even appears in the alliance motion.

We can assume, therefore, that the universality of the ballot is not in issue and that we are essentially concerned with proper practices in the development of ballots. We are also concerned with the democratic participation of union members and the importance of achieving the maximum participation in ballots.

I wish to make it clear from the outset that no hon. Member on the Labour Opposition Benches would have any truck with the interference of, or irregularities in, ballots, and the same goes for the proper democratic expression by trade union members on whatever issue may be in question. There need be no doubt or division on that aspect of the matter.

I speak as having been a seaman with 10 years' experience in the shipping industry. I recall taking part in debates in 1972 with the present Secretary of State, particularly on legislation about the closed shop. Exemptions were then made for seafarers because of the difficulties they face in relation to ballots. The right hon. Member for Waveney (Mr. Prior) featured in the debates at that time. Clearly, therefore, my experience of the subject is bound to influence my attitude to the subjects of ballots and participation.

For 30 years I have been active in a trade union as an official and as an ordinary member. I have taken part in ballots — some postal — for executive councils, AGMs and delegates. Those ballots have occurred at the workplace, on sites, on ships, at branches, in executive councils and, for unofficial and official strikes, on sites. I can claim, therefore, to have participated in every type of ballot known to the trade union movement, including those covered by the Electoral Reform Society.

I learnt from those experiences. I am convinced of the role that ballots can play. My trade union actively ballots, in most cases by way of postal ballot, on matters concerning strikes, the election of officials, the political fund — the political fund will now be governed by legislation—and various other matters. In other words, ballots are an integral part of my union.

I recall one case when I was led to complain about a ballot irregularity. I complained through the normal procedures within the trade union movement and, as a result, the rules applying to ballots were tightened up. The ballot in question, with which I was closely concerned, was a postal ballot. The irregularity occurred because the postal ballot papers were sent to a ship which was due to remain in port at Southampton for only 24 hours. All the postal ballot papers were sent to the ship and we had a particularly active member who, in an effort to increase participation, collected all the envelopes and voted as he thought fit for members who had not received their voting papers.

I regarded that as a gross irregularity, which it clearly was, and, when I laid my views before the union and its executive, the procedures were changed. Indeed, the change was such that every member then had to sign for his or her ballot paper, to be sure of receiving it. The trouble was that, because everyone had to sign, so few participated in the ballot that a mockery was made of the vote.

There were bound to be difficulties because seamen cannot always be contacted. Indeed, the population of seafarers, so to speak, changes to the extent of 20 per cent. every year. Not only do their home addresses change, but seafarers may be out of the country for as long as a year or two years. That is the scale of the difficulty that my union has in dealing with ballots.

Every union, on receiving evidence of irregularity, will act. We do not need a commission or legislation to make it possible for people to take legal action. Many cases have arisen in the courts as a result of people pursuing breaches of union rules. Often the common law is invoked in that respect. In other words, the right of ordinary union members to pursue cases in court has always been available.

The interference directly in a ballot about which I am talking is improper. The sort of interference, as exemplified by Bernard Levin's article in *The Times*, however, is considered to be proper. He named candidates whom he thought should be elected in a ballot held by their union. He used the fact of his access to a national newspaper to influence a ballot. Apparently it is considered democratic for him to do that, even though he is not a member of the union concerned. He believes strongly, it seems, that moderates should be elected, and he uses *The Times* for that purpose.

I hope I have said enough to show that I need no lectures from alliance or Conservative Members about trade union ballots and their importance. I have explained that I am well aware of the way in which ballots operate, and I have described my involvement in them.

In my notes, when preparing this speech, I wrote, "SDP evidence," and left a gap which I thought I could fill in when listening to the speech of the right hon. Member for Devonport. In the event, he did not produce a scrap of evidence to justify any of his assertions. *[Interruption.]* I shall deal with the various points that the right hon. Gentleman made, including that applying to SOGAT.

When speaking of the TGWU, the right hon. Member for Devonport said that he was prepared to leave the issue as it applied to that union. I wish that he had decided earlier not to proceed with that. He was prepared to make all sorts of scurrilous charges on the basis of what he said he had heard from individual members who were making allegations about ballots.

The Secretary of State was right to point out that that union acted, without recourse to legislation, firmly in the case of Bristol and dismissed two officials. *[Interruption.]* Whether or not my agreement with the Secretary of State is an alliance in truth I do not know, but the facts are clear on the issue.

Mr. Michael Meadowcroft (Leeds, West): The hon. Gentleman must know that I, as a member of the TGWU, wrote to Moss Evans and Norman Willis long before the wounding of the TGWU had continued for this length of time. In that letter I suggested, being aware of what was likely to happen — because of the way in which such matters tend to develop—that the best course would be for the TUC, as an independent and non-hostile body, to carry out an inquiry into what was happening. Does the hon. Gentleman agree that it would have been better if that course had been agreed to some weeks ago?

Mr. Prescott: Whether or not the hon. Gentleman feels that the response to his letter was undertaken quickly enough is another matter. The fact remains that the union and the candidates in that election made their position absolutely clear. The union and Mr. B. Evans, have been calling for evidence all along. I should have thought that this debate provided a good opportunity for that evidence to be produced. Instead, we have had only innuendo. We have not been given information of any kind to enable us to judge why the right hon. Member for Devonport believes that everything should be done by way of postal ballot.

The position seems clear enough. The TGWU executive will meet and deal with the matter. It has a history of dealing correctly with such complaints, and a similar history runs right through the trade union movement. If the union does not act, there will then be cause for concern. Either way, those who make allegations must justify what they say.

In that context, we must consider some of the statements that have been made by the hon. Member for Portsmouth, South (Mr. Hancock). I have read his party's press releases on this subject. The hon. Gentleman makes various scurrilous remarks in press handouts and then, when he writes to the certification officer, produces no evidence whatever. He can only refer to what some trade union members have told him they think is going on. A campaign based on such a lack of evidence reflects the opportunism which we have come to expect from the alliance.

Mr. Michael Hancock (Portsmouth, South): Following the letter that I sent to the certification officer and Mr. Willis of the TUC, there was ample evidence for the TUC to step in and authorise a ballot to take place and for the certification officer to investigate the claims contained in the letter that was sent to him. In other words, ample evidence was provided for the investigation to take place.

Mr. Prescott: If the hon. Member is the SDP spokesman on industrial relations, if he believes that is the TUC's role and if he has been advising his right hon. Friend, it is no wonder his right hon. Friend made a mess of the facts. My point was that the letter sent to the certification officer had no evidence in it. I have a copy here. No evidence was given apart from conversations that the hon. Gentleman had with members of a trade union, whose support he presumably canvassed when he was a Labour party member, without one murmur about whether it was legitimate to receive such support. It is only since these people became members of the alliance that they are concerned about what they regard as matters of democracy. Therefore, this is an act of opportunism by the SDP.

If we want further evidence, we find that they voted for the Second Reading of the Trade Union Act 1984 and then abstained on Third Reading. When I looked through the debates on that legislation, I found that the hon. Member for Stockton, South (Mr. Wrigglesworth) moved an amendment to a House of Lords amendment proposing that there should be a postal ballot for the political fund but then, at approximately 12.30 am, he said:

"In view of the lateness of the hour, and the fact that we have discussed these matters on previous occasions, I beg to ask leave to withdraw the amendment." — [*Official Report*, 24 July 1984; Vol. 64, c. 492.]

The right hon. Member for Devonport was not even in attendance when there were votes. On that occasion the SDP did not pursue the amendment, which it thinks is so important, to require a postal ballot on the political fund. Why did the SDP not pursue the matter then? I am perhaps cynical. Shortly after that there was a statement by Shirley Williams, about which there was much publicity in the press, offering a deal to the unions—that if they gave some money to the SDP, it would not lead a campaign against a ballot on the political fund.

I do not know what happened, but now we have this motion before the House. Perhaps the SDP thought that it might get involved in bargaining and would have a case for saying, "Give us some of the money, Barney." When one considers the arguments and the statements that have been made, the matter does not seem very profitable for the SDP.

If the SDP's strong view on abuse of such political funds was reflected in the motion—companies giving money to political parties without balloting their shareholders—I might understand the motion. I think companies give donations to the SDP. It received £8,300 last year, and I think £5,000 of that was from the Norwich Union. The right hon. Member for Devonport is nipping round to companies, having lunch, and asking for money. If he thinks it is wrong to have political funds, it would be useful to legislate for postal ballots of company shareholders before companies decide that money should be made available to political parties. If the right hon. Member is nodding his head in agreement, why is he receiving money from companies when he does not know whether the shareholders agree that the money should be given to the party? I do not think that things like that worry the right hon. Gentleman. So long as he is getting the cash, so long as he is making a political point and so long as he can get more votes in the process, that is all he is concerned about.

When one considers that that kind of money is given to the SDP it reminds us of the point that was made earlier about SOGAT. Of course, the SDP expressed its view about the SOGAT ballot. It bought space in *The Sun*. I have a copy here. It placed an advertisement, costing £6,000, to lead an attack on SOGAT. It had received £5,000 from the Norwich Union. Therefore, one could say that that money from the Norwich Union helped to pay for the advertisement to have a go at SOGAT. It was a scurrilous advertisement, seeking to intervene in the election going on in that union. If I may be more cynical, perhaps placing it in *The Sun* was looking for a bit of aggro with the printers. It might have been seen as a good investment if there had been opposition to printing the advertisement. As the Chancellor of the Exchequer said about the miners' strike, it might have been a good investment. That may have influenced the attitude of the SDP.

The SDP's concern seems to be mainly about political ballots. As we know, the strike ballot does not come into force until October. The right hon. Member for Devonport addressed himself only to the political fund ballot. I draw to his attention the fact that there is a dispute in Devonport at present. As I understand it, the men walked out without a ballot. Of course, the Government are closing down the yard, so one can understand the lads reacting about that. Did the right hon. Member demand a postal ballot before they came out?

I thought I had better read the intellectual newspapers in that area, so I scoured through the *Western Evening Herald* for comments. All I could find was that the right hon. Member had said:

"Though anger and frustration may lead to protest today, by next week we must develop a constructive strategy for fighting back with alternative proposals."

That is quite proper. That is what a Member of Parliament should be doing. But he did not say that the men should get back and have a ballot. He did not say that what they had done was illegal and that he had supported the 1984 legislation which laid down that they should have a ballot before taking industrial action. That was another act of opportunism by the right hon. Member, in line with accepting trade union money and trade union nominations, all of which he did in his earlier career but which he now rejects as undemocratic.

I come to the Government's case.

Mr. Golding: Before my hon. Friend does that, will he deal with the point on campaigning made by the leader of the SDP? Is it not true that if the main purpose of any literature used in a lobby is held to be to further the interests of any party or candidate, it can only be financed from the political fund? If there were no political fund, it would be illegal. We are telling members that they have to vote yes in the ballot so as to keep the unfettered right to campaign.

Mr. Prescott: That is a very sound point. It was the concern of the SDP when it put that advertisement in the newspaper that the question was not about whether people voted for the Labour party. That was another mistake by

the right hon. Member for Devonport. The question concerns whether a union has political objectives and uses its funds for those objectives. That question is determined by the certification officer and, as I understand it, by Parliament. It is determined by law and is carried out under the law. The question is not whether the money is given to the Labour party, the SDP or the Tories, but whether funds are used for political objects. That is the question that has been put to union members.

In regard to the Government's case, most of the conditions for ballots are determined by the Government. They set up the certification officer procedure. In some cases they pose the question. All these matters are determined by legislation, so in many ways this is direct intervention in trade unions which are voluntary bodies. No other voluntary body is faced with legislation like this.

It may be the Government's case that trade unions are different and have to be treated differently. I believe that the Government see the trade unions as different. They are a target to be dealt with. Therefore, a case can be made that the Government are anti-trade unions. The Secretary of State claims that his policy is different in that it is step by step. The objectives are no different from those of other Tory legislation in the past, but the Government are achieving their aims by stealth with a little assistance from the mass unemployment that they have brought about with their policies.

The Government's policy is to discipline the trade union movement. What else would one do with the "enemy within"? Is not that how the Prime Minister sees the trade unions? They have to be disciplined; they have to be made into friends; one needs legislation to bring them into order. The Government's language is entirely anti-trade union. Their legislation has been designed to cocoon the trade unions in court actions, where they are sued for damages and costs. Those are academically different from fines, but they are heavy on the funds. The legislation is designed to achieve a fundamental shift in power in the workplace. It is designed to attack the trade unions, impose legal controls on them and enforce the Government's ideas about ballots and how they will be conducted.

Therefore, the Government are not motivated by concern for good industrial relations. The idea is to strengthen management. We often hear that it is the right of management to manage. The Government want to influence the power structure in the place of work. It is one step towards weakening the trade union movement before they implement the rest of their policy, which is more unemployment, lower wages, reduced benefits, the reform of the welfare state and, indeed, the reduction of statutory employment rights.

Mr. Roger Gale (Thanet, North): Will the hon. Gentleman give way?

Mr. Prescott: I must get on with my speech. The Government's attitude is influenced by those facts. We said that in the debates on the legislation although I did not attend them and had to read the reports. Since then, the same charge can be made against the Government. There have been further announcements about the reduction of employment benefits. There has been the abolition of the fair wage clause, which led to a 12-month strike at Barking, where the women faced lower wages and a reduction in their working week. It is proposed that the wages councils should be abolished. The Government now talk of lowering the costs of industry by attacking maternity benefits, equal opportunities, and so on. All those things have been spelt out by the Government.

The one thing that brought home to me the Government's attitude was the press statement of 17 April on unfair dismissals. Now one needs to work at an establishment for more than two years to be able to bring an unfair dismissal claim. It is difficult to understand why the Government want to pursue that if they are not simply to be seen as vindictive. When I consider how many people are involved, I believe that the unfair dismissal proposal is, once again, a way of improving the strength of the manager at the place of work, and reducing the rights of workers to appeal against an injustice.

In support of that I refer to the statement made by the right hon. Member for Waveney in a Cabinet document of 17 July 1981. He was opposed to the suggestions, and he said that only 7 per cent. of all dismissals actually went to the industrial tribunals. In that document, he said to his Cabinet colleagues:

> "My conclusion, therefore, is that there is insufficient justification to amend employment legislation further in favour of employers. Moreover, I believe that any attempt to do so would alienate large sections of the working population, trade unionists and others and would therefore be politically damaging to the Government."

Now the right hon. Member for Waveney has been removed from the Cabinet, so there is action to reduce many employment benefits. That can be seen particularly in the Government's approach to unfair dismissal.

The same two-year period will not apply to the man who might join a union with a closed shop. He might join it today, but go to the other side of the world and decide that he no longer wants to be a trade unionist. He has an action for damages against the union if he refuses to remain in the closed shop—he is a sort of bounty hunter for the money. The same two-year period does not apply in that case. That can happen from day one. That illustrates the Government's approach to trade union legislation. That is why many feel——

Mr. Gale: I did not agree with much that the right hon. Member for Plymouth, Devonport (Dr. Owen) said today, but he did say that trade unionism was not the prerogative of any one political party, which is absolutely right. Will the hon. Gentleman concede that at the last election an assessed 5 million trade unionists voted for the Conservative party, that they are very well represented by the Conservative trade union movement, and that movement fully endorses the measures proposed by my right hon. Friend the Secretary of State?

Mr. Prescott: I shall not go into those arguments. I do not deny the right of any politician to make the case one way or the other. I am simply saying that the people who are arguing against the trade union legislation are making those points to me. I am arguing that the Government are anti-trade union in their legislation. They are continuing that approach by bringing in such measures.

The Government say, "Look what our legislation did for British Leyland." But there was a strike. It is interesting to note that Jaguar at Coventry did not choose to use the courts or any form of intimidation, and settled a similar matter quickly. The matter dragged on in British Leyland for several days, but it was settled quickly at Jaguar.

[Mr. Prescott]

Let me take the more recent case of the Post Office. Management took unilateral action with which the union and its members disagreed. Eventually they came out on strike, but the matter was settled quickly. We believe that as a result of the legislation there will be more unofficial quick strikes, such as we used to see in the 1960s. That is the way to bring management to its senses without recourse to the courts. Under the Government's legislation, the individual cannot be sued. Only the union can be sued. We shall have to wait and see what happens.

In their amendment, the Government talk of their concern for greater democracy. I was reminded of that when I read in *The Guardian* today of the fifth suicide at Government Communications Headquarters at Cheltenham. There was no ballot of members. They were not asked whether they wanted a trade union. The Government imposed their draconian power and used an Order in Council, which did not even have to be debated in the House. They denied those people the right to belong to a trade union. They were not asked whether they wanted a ballot. That was denied to them. All that they were offered was a £1,000 bribe to give up their trade union rights.

At the moment the other place is dealing with legislation that seeks to abolish democracy in the metropolitan counties and the Greater London council. Some time ago the other place was asked to consider passing a law to abolish elections when there was no Bill saying what would take their place. Therefore, how can the Secretary of State talk about democracy in these matters? There is no ballot for the people to enable them to decide whether they wish to keep those local authority structures. All the polls suggest that they want to keep them. The Secretary of State also talks about greater participation at the place of work. Why are we the only country in Europe that is refusing to implement the Vredeling recommendation that there should be more information for working people about their employment conditions?

At the same time, the Under-Secretary talks about the political godfathers in the trade unions giving money to the Labour party, but he does not comment on the money that has been given to the Tory party by companies. Some £3·5 million was given last year. The hon. Gentleman does not consider any of those companies to be godfathers. That is the sort of double-talk that we have come to expect from the Government, especially when it was the non-elected chairman of the Tory party, the hon. Member for Suffolk, Coastal (Mr. Gummer), who implemented the legislation.

We believe that the Government's legislation is an attempt to take us back to the old master-servant relationship. Labour Members believe, as we did in past legislation, in strengthening workplace participation, strengthening collective bargaining within the workplace, and bringing about greater industrial democracy and participation and harmony and co-operation in the workplace.

I want to make this clear to the Secretary of State, because he seemed to get a bit upset about it last time. I endorse the pledge given by my hon. Friend the Member for St. Helen's, North (Mr. Evans) at Question Time on 2 April, that the next Labour Government will repeal Tory anti-trade union legislation and put in its place a new employment protection Act, which we are at present discussing with the trade union movement, emphasising our belief in co-operation rather than in confrontation for all those at work. There will be many more at work when a Labour Government are returned at the next election.

6.29 pm

Mr. Robert Atkins (South Ribble): I wish to make a brief intervention. I do so as a member for some years of the Association of Scientific, Technical and Managerial Staffs and an office holder in my local branch, and one who has tried to serve on the so-called parliamentary committee of ASTMS, without any success, because it will not allow anyone on it who is not a member of the Labour party.

Secondly, I speak from the privileged position of being national president of Conservative Trade Unionists, an organisation representing a large number of members, as my hon. Friend the Member for Thanet, North (Mr. Gale) said earlier. As a matter of information, we would probably represent the largest block vote at the Trades Union Congress if we chose to exercise it at all, which of course we would not like to do. We have a substantial following. All the officers are elected legitimately within the context of the rules of Conservative Trade Unionists, and there is no reflection upon us of any of the activities that have been observed recently in the Transport and General Workers Union and other unions.

I agree with one point that was made by the right hon. Member for Plymouth, Devonport (Dr. Owen). He criticised the official Opposition for suggesting that they had the inalienable right to represent trade unionists and trade unionism in the parliamentary debate, and particularly in the House. We all know that that is not the case. The majority of trade unionists at the last election, and in the election before that, voted Conservative rather than for the right hon. Gentleman's party. In those circumstances, he cannot gainsay the facts as presented, whether or not he likes them. The facts are that we can speak with as much authority on trade unionism as he can.

The two points that I wish to make are brief. First, the misconceptions represented by the right hon. Member for Plymouth, Devonport have, I think, been dealt with extremely well by my right hon. Friend the Minister. It would waste time if I were to go over them in detail. However, they bear repeating in one context only, in that the four safeguards in the Act need emphasising time and again. They are, briefly: a new right for members to complain to the certification officer about the arrangements for union elections before as well as after the poll, a new duty on the certification officer to investigate the complaint at no expense to the complainant.

Mr. John Evans (St. Helens, North): The hon. Gentleman has already said that.

Mr. Atkins: I emphasise it again because certain people who are not a million miles away appear not to have recognised what is involved.

Next, there is a new requirement that, when a court orders an election to be re-run, it will normally be done by post. Finally, there is a new duty on all unions to compile an up-to-date register of their members' names and addresses so that postal votes can be held. Let us therefore be clear about the four safeguards in the Act.

The hon. Member for St. Helens, North (Mr. Evans) has, I think, just lost his standing at the next election as

a result of the statements that he has made, which have been confirmed by his hon. Friend the Member for Kingston upon Hull, East (Mr. Prescott). He has said that he will repeal all the trade union legislation passed by the Conservative party. He is referring to legislation which, if he talks to the trade unionists whom he is supposed to represent, he will find is popular with them, whether in my constituency or in any other, and he knows that that is the truth. That is the kind of approach that will lose him and his party the next election, and he had better recognise it here and now.

It is clear that the Labour party, as usual, has been nobbled by the trade unionists to take a stance which conflicts entirely with what ordinary trade union members believe in in their various trade unions. We observed the other day that at one moment the Leader of the Opposition was in favour of a re-ballot in the TGWU, and then somebody got on the telephone to him and said, "Look, this is not quite on, old boy," so he changed his view, and he is no longer in favour of a re-ballot in the TGWU.

As I said earlier, we have observed the hon. Member for St. Helens, North being supported by that man of principle, the right hon. Member for Birmingham, Sparkbrook (Mr. Hattersley), who, perhaps seeing the way the wind is blowing, has decided that he is now in favour of a new social contract, which means that again trade unionists have been on the telephone to him making it clear where he must stand in the context of the Labour party.

Anybody who appreciates what is involved in this issue knows that the majority of people who are members of trade unions understand only too well that changes need to be made. Where we differ from the right hon. Member for Plymouth, Devonport and his party is that we do not believe that the postal vote system as he enunciates it is the answer. There is a real possibility that the necessary organisation to operate that system would become the sort of quango which the extreme Left within the unions could choose to argue against more easily than it could the views of the members of trade unions which ought to carry more weight.

As my hon. Friend the Member for Surbiton (Mr. Tracey) said, we believe that we should give this legislation a chance. The legislation of 1980, 1982 and 1984 has proved that legislation can be put on the books to cope with some of the difficulties and problems, and, above all, with handing back the trade unions to the members who ought to be participating.

In those circumstances, I believe that the motion of the SDP and the alliance is wrong. The speech of my right hon. Friend the Secretary of State has made it clear why we believe that we are right to adopt the path that we have adopted up to now and will continue to adopt. The statement of the hon. Member for St. Helens, North, supported by all the Johnnies-come-lately in the Labour party, will be a contribution to the Labour party losing the election, and it will not be helped by the antics of the alliance.

Mr. Deputy Speaker: Order. The House will wish to know that the wind-up speeches are expected to begin at a quarter to 7, so time is now very limited.

6.35 pm

Mr. Eric S. Heffer (Liverpool, Walton): I should first like to make the point that, if I live long enough, in three years I shall get a 50-year badge in my trade union. I think that I can speak with some experience of trade unionism at many levels, as an ordinary member, a shop steward and a district committee member, and as having once fought the assistant general secretaryship of my union and almost winning it when I did not want to—but these things happen.

I wish to make one point clear. The hon. Member for South Ribble (Mr. Atkins) suggested that the Government's legislation would give the unions back to their members. As far as I am concerned, the trade unions have always belonged to their members. The Secretary of State made some reference to car parks or suchlike in relation to voting in branches. I have to explain to the Secretary of State that each union has its own different methods of voting. The Amalgamated Society of Woodworkers always voted at a branch, and I will tell the House how we did it. We voted at the branch meeting. There were two tellers and the chairman recorded the vote on the sheet. It was, of course, an individual vote for each person who was standing, so that one received 25 votes and another 50 votes, and that was recorded. At the end of that part of the meeting, the chairman read it back. Therefore, it was on the sheet, read back, recorded in the minutes and sent to the national executive. At the end, we received a booklet which recorded every branch vote for every individual member—the fairest method of voting that I know in the trade union movement because checks took place at every level. I never knew anything different from that in my trade union.

With regard to voting in relation to strikes, I will give a concrete example of workers who did not have a ballot, but who took an action which I think was one of the greatest actions of solidarity that I can remember. The Canadian seamen came into the port of Liverpool, and they walked off their ship on the instructions of their union in Canada. A group of dockers were instructed to work the ship, refused to do so and were suspended. Within three hours, every dock worker in the port of Liverpool and Birkenhead was out on strike and remained on strike while that ship was tied up. It lasted six weeks. They did not get a penny. It was not for themselves; in my view it was purely an act of unselfish solidarity, the likes of which, incidentally, one does not often see. It was absolutely magnificent. I think that there were a few blue union members around at the time, but in the main they were members of the TGWU.

It is nonsense to say that there is no democracy in the trade union movement. As we all know, fiddles sometimes take place within every organisation. Can any hon. Member say that they do not take place within the Conservative party? I do not know how many votes take place at local level—*[Interruption.]* I understand that there are not any votes. Of course there cannot be any fiddles if people cannot vote. It is as simple as that.

But from time to time, something will go wrong over ballots in any organisation and there will be arguments about it. That is the law of nature. It happens. But it does not mean that the Government must interfere in that organisation's internal affairs. Members of the trade union movement are quite able to deal internally with the difficulties as they arise, as the TGWU and other unions are quite able to do. In all the years, only one exception to that rule is constantly trotted out, involving what was then the Electrical Trade Union.

[Mr. Eric S. Heffer]

The speech of the right hon. Member for Plymouth, Devonport (Dr. Owen) was as bad as that of any Right-wing member of the Tory party, and it made the Secretary of State look like a liberal. It was remarkable. That right hon. Gentleman was once a member of the Labour party and accepted everything that the Labour party could give him. He would not be where he is today if it had not been for the Labour party and the trade unionists and others who worked for him and backed him in the early years of his political life. I say to him as I say to others, "Don't turn your back" — although, of course, he has — "on the people who have sustained you in your political life."

I shall not make a long speech, as I think that my hon. Friend the Member for Kingston upon Hull, North (Mr. McNamara), who is sponsored by the TGWU, also has a right to speak in the debate. Today, the SDP and the Conservative party have once again stressed their basically anti-trade union attitudes. That is what this debate is all about. The move began many years ago with a pamphlet published by a group of Conservative lawyers which was entitled, "A Giant's Strength". They believed that the trade union movement was too powerful, that working people were getting conditions that were too good and they had to be cut down to size. That is what this debate and the legislation is all about, and that is what the right hon. Member for Devonport and the Government wish to do, although perhaps with a slightly different emphasis. They are trying to prevent the trade union movement from fighting for decent conditions and for workers' rights.

Mr. Deputy Speaker: Mr. Penhaligon.

6.43 pm

Mr. David Penhaligon (Truro) *rose*——

Mr. McNamara: On a point of order, Mr. Deputy Speaker. Today we have had a statement from the Secretary of State for Employment about my union's procedures. When I sought to intervene in his speech to correct him, he refused to give way. In addition, the right hon. Member for Plymouth, Devonport (Dr. Owen) made scurrilous comments about my trade union without any evidence and did not give me——

Mr. Deputy Speaker: Order. I am not sure what the hon. Gentleman's point of order is.

Mr. McNamara: I was about to come to the point. Perhaps you can tell me, Mr. Deputy Speaker, how there can be a debate which is designed to attack the trade unions without Members who are sponsored by unions being given an opportunity to reply. I remind you that 28 Members are sponsored by the TGWU, which is more than the combined total of alliance party Members.

Mr. Deputy Speaker: I realise that the hon. Gentleman is one of several hon. Members who have been unable to speak in this very short debate, but he is a very experienced Member of Parliament, and I am sure that he will find another way of putting his point on the record.

Mr. Penhaligon *rose*——

Mr. Cyril Smith: Further to that point of order, Mr. Deputy Speaker. Might I suggest that if Labour Members had not attempted to prevent the debate from taking place, and had not carried on for an hour, the hon. Member for Kingston upon Hull, North (Mr. McNamara) might have been able to make his speech?

Mr. Penhaligon: I always enjoy the speeches of the hon. Member for Liverpool, Walton (Mr. Heffer), because those of us who have been in the House for some time know that he is clearly part of the trade union movement and understands it.

However, it was slightly ironic that the hon. Gentleman should criticise my right hon. Friend the Member for Plymouth, Devonport (Dr. Owen) for changing his party, because I understand that from 1941 to 1948 the hon. Gentleman was a member of the Communist party. I do not say that there is anything wrong with that, but he is not in a particularly strong position to criticise my right hon. Friend for changing his party. Another reason for enjoying the speeches of the hon. Member for Walton is that he now represents the Right wing of the Liverpool Labour party. That is clearly a mantle which the hon. Gentleman finds extremely difficult to bear in this House.

I should like to clarify several points that have been raised in the debate. The Minister can correct me if I am wrong, but I understand that the executive of the NUM proposes at the July conference to change the rules to make it quite clear that Mr. Scargill does not have a casting vote and so may not be re-elected under the legislation. It was ludicrous of the Minister to claim that the earlier remarks of my right hon. Friend were wrong. The Minister should be well aware that we have always taken the view—and accordingly we abstained from voting on the previous legislation — that although we want strike ballots eventually, the Government's proposals for ballots are not necessarily the best way of achieving that aim. We still think that trigger ballots are best, and much of the criticism of Labour Members about the legislation causing unofficial strikes has some substance to it.

I deal now with the political levy. I listened to what the hon. Member for Newcastle-under-Lyme (Mr. Golding) said, and I do not complain, because what he said is true. If the political levy is voted down, the trade unions will not be able to use money to ask people to vote for Labour candidates. I have a good few farmers in my constituency and, as any hon. Member who has two cows and a pig in his constituency will know, the most effective campaigning group is the National Farmers Union. It does not specifically ask people to vote Tory, but I suspect that behind the scenes it gives a fair bit of encouragement in that direction. As I understand things, the NFU would come within the legislation as currently proposed.

Mr. Golding: Is the hon. Gentleman aware that on the ballot paper it specifically says that money has to come from a political fund if it is spent

"on the production, publication or distribution of any literature, document, film, sound recording or advertisement the main purpose of which is to persuade people to vote for a political party or candidate or to persuade them not to vote for a political party or candidate."?

Is the hon. Gentleman further aware that the Post Office Engineering Union found it impossible to persuade the Court of Appeal about our main purpose? We were defending jobs, but we were told that we were political. We lost the case because we could not persuade the court that we were pursuing trade union objectives.

Mr. Penhaligon: I can only suggest that the hon. Gentleman's union should take some advice from the

NFU, which has had quite remarkable success and, indeed, as a rural Member of Parliament, I can say, has sometimes caused me slightly embarrassing results for the past two decades.

However, I shall move on as there are only 12 minutes left in which to speak. I still believe that workplace ballots have something to recommend them. The problem is that for such ballots to be seen to be above question there must be a system of independent scrutineers. That is my view, and it is the position that I have taken for some considerable time.

Mr. McNamara *rose*——

Mr. Penhaligon: There is not time—there are 11 minutes to go.

I also take the view that the provision of independent scrutineers at all workplace ballots for great unions like the TGWU is a total impossibility in terms of resources and money. To take my own constituency, to offer scrutinised ballots the TGWU would have to employ the entire staff who man a general election. I do not believe that that is possible and realistic, so I am opposed to workplace ballots as currently constituted.

Clearly, the scrutineering is being done by parties which often have a very clear, firm view themselves. As I understand the legislation to be enacted in October of this year, that position will not change. If there is a ballot at a workplace, the scrutineers are likely to be the most partisan people in the entire campaign, because the chances are that they will be the leaders of the union. The Government are allowing that to continue and it is rather like, at a general election, allowing the Labour party to run the ballot in Durham, the Tories that in Surrey or the Liberals—to show that I am broadminded—that in Truro. I do not think that any of them would be the first persons to spring to mind to run an absolutely independent, above-board election in any of those areas. It is my view that sheer partisanship is bound to affect a minority and that it is bound to use the opportunities available. I believe that for a minority the temptation will be just too strong.

What is required are postal ballots with a register of members, and it is to the credit of the Government that at least eventually they will produce a register of members. The postal paper ballot should be sent to the members, and the individual members should send them to an independent agent. Anything less than that is open to adjustment.

Many of us recognise that some genuine ballots take place within the NUM, but one of the ironies—and this takes some explaining—is that at every important NUM ballot that I can recall since I have been a Member of Parliament we have been told the result, except when it has been a very close call, before the ballots have gone to the Electoral Reform Society for counting. That clearly means that somebody has been looking at the ballots and counting them. I am not saying that they have been adjusted, but occasionally the temptation so to do must be too much for the independent agent.

It is worth remembering that in the demonstration that took place it was by and large the most enthusiastic union members who sat on this Bench and denied my right hon. Friend the Member for De onport the opportunity to make his speech, and that they are the independent scrutineers whom the unions normally appoint. The truth is that the reliability of the trade unions in carrying out an absolutely independent, above-board ballot has fallen into disrepute.

The claim that 98 per cent. of the members of the TGWU and a whole series of unions voluntarily pay their political levy is quite incredible. The amazing situation that we now have is that the Labour party is arguing for the trade unions to maintain the position that is currently favourable to it, and the Government are coming to its defence in that. It is time that the Government recognised the logic of this motion and that Government Members voted for it.

6.55 pm

The Parliamentary Under-Secretary of State for Employment (Mr. Peter Bottomley): I suspect that if the hon. Member for Truro (Mr. Penhaligon) had been able to draft this motion, he would have put down a slightly different one. He has given a rather more acceptable face to it than did the right hon. Member for Plymouth, Devonport (Dr. Owen).

The leader of the SDP went through the first half-hour of what ought to have been this debate in a spirit of good humour and tolerance and I would like to recognise that. What we saw at the beginning of this debate was the kind of behaviour that some complain of at trade union branch meetings and others have experienced at Labour party meetings. When this happens anywhere, we ought to condemn rather than support it.

Mr. Evans: Will the hon. Gentleman give way?

Mr. Bottomley: No, I will not.

One reason why this debate is so important is the shoe that was not dropped by the hon. Member for Kingston upon Hull, East (Mr. Prescott). He did not talk much about political review ballots and the reason is that he knows that about 80 per cent. of that money goes to the Labour party and those who are not in the Labour party have a vested interest in stopping it. That is open and above board. What seems to me important is that, while people are saying things which are not right about the review ballots—one example was given in the *SOGAT Journal* and others are in the TGWU *Record*, as the hon. Member for Kingston upon Hull, North (Mr. McNamara) could have said—there has been very little media interest in what union journals are saying. I think that they might go through the list of unions with a political fund, as in the cerfication officer's report on SOGAT and get in touch with the editors of the jornals and ask if they believe what they are saying. When they give examples of what they claim requires political funds, they ought to ask whether that activity has in the past been funded by political funds or by the general fund. I suspect that in that way we would get many more people participating in the review ballots and I suspect that we would see some of the funds go.

I want to give a bit of advice to bank managers who are financing the political funds that are in deficit. They ought to be very careful about these, because if a union cuts off its political fund, the bank will be unable to get the money from any other part of union funds. That is one of the things that they ought to start looking at.

On the question whether we should have only postal ballots in this whole field, we need first of all to see what sort of employment protection Act we are promised by the Labour party. Are they going to keep the political fund review process? Are they going to keep regular elections for members of the executive of unions?

Mr. Evans: I do not know what the party's policy is yet, because we are having discussions with the trade

[Mr. Evans]

unions. However, I can tell the hon. gentleman and the Tory party what I want. I want to abolish the necessity for trade unions to have political funds.

Mr. Bottomley: We will see. It is quite clear—this runs right across the political spectrum from Ron Todd to the leader of the SDP—that unions need to demonstrate that their affairs are in order. As Ron Todd himself has said, to have unity, trust and confidence, there must be election systems which people do not and cannot tamper with. To balance that with the sort of participation rates which my right hon. Friend was talking about requires discussion and debate not only in the House but outside. It is the sort of subject that the House can return to with advantage so that we do not just have the sort of demonstrations that, sadly, we have seen today. We should hear from the Labour party and from people such as my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) and the hon. Member for Kingston upon Hull, North and get the kind of participation in union affairs which is essential. That is the only way that trade union activists can represent the interests of their members and increase interest in the unions.

There is no need for union leaders to be political godfathers. The normal and ultimately the natural posture of the trade union movement is one of neutrality towards each political party and co-operation with the Government in office. That doubles their influence. When there are trade union leaders who can demonstrate that they have the widespread support of their members, they are likely to be taken more seriously in all parts of the House and not just by those who want to barrack to get all points of view other than their own submerged in the sort of demonstration that we have seen today.

It is quite clear that trade union ballots and elections will never be the same again. Even in the Transport and General Workers Union, of which I am a member—

Ms. Clare Short (Birmingham, Ladywood): Who did you vote for?

Mr. Bottomley: I did not vote this time, because it would have been a vote for the Labour party.

It is quite clear that, with political funds fairly run and with fair national executive elections, it is inconceivable that the general secretary should be elected in a different way. It is important to note that higher participation in union votes and elections is likely to result in a trade union movement that serves the interests of its members. Parliament will then serve the interests of trade unions.

Question put, That the original words stand part of the Question:—

The House divided: Ayes 25, Noes 374.

Divison No. 191] **[7 pm**

AYES

Ashdown, Paddy
Beith, A. J.
Bruce, Malcolm
Carlile, Alexander *(Montg'y)*
Dunwoody, Hon Mrs G.
Freud, Clement
Gregory, Conal
Hancock, Mr. Michael
Howells, Geraint
Hughes, Simon *(Southwark)*
Johnston, Russell
Kennedy, Charles
Kirkwood, Archy
Leigh, Edward *(Gainsbor'gh)*
Maclennan, Robert
Owen, Rt Hon Dr David
Penhaligon, David
Prentice, Rt Hon Reg
Sheerman, Barry
Short, Mrs R.*(W'hampt'n NE)*
Smith, Cyril *(Rochdale)*
Steel, Rt Hon David
Wainwright, R.
Wallace, James
Wrigglesworth, Ian

Tellers for the Ayes:

Mr. John Cartwright and
Mr. Michael Meadowcroft.

NOES

Aitken, Jonathan
Alison, Rt Hon Michael
Amess, David
Ancram, Michael
Anderson, Donald
Archer, Rt Hon Peter
Arnold, Tom
Ashby, David
Ashley, Rt Hon Jack
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Atkinson, N. *(Tottenham)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Banks, Tony *(Newham NW)*
Barnett, Guy
Barron, Kevin
Batiste, Spencer
Beaumont-Dark, Anthony
Beckett, Mrs Margaret
Bell, Stuart
Bellingham, Henry
Benn, Tony
Benyon, William
Best, Keith
Blackburn, John
Blair, Anthony
Blaker, Rt Hon Sir Peter
Boothroyd, Miss Betty
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Boyes, Roland
Brandon-Bravo, Martin
Bray, Dr Jeremy
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brown, Gordon *(D'f'mline E)*
Brown, Hugh D. *(Provan)*
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruinvels, Peter
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Caborn, Richard
Callaghan, Rt Hon J.
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carlisle, John *(N Luton)*
Carlisle, Kenneth *(Lincoln)*
Carter-Jones, Lewis
Channon, Rt Hon Paul
Chope, Christopher
Clark, Dr David *(S Shields)*
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Clarke, Thomas
Clay, Robert
Clwyd, Mrs Ann
Cockeram, Eric
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Concannon, Rt Hon J. D.
Conway, Derek
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Coombs, Simon
Cope, John
Corbett, Robin
Cormack, Patrick
Couchman, James
Cowans, Harry
Critchley, Julian
Crouch, David
Crowther, Stan
Cunliffe, Lawrence
Currie, Mrs Edwina
Davies, Rt Hon Denzil *(L'lli)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dewar, Donald
Dickens, Geoffrey
Dixon, Donald
Dormand, Jack
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Durant, Tony
Dykes, Hugh
Eadie, Alex
Eggar, Tim
Emery, Sir Peter
Evans, John *(St. Helens N)*
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Fatchett, Derek
Faulds, Andrew
Favell, Anthony
Fenner, Mrs Peggy
Fields, T. *(L'pool Broad Gn)*
Fletcher, Alexander
Fookes, Miss Janet
Foot, Rt Hon Michael
Forman, Nigel
Forrester, John
Forsyth, Michael *(Stirling)*
Forth, Eric
Foster, Derek
Foulkes, George
Fowler, Rt Hon Norman
Fox, Marcus
Fraser, J. *(Norwood)*
Fraser, Peter *(Angus East)*
Freeman, Roger
Gale, Roger
Galley, Roy
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
George, Bruce
Gilbert, Rt Hon Dr John
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Godman, Dr Norman
Golding, John
Goodhart, Sir Philip
Gould, Bryan
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Griffiths, Peter *(Portsm'th N)*
Hamilton, Hon A. *(Epsom)*
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Central Fife)*
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth

Harman, Ms Harriet
Harris, David
Harrison, Rt Hon Walter
Harvey, Robert
Haselhurst, Alan
Hayes, J.
Hayhoe, Barney
Haynes, Frank
Heathcoat-Amory, David
Heddle, John
Heffer, Eric S.
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Sir Philip *(Gedling)*
Holland, Stuart *(Vauxhall)*
Holt, Richard
Home Robertson, John
Hordern, Peter
Howarth, Alan *(Stratf'd-on-A)*
Howell, Ralph *(N Norfolk)*
Hoyle, Douglas
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hume, John
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irving, Charles
Jackson, Robert
John, Brynmor
Johnson Smith, Sir Geoffrey
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Rt Hon Tom
Kinnock, Rt Hon Neil
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lambie, David
Lang, Ian
Lawler, Geoffrey
Lawrence, Ivan
Lee, John *(Pendle)*
Leighton, Ronald
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Lightbown, David
Lilley, Peter
Litherland, Robert
Lloyd, Ian *(Havant)*
Lloyd, Peter, *(Fareham)*
Lord, Michael
Loyden, Edward
Luce, Richard
Lyell, Nicholas
McCartney, Hugh
McCrindle, Robert
McCurley, Mrs Anna
McDonald, Dr Oonagh
Macfarlane, Neil
McKay, Allen *(Penistone)*
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
McKelvey, William
Mackenzie, Rt Hon Gregor
Maclean, David John
McNamara, Kevin
McQuarrie, Albert
McTaggart, Robert
McWilliam, John
Madden, Max
Major, John
Malins, Humfrey
Malone, Gerald
Maples, John
Marek, Dr John
Marland, Paul
Marshall, David *(Shettleston)*
Marshall, Michael *(Arundel)*
Martin, Michael
Mason, Rt Hon Roy
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxton, John
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Maynard, Miss Joan
Meacher, Michael
Mellor, David
Merchant, Piers
Michie, William
Mikardo, Ian
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Mitchell, Austin *(G't Grimsby)*
Mitchell, David *(NW Hants)*
Moate, Roger
Montgomery, Sir Fergus
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Morrison, Hon C. *(Devizes)*
Neale, Gerrard
Nelson, Anthony
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Onslow, Cranley
Oppenheim, Rt Hon Mrs S.
Orme, Rt Hon Stanley
Ottaway, Richard
Page, Richard *(Herts SW)*
Park, George
Parkinson, Rt Hon Cecil
Parris, Matthew
Patchett, Terry
Pavitt, Laurie
Pawsey, James
Peacock, Mrs Elizabeth
Pendry, Tom
Pike, Peter
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powell, Raymond *(Ogmore)*
Powell, William *(Corby)*
Powley, John
Prescott, John
Price, Sir David
Prior, Rt Hon James
Pym, Rt Hon Francis
Radice, Giles
Randall, Stuart
Rathbone, Tim
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Rees, Rt Hon Peter *(Dover)*
Richardson, Ms Jo
Ridley, Rt Hon Nicholas
Rifkind, Malcolm
Roberts, Ernest *(Hackney N)*
Roberts, Wyn *(Conwy)*
Robertson, George
Roe, Mrs Marion
Rooker, J. W.
Rost, Peter
Rowe, Andrew
Rowlands, Ted
Rumbold, Mrs Angela
Ryder, Richard
Ryman, John
Sackville, Hon Thomas
Sedgemore, Brian
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Sheerman, Barry
Short, Ms Clare *(Ladywood)*
Short, Mrs R.*(W'hampt'n NE)*
Silkin, Rt Hon J.
Silvester, Fred
Skeet, T. H. H.
Skinner, Dennis
Smith, Rt Hon J. *(M'kl'ds E)*
Smith, Tim *(Beaconsfield)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Spicer, Michael *(S Worcs)*
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Stott, Roger
Strang, Gavin
Sumberg, David
Tebbit, Rt Hon Norman
Thomas, Dafydd *(Merioneth)*
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thompson, J. *(Wansbeck)*
Thorne, Neil *(Ilford S)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Twinn, Dr Ian
Vaughan, Sir Gerard
Wakeham, Rt Hon John
Walker, Bill *(T'side N)*
Waller, Gary
Warren, Kenneth
Watson, John
Watts, John
Weetch, Ken
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Welsh, Michael
White, James
Whitfield, John
Wiggin, Jerry
Williams, Rt Hon A.
Winnick, David
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Michael
Yeo, Tim
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. Michael Neubert and
Mr. Tim Sainsbury.

Question accordingly negatived.

Question, That the proposed words be there added, *put forthwith pursuant to Standing Order No. 33 (Questions on amendments).*

The House divided: Ayes 224, Noes 167.

Division No. 192] **[7.15 pm**

AYES

Aitken, Jonathan
Alison, Rt Hon Michael
Amery, Rt Hon Julian
Amess, David
Ancram, Michael
Ashby, David
Aspinwall, Jack
Atkins, Rt Hon Sir H.
Atkins, Robert *(South Ribble)*
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Batiste, Spencer
Beaumont-Dark, Anthony
Bellingham, Henry
Benyon, William
Best, Keith
Blackburn, John
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Bottomley, Peter
Bottomley, Mrs Virginia
Bowden, A. *(Brighton K'to'n)*
Bowden, Gerald *(Dulwich)*
Brandon-Bravo, Martin
Bright, Graham
Brinton, Tim
Brittan, Rt Hon Leon
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruinvels, Peter
Bryan, Sir Paul
Buchanan-Smith, Rt Hon A.
Budgen, Nick
Bulmer, Esmond
Burt, Alistair
Butcher, John
Carlisle, John *(N Luton)*
Carlisle, Kenneth *(Lincoln)*
Channon, Rt Hon Paul
Chope, Christopher
Clark, Dr Michael *(Rochford)*
Clark, Sir W. *(Croydon S)*
Clarke, Rt Hon K. *(Rushcliffe)*
Cockeram, Eric
Conway, Derek
Coombs, Simon
Cope, John
Cormack, Patrick
Couchman, James
Critchley, Julian
Crouch, David
Currie, Mrs Edwina
Dickens, Geoffrey
Dorrell, Stephen
Douglas-Hamilton, Lord J.
Durant, Tony
Dykes, Hugh
Eggar, Tim
Emery, Sir Peter
Evennett, David
Eyre, Sir Reginald
Fallon, Michael
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forman, Nigel
Forsyth, Michael *(Stirling)*
Forth, Eric
Fowler, Rt Hon Norman

Fox, Marcus
Franks, Cecil
Fraser, Peter *(Angus East)*
Freeman, Roger
Gale, Roger
Galley, Roy
Gardiner, George *(Reigate)*
Garel-Jones, Tristan
Gilmour, Rt Hon Sir Ian
Glyn, Dr Alan
Goodhart, Sir Philip
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Griffiths, Peter *(Portsm'th N)*
Hamilton, Hon A. *(Epsom)*
Hanley, Jeremy
Hannam, John
Hargreaves, Kenneth
Harris, David
Harvey, Robert
Haselhurst, Alan
Hayes, J.
Hayhoe, Barney
Heathcoat-Amory, David
Heddle, John
Hickmet, Richard
Hicks, Robert
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Holland, Sir Philip *(Gedling)*
Holt, Richard
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Howell, Ralph *(N Norfolk)*
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hunter, Andrew
Irving, Charles
Jackson, Robert
Johnson Smith, Sir Geoffrey
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Rt Hon Tom
Knight, Gregory *(Derby N)*
Knowles, Michael
Knox, David
Lawler, Geoffrey
Lawrence, Ivan
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lester, Jim
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter, *(Fareham)*
Lord, Michael
Luce, Richard
Lyell, Nicholas
McCrindle, Robert
McCurley, Mrs Anna
Macfarlane, Neil
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
Maclean, David John
McQuarrie, Albert
Malins, Humfrey
Malone, Gerald
Maples, John
Marland, Paul
Marshall, Michael *(Arundel)*
Mates, Michael
Mather, Carol
Maude, Hon Francis
Mawhinney, Dr Brian
Maxwell-Hyslop, Robin
Mayhew, Sir Patrick
Mellor, David
Merchant, Piers
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Mitchell, David *(NW Hants)*
Moate, Roger
Montgomery, Sir Fergus
Morrison, Hon C. *(Devizes)*
Neale, Gerrard
Nelson, Anthony
Neubert, Michael
Newton, Tony
Nicholls, Patrick
Normanton, Tom
Onslow, Cranley
Oppenheim, Rt Hon Mrs S.
Ottaway, Richard
Page, Richard *(Herts SW)*
Parkinson, Rt Hon Cecil
Parris, Matthew
Pawsey, James
Pollock, Alexander
Porter, Barry
Portillo, Michael
Powell, William *(Corby)*
Powley, John
Price, Sir David
Proctor, K. Harvey
Pym, Rt Hon Francis
Rathbone, Tim
Rees, Rt Hon Peter *(Dover)*
Ridley, Rt Hon Nicholas
Rifkind, Malcolm
Roberts, Wyn *(Conwy)*
Roe, Mrs Marion
Rost, Peter
Rowe, Andrew
Rumbold, Mrs Angela
Ryder, Richard
Sackville, Hon Thomas
Sainsbury, Hon Timothy
Shaw, Giles *(Pudsey)*
Shaw, Sir Michael *(Scarb')*
Silvester, Fred
Skeet, T. H. H.
Spicer, Michael *(S Worcs)*
Stern, Michael
Stevens, Lewis *(Nuneaton)*
Stevens, Martin *(Fulham)*
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Sumberg, David
Tebbit, Rt Hon Norman
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thorne, Neil *(Ilford S)*
Twinn, Dr Ian
Vaughan, Sir Gerard
Wakeham, Rt Hon John
Walker, Bill *(T'side N)*
Waller, Gary
Warren, Kenneth
Watson, John
Watts, John
Wells, Bowen *(Hertford)*
Wells, Sir John *(Maidstone)*
Whitfield, John
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Woodcock, Michael
Yeo, Tim

Tellers for the Ayes:
Mr. John Major and
Mr. Ian Lang.

NOES

Anderson, Donald
Archer, Rt Hon Peter
Ashdown, Paddy
Ashley, Rt Hon Jack
Atkinson, N. *(Tottenham)*
Banks, Tony *(Newham NW)*
Barnett, Guy
Barron, Kevin
Beckett, Mrs Margaret
Beith, A. J.
Bell, Stuart
Benn, Tony
Blair, Anthony
Boothroyd, Miss Betty
Boyes, Roland
Bray, Dr Jeremy
Brown, Gordon *(D'f'mline E)*
Brown, Hugh D. *(Provan)*
Bruce, Malcolm
Caborn, Richard
Callaghan, Rt Hon J.
Callaghan, Jim *(Heyw'd & M)*
Campbell, Ian
Campbell-Savours, Dale
Canavan, Dennis
Carlile, Alexander *(Montg'y)*
Carter-Jones, Lewis
Clark, Dr David *(S Shields)*
Clarke, Thomas
Clay, Robert
Clwyd, Mrs Ann
Cocks, Rt Hon M. *(Bristol S.)*
Cohen, Harry
Concannon, Rt Hon J. D.
Cook, Frank *(Stockton North)*
Cook, Robin F. *(Livingston)*
Corbett, Robin
Cowans, Harry
Craigen, J. M.
Crowther, Stan
Cunliffe, Lawrence
Davies, Rt Hon Denzil *(L'lli)*
Davis, Terry *(B'ham, H'ge H'l)*
Deakins, Eric
Dewar, Donald
Dixon, Donald
Dormand, Jack
Dubs, Alfred
Duffy, A. E. P.
Dunwoody, Hon Mrs G.
Eadie, Alex
Evans, John *(St. Helens N)*
Fatchett, Derek
Faulds, Andrew
Fields, T. *(L'pool Broad Gn)*
Foot, Rt Hon Michael
Forrester, John
Foulkes, George
Fraser, J. *(Norwood)*
Freud, Clement
George, Bruce
Gilbert, Rt Hon Dr John
Godman, Dr Norman
Gould, Bryan
Gourlay, Harry
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Central Fife)*
Hancock, Mr. Michael
Harman, Ms Harriet
Harrison, Rt Hon Walter
Haynes, Frank
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Holland, Stuart *(Vauxhall)*
Home Robertson, John
Howells, Geraint
Hoyle, Douglas
Hughes, Robert *(Aberdeen N)*
Hughes, Roy *(Newport East)*
Hughes, Simon *(Southwark)*
Hume, John
John, Brynmor
Johnston, Russell
Jones, Barry *(Alyn & Deeside)*
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Leighton, Ronald
Lewis, Ron *(Carlisle)*
Lewis, Terence *(Worsley)*
Litherland, Robert
Loyden, Edward
McCartney, Hugh
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McKelvey, William
Mackenzie, Rt Hon Gregor
Maclennan, Robert
McNamara, Kevin
McTaggart, Robert
McWilliam, John
Madden, Max
Marek, Dr John
Marshall, David *(Shettleston)*
Martin, Michael
Mason, Rt Hon Roy
Maxton, John
Maynard, Miss Joan
Meacher, Michael
Michie, William
Mikardo, Ian
Morris, Rt Hon A. *(W'shawe)*
Morris, Rt Hon J. *(Aberavon)*
Oakes, Rt Hon Gordon
O'Brien, William
O'Neill, Martin
Orme, Rt Hon Stanley
Owen, Rt Hon Dr David
Park, George
Patchett, Terry
Pavitt, Laurie
Pendry, Tom
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Prescott, John
Radice, Giles
Randall, Stuart
Redmond, M.
Rees, Rt Hon M. *(Leeds S)*
Richardson, Ms Jo
Roberts, Allan *(Bootle)*
Roberts, Ernest *(Hackney N)*
Robertson, George
Rowlands, Ted
Ryman, John
Sedgemore, Brian
Sheerman, Barry
Short, Ms Clare *(Ladywood)*
Short, Mrs R.*(W'hampt'n NE)*
Silkin, Rt Hon J.
Skinner, Dennis
Smith, Rt Hon J. *(M'kl'ds E)*
Snape, Peter
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Stewart, Rt Hon D. *(W Isles)*
Stott, Roger
Strang, Gavin
Thomas, Dafydd *(Merioneth)*
Thompson, J. *(Wansbeck)*
Thorne, Stan *(Preston)*
Tinn, James
Torney, Tom
Wainwright, R.

Wallace, James
Weetch, Ken
Welsh, Michael
White, James
Williams, Rt Hon A.
Wilson, Gordon
Winnick, David
Wrigglesworth, Ian
Young, David *(Bolton SE)*

Tellers for the Noes:
Mr. John Cartwright and
Mr. Michael Meadowcroft.

Question accordingly agreed to.

MR. DEPUTY SPEAKER *forthwith declared the main Question, as amended, to be agreed to.*

Resolved,

That this House welcomes the success of the Government's step-by-step approach to the reform of industrial relations law and to the strengthening of rights of individual trade union members; welcomes the new and stringent provisions of the Trade Union Act 1984 concerning secret ballots before strike action, for trade union elections and for the maintenance of political funds; notes the fundamental change in trade union attitudes and practices now taking place; welcomes in particular the increasing interest and involvement of trade union members in the conduct of their unions' affairs; and congratulates the Government on making the achievement of greater democracy in trade unions a central objective of its industrial relations policy.

Orders of the Day

Ports (Finance) Bill

7.25 pm

The Secretary of State for Transport (Mr. Nicholas Ridley): I beg to move, That the Bill be now read a Second time.

This is a short, but necessary, Bill which I commend to the House. It is in three parts, and it deals with three distinct aspects of port finance.

Clauses 1 and 2 enable the Government to continue to help with the cost of restructuring an industry which has undergone enormous changes in the past 20 years. The reasons for those changes are well known: the development of bigger but fewer ships; the need to minimise the time ships spend in port because of the high costs of ship operation; the effect on our patterns of trade of the development of North sea oil and of our membership of the European Community; improvements in our inland communications, both road and rail; and, of course, the evolution of new techniques of cargo handling, in particular the "container revolution." Ships now spend less time in port, so port facilities must be used more intensively; fewer berths are needed, and therefore fewer dockers. At the end of 1960, there were 74,000 registered dock workers. At the end of 1970, the number had fallen to 45,000; at the end of 1980 it had fallen to 23,000. By the end of 1984, the number of registered dock workers had fallen to 12,500.

Those dramatic changes have not been easy for the industry to cope with, but there has been remarkably little friction.

That contraction has been achieved largely through voluntary severances. In 1981-82 it became clear that the cost of this to the industry was becoming too severe, and the Government decided to assist in two ways.

First, we recognised that the ports of Liverpool and London faced severe problems. Those ports had dominated the conventional break-bulk cargo business in deep-sea trades, and were therefore hard hit by the containerisation of so much of this traffic. They were faced with enormous problems of rationalising their labour, their organisation, and their port facilities. We therefore decided that it would be right to assist them in reducing their manpower and in enabling them to continue to operate while these changes were carried through. The Ports (Financial Assistance) Act 1981 empowered the Government to make available to London and Liverpool up to £160 million by way of grants, loans and guarantees. That ceiling was raised in the Transport (Finance) Act 1982 to £360 million.

Secondly, in 1982 we decided to help the industry as a whole to meet the cost of severance payments to registered dock workers. As the House will know, special arrangements for severance apply to registered dock workers. They are not covered by the Redundancy Payments Act 1965; nor is their severance paid for directly by their employer. In 1969, the employers of registered dock workers entered into a national voluntary severance scheme, which is administered by the National Dock Labour Board. The board makes severance payments from a fund that it administers on behalf of the employers, and which is paid for ultimately by a levy on the employers.

[Mr. Nicholas Ridley]

Although by 1982 the fund had been substantially supported by Government loans, it was clear that at the rate at which voluntary severances were continuing, it was beyond the means of the employers both to service that debt and to meet the continuing cost of new severances. So we agreed to a three-year moratorium on the servicing of that debt, provided that the employers paid to the National Dock Labour Board a levy of £12 million annually to meet the cost of new severances.

A large part of the assistance which the Government have given to the Port of London Authority and the Mersey Docks and Harbour Company under the 1981 Act has been in the form of grants to pay the full cost of severing registered dock workers in those two ports — no less than £106·7 million. That has not been a discrimination in favour of London and Liverpool. The money has, in fact, benefited all ports in the dock labour scheme, because it has relieved the ports collectively of a cost that would otherwise have fallen directly upon the national voluntary severance scheme, and which they would otherwise have had to fund themselves.

London and Liverpool have continued to pay their share of the levy although they have not, because of special Government assistance, been drawing benefit in return from the scheme.

I have described the background in some detail because I believe that it helps to explain the reasons for clauses 1 and 2.

Since 1982, the reduction in port manpower has continued apace. In just over three years the register of dock workers in scheme ports has fallen by about a third and now stands at just under 12,000. In London and Liverpool, the decline has been proportionately greater, and the Government have committed in full the £360 million that Parliament authorised in 1982 for assistance to the PLA and the MDHC.

Moreover, the three-year moratorium on the servicing of the debt of the national voluntary severance scheme has now expired, and though the package of assistance for the scheme agreed in 1982 has made a major contribution to dealing with the severance finance problem, it has not yet solved it. The past year has been a particularly difficult one for the ports industry. As a result, the number of approved applications from registered dock workers for severance under the scheme has exceeded expectations. The number is well in excess of that which could be financed from the board's £12 million annual levy income. In fact, the rate of dock worker severances in scheme ports outside London and Liverpool has been running at over 1,000 a year, which on present scales costs £25 million a year.

To help the industry we have made a series of stop-gap arrangements to enable the board to fund those severances. The last of these, announced by my right hon. Friend the Secretary of State for Employment in his minute laid before Parliament on 30 January, was a Government guarantee of the board's bank overdraft of up to £17·2 million, in addition to outstanding Government loans of £44·5 million. As we made clear at that time, our agreement to guarantee the commercial loan was intended to provide time to pursue alternative proposals for financing severances. We believe that there must be a continued strategic approach to the long-term restructuring of registered ports.

Dr. Norman A. Godman (Greenock and Port Glasgow): The Minister must forgive my parochialism, but I see that there is no specification of Scottish ports in clauses 1 and 2. Does he anticipate that part of the grant mentioned in clause 1 will go towards redundancy schemes in one or more of the Scottish ports?

Mr. Ridley: Yes, any moneys paid under the Bill—whether under clause 1 or clause 2—will go to the national voluntary severance fund and, as such, will be used to pay for the redundancies of any registered dockers in any scheme port. Therefore, any Scottish scheme port will benefit just as much as any English scheme port. Non-scheme ports are totally outside the scheme.

Mr. David Marshall (Glasgow, Shettlestone): Will all dock workers be treated equally? Will the same severance scheme payment apply in Glasgow as applies in Liverpool or London?

Mr. Ridley: Hitherto, that has been the case, and I see no reason why it should not continue to be so. I must make it clear that there is also the interest of the employers in what they pay redundant workers. What we do is to provide the money for a certain level of severance—in this case £25,000 per head — but making a docker redundant is first suggested by the employer, then approved by the National Dock Labour Board, and at that point the final decision is taken. It is a fairly complex matter, but there has never been any discrimination.

Since our agreement to guarantee the commercial loan, discussions have been proceeding and are continuing with the port employers. But it is already clear that the scheme ports cannot meet the full cost of future severance needs and at the same time service and repay their outstanding severance debts. It is against that background, and the unique circumstances of the manpower regime in this industry, that clause 1 is necessary.

We cannot be sure of the future level of severances, but we must make provision now for some extra assistance towards severance costs. Therefore, we propose a new power to pay grants to the NDLB as a contribution towards the cost of registered dock worker severances. These grants are limited to £10 million, but a contingency provision is included to increase the amount in future years up to a maximum of £40 million, subject to affirmative resolution of the House.

This help is merely a recognition by the Government of the special difficulties of the dock labour scheme ports as they move towards providing an unsubsidised and competitive service to their customers. I have emphasised to the employers that while these powers will enable the Government to continue to contribute to the cost of dock worker severances, the cost of severances in this industry, as in other industries, is very properly a charge on the ports themselves. Soon they will have to shoulder the burden unaided.

Clause 2 relates to the Mersey Docks and Harbour Company and the Port of London Authority. Both have made strenuous efforts to adjust, and, with Government assistance, they are moving towards viability. They have, however, some way to go, and, in view of their importance, we believe that we should continue to help them towards that goal.

Mr. Roger Moate (Faversham): Is it not a matter of the utmost regret that we are now raising the grants and

loans to those two ports to £500 million, which by any standard is an enormous sum of money? Is not my right hon. Friend now doing what he often accuses others of doing — throwing money at a problem and thereby deferring the day when we reach a competitive position and place those two ports on a viable and independent basis?

Mr. Ridley: This is not discrimination in favour of London and Liverpool, because the money actually goes towards the total expenses of the severance fund. It benefits London and Liverpool only to the extent that any of it may be used on non-registered dock workers' severances. I hope that my hon. Friend will agree that, as shown by the figures that I gave earlier, we have come a very long way towards achieving a position where scheme ports stand on their own feet and do without subsidy.

The fact that we have come down from 70,000 to 12,000 registered dock workers shows the immensity of the task that faced the industry. I believe that there was no alternative but to assist at least with compensation for those who lost their jobs due to the technological revolution in the docks.

Mr. Donald Anderson (Swansea, East): The Secretary of State appears to be maintaining that clause 2 does not provide for any discrimination in favour of those two major ports as opposed to other scheme ports, yet the explanatory memorandum states that part of the additional sum of £140 million is for

"supporting them while such measures are being taken".

What can that mean other than a subsidy to those two major ports which is not available to other ports, and which must, by definition, make those other ports less competitive?

Mr. Ridley: The explanatory memorandum may be misleading on that point. It is the Bill that matters. The only determinant of how much the Government have paid in the past has been the number of redundancies declared by and accepted from Liverpool and London, and that determines the sum of money — £25,000 by 1,000 redundancies, which makes £25 million — that the Government have paid to the fund. That sum is then available to all scheme ports for the redundancies that arise within them. At the same time, all scheme ports, including London and Liverpool, pay a share of the levy that is based on their number of employees. Therefore, in that respect the Bill does not produce any discrimination.

There is an element of discrimination in that the Government have been paying towards the cost of severing the non-registered dock workers in London and Liverpool, but not in other ports. As the hon. Gentleman will soon hear, we intend to phase out that assistance so as to take away the last element of discrimination.

The £360 million of assistance authorised by Parliament under previous legislation has been fully committed. Some £145 million has been made available to the MDHC, £170 million to the PLA and £24 million to the National Dock Labour Board in respect of severance payments made to registered dock workers in London and Liverpool before 1981. The remainder—£21 million—is earmarked for a debt write-off for the PLA. The authority to write off part of the PLA's debt to the Government and to repay commercial loans which the Government had guaranteed was given in the Ports (Reduction of Debt) Act 1983.

Regrettably, neither the PLA nor the NDHC is yet in a position to manage its own affairs unaided, so the Bill proposes to raise the limit for financial assistance from the Government by £140 million up to £500 million. I cannot say how much of this additional money it may be necessary to draw upon. A substantial amount will be needed for further severances, as there are still substantial surpluses in both ports.

Scheme ports should not be under any illusion that this increase in the potential funds available would mean that they can slacken their efforts to restore their industry to health — far from it. The tasks facing the industry remain tough ones.

I add two points. First, my predecessor, my right hon. Friend the Member for Guildford (Mr. Howell), said at the end of 1982 that we were no longer prepared to make grants to the PLA and the MDHC to cover any deficits on their annual profit and loss accounts. We have stuck to that. I intend to continue to stick to that. There is to be no return to deficit funding.

Secondly, it is my firm intention to phase out assistance to these two undertakings. They should be in no doubt that public finance will be deployed for one purpose only: to put those ports under strong and steady pressure to make the changes necessary to achieve full commercial profitability, so that they can compete fairly with other parts of the industry. I therefore intend, as I told the hon. Member for Swansea, East (Mr. Anderson), to phase out, over a period, the Government grant towards the cost of severing their non-registered employees. These payments have given the PLA and the MDHC an advantage which other port undertakings have not had. It is right that in a competitive industry we should insist upon an equitable framework for competition.

The second and third parts of the Bill carry forward our general policy of deregulation and removing unnecessary Government controls and restrictions. My hon. Friend the Under-Secretary of State will be able to expand on what I briefly say when he comes to wind up the debate, if he is fortunate enough to catch your eye, Mr. Deputy Speaker.

Clauses 3 to 5 remove various ministerial controls over trust port borrowing and other matters. These controls take no consistent pattern and are no longer appropriate. Their removal is consistent with the decision, announced in the autumn statement and confirmed in the recent public expenditure White Paper, to transfer trust ports' capital investment expenditure to the private sector from 1 April 1985. Up to that date, their investment had counted—increasingly illogically — as public expenditure. I say "illogically" because most ports — other than local authority ports — now obtain capital for new projects from the private sector anyway.

The funding of trust ports' capital investment in the main from private market sources has led us to conclude that the hotch-potch of ministerial consent provisions in trust ports' local legislation should be removed—partly because they are no longer needed and partly because their application and effect differ widely from one undertaking to another. Indeed, no trust ports' local legislation is alike in this respect. In practice, the powers of many ports are so framed that they can borrow all that they need within the basic limit specified in their local enactments, so they do not have to seek specific ministerial consent.

The third part of the Bill is clause 6. A year ago I announced my decision to do away with Government controls over new harbour development. Under section 9 of the Harbours Act and the control of harbour

[Mr. Ridley]

development orders made under that section, no harbour development costing more than £3 million could be undertaken without my approval. This was an anachronism in a commercial, competitive industry. Accordingly, I made an order to revoke the orders which gave effect to section 9. The order was debated, on an Opposition motion, on 19 June last year, and approved by the House.

Section 9 itself, however, still remains on the statute book. Clause 6 of the Bill repeals it, along with all the consequential provisions which relate to it. The clause fulfils the undertaking that I gave a year ago, to repeal section 9 at an early opportunity.

The Bill is needed to help our ports to bring their manpower numbers into line with the requirements of the traffic that they now handle. Without these powers, scheme ports risk being forced to keep, and to pay, staff for whom they no longer have any need. This adds to their costs and hampers their ability to compete with non-scheme ports. It makes it more difficult for our ports to meet the competition from continental ports.

Therefore, I urge the House to give the Bill a Second Reading.

7.45 pm

Mr. Roger Stott (Wigan): I apologise to the Secretary of State for the absence of my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) who, as the Secretary of State is aware, is serving on the Standing Committee on the Transport Bill. She is at dinner at the moment, but she is going back to the debate on de-regulation of the bus industry. As we do not have as many shadow spokesmen as the Secretary of State has Ministers, it is important that my hon. Friend remains in her place. I hope that the hon. Member for Southwark and Bermondsey (Mr. Hughes) will not seek to gain possession of the Dispatch Box, because I shall be in my place throughout the debate.

The Secretary of State has given the reasons why the Government have yet again found it necessary to come to the House to seek approval to increase the limits of the financial assistance to the scheme ports, particularly to the ports of Merseyside and London. I shall not be encouraging my hon. Friends to seek to divide the House, because we are all too well aware of the financial difficulties that both these ports have undergone and in many respects are still undergoing.

The port authorities covered by the scheme will have to pay £800,000 a month in April and May to finance the voluntary redundancy fund; that is 20 per cent. less than last year. I understand that the severance scheme is about £58 million in debt, most of it to the Government. The Bill will mean that the National Dock Labour Board, as the Secretary of State said, will get £10 million grant, with further powers to receive another £30 million some time in the future. I have watched the hon. Member for Faversham (Mr. Moate) through transport debates over the years. It makes a refreshing change, although he may not agree, to see this particular Secretary of State making public funds available to ensure that the scheme works properly.

Mr. Moate: I wish that it were a refreshing change. In this industry, this Secretary of State and this Government have consistently, time after time, come back to the House and asked for more money. Every time, we are told that it is likely to be the last time, so why should we believe it now?

Mr. Stott: It makes a refreshing change for this Secretary of State to say that he is prepared to put more public money into making the scheme work properly. We are not complaining about that.

The decline in manpower in the port of London and in Liverpool illustrates in our view the chaotic state of the British port industry. When I left the Merchant Navy in 1964, my home port of Liverpool employed 13,500 dockers. Today, that has shrunk to 2,841. Some 301 jobs were lost through voluntary severance during the last 12 months, and more jobs could be lost in Merseyside as a consequence of the loss of the Isle of Man trade. I am sure that my hon. Friend the Member for Liverpool, Garston (Mr. Loyden) will enlarge on that problem if he catches your eye, Mr. Deputy Speaker.

According to the Port of London Authority's latest annual report, the number of people employed by the PLA has been reduced from 4,406 to 3,553. That reduction included 400 registered dock workers and 453 non-registered personnel, and represented a reduction of 17 per cent. in registered personnel and 22 per cent. in the rest of the work force. In the past twelve months alone, we have seen in those two ports a drastic reduction in manpower.

We have had a number of debates in the House on ports and harbours since the Government came to power, and under successive Secretaries of State. My hon. Friend the Member for Aberdeen, North (Mr. Hughes) in 1983, and my hon. Friend the Member for Kingston-upon-Hull, East (Mr. Prescott) in 1984, with every justification, repeated the assertion that the Government have no long-term strategy for the British ports industry other than selling off the profitable assets of Associated British Ports and Sealink harbours and dissolving the National Ports Council. That lack of a proper strategy has accelerated the rapid decline of the once great natural highways of the Mersey and the Clyde. It has encouraged Antwerp to become, one might almost say, another British seaport, just as Schiphol has become another British airport.

The Secretary of State's response to the decline of this great industry has been predictable. The Secretary of State and I and a number of our colleagues are engaged in a titanic battle in Committee because the Secretary of State is putting into practice his obsession with market forces by deregulating Britain's buses.

The Bill merely confirms the statutory instrument introduced last year. The right hon. Gentleman is deregulating Britain's ports by replacing section 9 of the Harbours Act 1964.

Among other things, section 9 included the words:

"Subject to the provisions of this section, the Minister, with a view to securing the proper control in the national interest of schemes of harbour development that appear to him to involve expenditure of a capital nature".

The important words are

"in the national interest".

That section was inserted because it was felt at the time —and I still feel—that the development of ports is a national issue and should be treated on a national basis. That is what the Secretary of State seeks to do.

Mr. Ridley: If the hon. Gentleman wants endlessly greater investment in the infrastructure, why is it in the national interest to have powers that are limited to preventing investment being made in the infrastructure?

Mr. Stott: It is interesting that the Secretary of State should raise that point, given his views on the alleged profligacy of bus support. However, I shall answer it shortly.

Last year, at the annual dinner of the British Ports Association, the Secretary of State made his intentions clear. They were not surprising. The Secretary of State is well known for his neolithic views about how we conduct our affairs. He said:

"Our predecessors saw"—

even this point is wholly wrong—

"the ports as part of the infrastructure needing to be centrally planned, protected from so-called 'wasteful' competition, regulated by Government, with investment vigorously controlled by the state . . . We regard the ports industry as a normal industry like any other. Ports can and should compete among themselves. We have made them compete with each other as well as the continental ports".

That is typical of statements by the Secretary of State. As my hon. Friend the Member for Kingston-upon-Hull, East said in the debate on the statutory instrument:

"This naive belief in the absolutism of competition shows an ignorance of port activities and of the industry."

I subscribe to that view.

Mr. Nigel Spearing (Newham, South): Is not the situation even more serious? My hon. Friend mentions Antwerp. On the philosophy of the Secretary of State, Dunkirk, Antwerp and Rotterdam are competing directly with London. The right hon. Gentleman says that there is more surplus labour in London to be discarded. He did not give the figures. Is he not devoting public money to subsidising the elimination of port facilities in London necessitated by subsidised competition from municipal ports on the continent?

Mr. Stott: My hon. Friend is quite right. That point was made by the managing director of the PLA when I visited Tilbury last year.

It is generally acknowledged in the industry——

Mr. Ridley: The hon. Gentleman has not given his hon. Friend the Member for Newham, South (Mr. Spearing) a very satisfactory answer. Rotterdam is probably the biggest port in western Europe. It handles about the same amount of trade as the whole United Kingdom. It employs about 4,400 dockers — about a third of our total. That is why overseas ports take our trade. They are more efficient in the use of labour.

Mr. Stott: We could stay here all night disagreeing with the Secretary of State's interpretation of facts and figures. Neither I nor my hon. Friend believe what the right hon. Gentleman says for a moment, and I am sure that my hon. Friend preferred my answer to the helpful intervention of the Secretary of State.

Mr. Spearing: I certainly did.

I visited Rotterdam last October. It is very different from the British ports because it fulfils a somewhat different function although it can compete with the ports of south-east England.

Mr. Stott: It is generally acknowledged by those in the industry—even if not by the Secretary of State—that there is serious over-capacity in our ports now, and has been for some time. That became abundantly clear last year when Southampton, regrettably, ceased to function as a port for a considerable time. The cargo was absorbed quite easily by other United Kingdom ports.

During the 1983 debate, my hon. Friends graphically illustrated to the House the way in which their ports had declined—especially the ports on the west coast. My hon. Friend the Member for Glasgow, Shettleston, (Mr. Marshall) summed up the debate for the Opposition. My hon. Friend the hon. Member for Glasgow, Garscadden (Mr. Dewar) said:

"It is horrible to think that 10 years or so ago there were over 2,000 shipping movements on the Clyde, but last year there were only 112. We have seen a collapse from about 1·6 million tonnes of general cargo to under 500,000 tonnes."—[*Official Report*, 14 March 1983; Vol. 39, c. 86.]

My hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman) can confirm that there has been an even bigger decline in traffic movements on the Clyde and in cargo movements.

With my hon. Friends from the shadow transport team, I paid an official visit to Glasgow some years ago. At Gushetfaulds freightliner terminal, we discovered that crates of bottles of Scottish whisky were not being exported through the great natural highway of the River Clyde but were being put aboard freightliner trains, sent to south-east England and shipped out from Felixstowe. That is the result of a lack of strategic planning.

It will not have escaped the Secretary of State's attention that the Felixstowe Dock and Railway Company has introduced a private Bill with a view to extending its facilities. I want it to be understood clearly by all concerned that we shall vigorously oppose that Bill because of the damage that it will do to other port facilities, especially to the port of Ipswich, which I shall visit tomorrow with my hon. Friend the Member for Ipswich (Mr. Weetch). We shall discuss that matter with the work force and the port managers.

Britain's ports are in decline. There are now 87 per cent. fewer registered dock workers than there were 12 years ago. The redundancies have been accelerated by the Government, under whom there are more than 12,000 fewer registered dock workers—a decline of nearly 50 per cent. Investment has also declined by the same proportion. Government policy is to leave the development of ports to the market place, with no assessment of the needs of the country.

The fortunes of British ports are tied closely to the patterns of foreign trade, and they have shared a fate similar to that of the merchant shipping industry in the past 20 years. The pattern of development of ports has also been closely connected with the demands of shipowners, dock companies and the users. The Government believe that ports ought to develop according to the demands of the market place, and they have removed powers to control port development from the statute book. That was done primarily to ensure that they did not have to make a decision on whether to allow Falmouth's container port to develop.

It is nonsense to say that ports can develop without any implications for the Government. Southampton has all the facilities of a port, including the benefits of past Government investment in developing the road network to cope with the traffic. Falmouth, however, is developing without the necessary infrastructure having been built. If

[Mr. Stott]

developments at Falmouth go ahead, it will not be long before the industry and port users demand new and expensive roads and railheads to the terminal.

Ports are vital to the British economy and involve millions of pounds of public money. There should be sensible planning and proper use of resources. The history of British port development in the past 20 years is one of poor planning, uneven development and decline in traditional port areas.

Another sign of the decline in ports traffic comes from the figures of tonnage that has gone through British ports in the past 20 years. Traffic has increased, but the increase in oil traffic accounts for most of it. The development of North sea oil has meant an increase in the overall oil traffic through ports and a turnround from petroleum imports outweighing exports to exports outweighing imports.

The figures disguise what has happened to the distribution of traffic. There has been a substantial loss of trade on the west coast of Britain, especialy in south Wales, on the Mersey and on the Clyde and a concomitant gain on the east coast and in channel ports. The increasing use of container or railway traffic is likely to continue. That will probably mean a further increase in spare capacity in British ports, and further redundancies and loss of port investment.

The Government's policy towards ports has been counter-productive. They have often sided against the unions on the operation of the national dock labour scheme, ducked out of crucial decisions on port development by removing legislative controls, abolished the National Ports Council and privatised Government-owned ports.

Mr. Ridley: Hear, hear.

Mr. Stott: The Secretary of State says, "Hear, hear," but the Public Accounts Committee criticised the Government for under-pricing Associated British Ports when it was privatised.

Britain's ports are suffering from the problems of excess capacity, financial instability, fragmented control and insecurity among the work force. For the sake of our ports, we should have a rational policy. We must assess the needs and invest in the appropriate ports accordingly. Rather than shirk their responsibilities, the Government should be engaged in rational planning which maximises the potential of the ports and does not force the Government into unnecessary infrastructure costs around new ports.

The Labour party will develop its policy and continue to insist on the establishment of a national ports authority. We believe that that is essential for the control of our major ports. The Government have taken a laissez-faire attitude to the problems of the port industry and dissolved the body — the National Ports Council — which took a central view about how our ports should develop. When we return to office we shall reconstitute the National Ports Council and bring some order to the chaos that the Government have brought to our industry.

We shall not quarrel with the Secretary of State about providing more money for the severance scheme, but the repeal of section 9 of the Harbours Act 1964 is a further example of his inhabiting the planets of lunacy. That step will not help the British ports industry but increase uncertainty and ensure that ports develop haphazardly. It will also turn the ratchet once more against the west coast ports and in favour of south coast ports. We know what redundancies and problems will result from that. We might return to this matter in Committee.

8.7 pm

Mr. Michael Stern (Bristol, North-West): Despite my natural reluctance to welcome a Bill which increases public spending and subsidises an industry, knowing all the distortions that such subsidy creates, I welcome the measure as part of the long process of bringing a sense of reality to many of the country's ports.

Despite the 1950s style of maundering and harking back to the golden age when everything was under the control of the Secretary of State offered by the hon. Member for Wigan (Mr. Stott), it is worth considering why some of the Bill's provisions are necessary. They are necessary because the dock labour scheme, as amplified by the Jones-Aldington agreements, created an aristocracy in the ports. As is always the case, the only peaceful way to get rid of an aristocracy is to buy it out. It is not easy to buy out an entrenched aristocracy.

On the current problems of the port of Bristol, that city's *Evening Post* reported as follows on 18 April:

"manpower cutting plans are being held up by a wrangle between management and the Transport and General Workers Union . . . port bosses find they have no work for two electrician labourers and want the jobs declared redundant. The union is insisting the previously agreed manning scales should be met and the posts filled."

In other words, the attitude in the ports is that it does not matter that they have no work or that providing labour increases the cost of the port and therefore continues its decline, the posts must be filled.

In most ports, only the taxpayer funds the costs of removing the aristocracy created by the dock labour scheme. In Bristol, however, the same taxpayer pays twice, for it is the only major municipally owned port in Britain, and all the losses of the Bristol port fall on the ratepayer. Thus, the ratepayer in Bristol, as a result of the dock labour scheme, pays not only for the local losses but contributes his share, as a taxpayer, to the losses of all the scheme ports in the country. What the Opposition principally resent about the non-scheme ports is that they are not dependent upon the state because, in most cases, they are making a profit.

I listened with interest, though with an air of disbelief, to the comments of the Secretary of State when he attempted to answer what might have been an examination question, "Compare and contrast London and Liverpool ports with all other ports in this country." It is a major difference not only that the ports of London and Liverpool are covered by the National Dock Labour Board, as dealt with the clause 1, but that they need special provision because that funding is provided not just for the voluntary severance of registered dock workers, but for the voluntary severance of non-registered dock workers.

Such a policy, while it continues, cannot but cause resentment, not only among non-registered dock workers, in particular in the port of Bristol, but among the ratepayers of Bristol, who find themselves contributing twice to the severance pay of non-registered dock workers.

In addition, considerable resentment is created by the London and Liverpool schemes as between registered and non-registered dock workers in the port of Bristol because,

again, the setting up of an aristocracy by the dock labour scheme has meant that some dock workers are more equal than others.

It is generally accepted that the drip feed into the Treasury, which the special schemes for London and Liverpool comprise, must continue, but I want a more specific assurance than the Secretary of State gave about when, and in what manner, the drip feed will end. It has gone on for a considerable time. We, who as ratepayers pay for the non-drip-fed ports, are entitled to an assurance that sooner or later the drip will be cut off.

I welcome the aspects of deregulation in clauses 3 to 6. Can anyone, even the hon. Member for Wigan, seriously maintain that it is a necessary factor in modern port operation that the Minister should be entitled to name the auditors for the port? If so, I shall willingly give way to enable the hon. Gentleman to explain why ports alone are incapable of choosing their own auditors.

Similarly, given that it is the policy of the Government that ports should look more to private finance—in the case of Bristol that is unfortunately the local ratepayer; in many other ports private finance is obtained, and Bristol is moving in that direction—it is nonsense that an additional borrowing constraint should be placed on ports, unlike other industries. We are not talking about public sector borrowing controls. We are talking of an additional constraint as if investment in a port did not require borrowing. Because of that, according to Labour Members, it should be made more difficult for them to obtain it.

I shall not repeat what was said in the debate on 19 June 1984 in relation to section 9 of the Harbours Act. The remarks of the hon. Member for Kingston upon Hull, East (Mr. Prescott) that night and those of Labour Members tonight were, as I said in the June debate, the language of Stalinism and the language of Mussolini-type Fascism. All other commercial entities can make commercial decisions, but in the ports alone commercial decisions must be at the behest of the Minister.

Mr. Stott: The hon. Gentleman must not be allowed to get away with accusing the Opposition of being in any way, shape or form related to Mussolini-type Fascism. I greatly resent his remark and I hope that he will have the decency to withdraw it.

Mr. Stern: I shall certainly not withdraw it, because the policy of the Opposition, as related to the House tonight, and as related in June 1984, is indistinguishable from the state-operated control of major industries that occurred in Italy in the 1930s. I am not accusing Opposition Members of advocating other aspects of Fascist policy. I am only saying that in this area their policy is indistinguishable from it.

Mr. Stott: The hon. Gentleman has not satisfied me. Nor do I think that he has satisfied my hon. Friends. We want that section of the Act to be retained because we believe that it is in the national interest that ports policy should be controlled. The hon. Gentleman suggests that, simply because we hold that view, in some way we subscribe to the views of Mussolini and the Fascist dictatorship in Italy in the 1930s. Many of my hon. Friends fought against Fascism in the second world war and we greatly resent remarks made in the House suggesting support on our part for Fascism. I hope that the hon. Gentleman will now have the decency to withdraw the remark.

Mr. Stern: The hon. Gentleman continues to refuse to listen to what I am saying. I repeat that the policy of the Opposition to ports is identical to the policy that was adopted towards major industries by Mussolini. I could, if the hon. Gentleman wished me to do so, draw other parallels, for example with the economic policy of the Roman empire as it was applied to certain outlying states. *[Interruption.]* I am sorry if Labour Members resent that parallel too and choose to draw one that goes far further than was inherent in anything that I said.

On the subject of the revocation of the order in relation to the Act, I agree with the hon. Member for Wigan on a point that was raised in the debate on 19 June. I seek, as he sought, an assurance from the Minister which has so far not been forthcoming. Unlike Opposition Members, if business men feel that there is profit to be made and employment to be created from the development of a new port, my attitude is to tell them to go ahead. It is no concern of mine. However, if, as the result of that development, the Minister finds it necessary to seek additional expenditure on the infrastructure surrounding that port, then, like Opposition Members, I, representing the ratepayers of the city of Bristol, who already pay heavily through their rates for one port, strongly resent my constituents being asked to pay to support an opposing port. I hope that the Minister will give the House an assurance that in any port development in future expenditure on the infrastructure will be entirely out of the pockets of the developers of the port.

Against normal principles, I welcome the Bill. It is part of a process that has perhaps gone on too long but, nevertheless, once started in 1946 by the introduction of the dock labour scheme, and all the problems that it generated, the process must be brought to a conclusion. I share the hope expressed by my right hon. Friend that the process can be brought to a conclusion as quickly as possible.

8.20 pm

Mr. Eddie Loyden (Liverpool, Garston): I shall not follow the hon. Member for Bristol, North-West (Mr. Stern) except to point out that his knowledge of port is probably of port out of a bottle rather than ports such as we are talking about in the debate.

The hon. Member referred to the national dock labour scheme that was established by Ernie Bevin in 1946. The hon. Member and the House should understand that it is the very processes that followed the establishment of that scheme that we are debating today. The Secretary of State has never made any secret of his abhorrence of the national dock labour scheme. If he had been around at the time and had had his way he would probably have strangled it at birth. Fortunately for many people, he was not around then.

The hon. Member for Bristol, North-West referred to the privilege—I think that was the word he used—of registered dock workers. In the period that the hon. Member was talking about, there were 16,000 registered dock workers working in the port of Liverpool on a system of casualisation. They went to the docks three, four or five times a week to seek work. They had to stand on stands, being treated worse than animals, to be selected for work

[Mr. Eddie Loyden]

at the whim of the ship's boss. That period is a blot on British industrial relations. The hon. Member should recognise that casualisation and hyper-exploitation through the pen system of hiring ended long since and that we do not want to see that system again.

When we consider what the Secretary of State wants to do in this Bill, we have to ask if we are moving back to that state of affairs. In spite of what has been said from the Government Front Bench, it has been the clear intention of the Government and the Secretary of State to abolish the national dock labour scheme. They knew that if there had been a blatant and direct attempt to do so in the past it would have resulted in prolonged industrial disputes in the docks. Therefore, the Government decided that the non-scheme ports should be developed. That is why we have in this Bill the amendment to section 9 of the Harbours Act 1964. That means that through control — the word "control" should be seen in its proper context as planning control — non-scheme ports should be efficient and should be spread around the United Kingdom in accordance with trade in and out of the ports.

Mr. Stern *rose——*

Mr. Loyden: It has to be recognised that the modernisation of the ports following the Devlin report in 1967 resulted in a transformation of the national dock labour scheme. As I said, it has been the clear intention of the Government to abolish that scheme.

I was surprised that hon. Members in interventions this evening suggested that Liverpool and London were being treated better than the rest of the ports. Since the money that is to go to Liverpool and London is for buying off more jobs, I wonder what those hon. Members meant. With the Isle of Man ferry company leaving Liverpool after more than 150 years, the dock company will be obliged to go to the National Dock Labour Board to report a further surplus in requirements for registered dock workers. In that sense the Secretary of State is enabling the Mersey Docks and Harbour Company to destroy more jobs in Liverpool through redundancy payments.

The House is well aware that that area already has one of the highest unemployment rates in the United Kingdom. We do not welcome the Secretary of State's action, nor will registered dock workers welcome the fact that further money will be made available for redundancies. At the end of the day, they may be compelled by the nature of the industry to accept it, but there will be resistance for a further reduction in the registered dock labour force in Liverpool. In the 1950s that force stood at 15,000; by the 1970s it was down to 7,000, and now it is less than 2,000.

It is not just the port industry that has been affected by that downward spiral. The whole hinterland of Merseyside has been affected because industries and commerce were linked to the port economy. The Government must consider seriously the effect that the reduction in the dock labour force has had not just on the port, with seven miles of docks closed, but on the community that lives adjacent to the docks. With the exception of the development of the Albert dock and other places at the south end, those communities have been left with the obsolescence and problems that empty docks create.

The Parliamentary Under-Secretary of State for Transport (Mr. David Mitchell): Could the hon. Member develop more fully the point he is making and bring out for me what he believes will be the help to Liverpool in competing for trade if it has to carry large numbers of dockers for whom it has no work? Does he think that will help Liverpool to get more trade or will it do the reverse—hasten the loss of trade, which neither he nor I would wish to see?

Mr. Loyden: I shall give the Minister an example of how it would not help Liverpool. Two or three months ago, Saex moved from Southampton to Merseyside. For the purpose of this debate, the reasons are irrelevant. Liverpool was struggling to cope with the additional trade. Is it not fair comment that a continuing reduction in the number of registered dock workers in the port of Liverpool will limit its possibilities of attracting trade? If the Government are intent upon reducing the number of registered dock workers in Liverpool, London and elsewhere, they are minimising the possibility of those ports ever attracting more trade. There will be no question of further recruitment in the event of trade going to those ports.

In that sense Saex is a perfect example of how the port of Liverpool is restricted in developing further opportunties for trade. It could cope with the Saex trade only with great difficulty. Had there been a further reduction in the work force it would not have been able, in my view and in the view of the registered dock workers, to cope with that increase in trade.

Therefore, such scheme ports face a clear impediment in that situation.

That discloses the real intention behind the Bill. The non-scheme ports are now being given virtually unlimited powers to carry out the functions of the scheme ports, which can be done, because of the finite nature of the trade, only at the expense of the scheme ports. The scheme ports happen to be in areas of very high unemployment. The north-south syndrome comes into the argument again.

Through those powers and many other things, the ports' functions are being restricted. I worked in the port of Liverpool for 28 years and claim, for that reason, to know something about the port transport industry. If I do not, after 28 years, there must be something radically wrong with me. I have seen the development of the ports from the early post-war years in 1946 up to the present day. I have seen the effects of the lack of investment in the scheme ports over the years, which were run by shipowners in the interests of shipowners. They were both the landlord and tenant of the ports because they were sitting on the board of the dock company, and the shipowners and merchant princes used the ports as tenants. Therefore, they regulated the costs of the ports in accordance with their own whims, which meant that they were kept at a low level. There were startling revelations in the 1960s, when 12s 6d was still being charged for the hire of a crane. That shows the way in which the ports were run by those people. It had nothing to do with the so-called elitist registered dock workers. The misery and hyper-exploitation of that pre-war period should not return.

In view of what the Secretary of State and the Under-Secretary of State have said now and on previous occasions, I wonder what the answer would be if Liverpool were to win trade and could not meet it because of the manning levels—the number of registered dock workers in the port. One answer is to go to casual labour in the ports and docks. Therefore, we may not have seen the end of

casualisation. I am very concerned about the possible effects that this limitation will have on the ports of Liverpool and London and, indeed ports in Scotland and the north-east.

During the debate on what became the Dock Work Regulation Act 1976, the Secretary of State made it clear that he wanted to see the end of the national dock labour scheme. The industry may now be drifting back, at least in the scheme ports, to a form of casualisation if the required numbers are not met by the number of RDWs employed.

That is the Government's clear intention, and it is underpinned by the decisions taken by the Secretary of State to enhance the non-scheme ports. As he sees it, and as the Government probably see it, the scheme ports will wither on the vine if the jobs there are brought off and restrictions are placed on their capability of taking on further work and bringing further trade into the ports. The obvious consequence is that the non-scheme ports will flourish and the scheme ports will die away. There is sufficient evidence that we have already gone a long way along that road.

Mr. David Mitchell: If the hon. Gentleman believes that scheme ports will wither on the vine as the non-scheme ports gain their trade, what solution does he offer? If the non-scheme port is more economic and able to attract custom, in his scheme of things how would he put right the withering on the vine of the scheme port?

Mr. Loyden: I think that I have made a sufficient contribution to that argument. I thought that the Minister would now understand the situation. There has been an act of deliberate policy on the part of those controlling the scheme ports to see that the investment does not go there. That has nothing to do with the scheme ports as such. The non-scheme ports have developed without a history in the docks industry. It is the clear intention of the Secretary of State and the Government to use the clean slate of the new complexes in the non-scheme ports as a way of breaking down the national dock labour scheme and the tremendous efforts put in by the registered dock workers to establish a decent standard of living for themselves and their families and decent conditions in the docks where they work.

I see the Bill as taking us much further along that road. My hon. Friend the Member for Wigan (Mr. Stott) paved the way in the debate in exposing the Government's intentions for the national dock labour scheme. It has nothing to do with Liverpool or London having more money. That money will be provided to reduce the number of jobs in Merseyside, an area of high unemployment, and the port of London.

8.36 pm

Mr. Simon Hughes (Southwark and Bermondsey): I come to the debate, not as the Liberal party's spokesman on transport, but, as is fairly self-evident, as someone who has inherited a constituency the name of which is most associated with the docks and the port industry of the past. The Minister will know that the vast bulk of the constituents who are mine today in Southwark and Bermondsey are people whose families earned their living and made their way because of the success of the port that was London.

Let me reflect briefly over the 33 years of my life. I was born in the last days of the second post-war Labour Government, when the scheme ports were very much places where activity was concentrated and planned and we sought to make sure that we retained our place in the markets of the world, with ports guaranteed to provide those facilities. I jump ahead to a date when the figures are nicely rounded. In 1966, 25,000 dock workers were registered in London. Today's figure has been given to the Minister: it is about 4,000. Of course, the port has moved downstream from the docks on my side of the river—the Surrey docks in Bermondsey—to Tilbury and so on.

I should like to ask the Minister a couple of questions which the Bill does not answer. I welcome the ability of the scheme to pay for people who do not have work and for those who wish to take voluntary redundancy. That is right if people want to move out of the industry. It is better that they should have money to go in search of work elsewhere. The financing has needed to be upgraded on a regular basis. This is the fourth occasion since 1979 when the Government have come to the House with proposals for increasing the financing for ports. That is right, and I do not object to it. Therefore, clauses 1 and 2 are unexceptionable.

However, what begs the question is what the Minister failed to say in answer to questions that were asked earlier. It has been accepted that trade has moved over to the east and south coast ports. The pattern between the established ports and the new ports has been that ports such as Felixstowe have become effective and important contributors, while we have retained our old ports and sought to make sure that, inasmuch as they can compete for trade and hold it, they are able to do so. Merseyside and Liverpool are those two ports par excellence.

London is an east coast port. It is the capital city. There will always be a need for a decent port facility on the Thames. There is a great demand for goods to be brought to London, whether in containers to Tilbury and then by road on the M25 or elsewhere, or broken down at Tilbury and brought upstream and unloaded for servicing London. What concerns me is that in the contribution of the Secretary of State there was no projection of the need for grant or labour in London.

I obviously have a vested interest and wish to address my remarks primarily to that issue. What is the Government's projection of the future need in terms of labour and trade for the port of London? If the Government are saying that they will leave it to the market place, it could be—I do not say that it will be—that the port of London, to use the phrase of the hon. Member for Liverpool, Garston (Mr. Loyden), will wither on the vine. It is a ludicrous proposition, when we are competing with Rotterdam, Antwerp and the major entry ports of our neighbours and allies in commerce in Europe, to think that our capital city, which has good port facilities, might not be able to have a planned development which retains its importance, given the facilities which it has historically inherited.

I hope that the Government do not believe that we can apply at some early time in the future the principle of the magic of the market place when we start, not from here, but from the fact that this inbuilt infrastructure of the ports exists with the potential for the port of London to be efficient, effective and important as part of the port network throughout the United Kingdom. This could be done without any detriment to potential competing demands for ports elsewhere.

[Mr. Simon Hughes]

First, what is the Government's plan for the port of London? All that the Bill does is to provide money to pay off those who will not have work. We need to ensure that there is a positive and not just a negative side to the coin of paying off what would be a reduced labour force.

Secondly, there have been consultations. The Minister, following the public inquiry last year into the rates imposed by the PLA on private operators on the Thames, will be aware of the decision to retain, but to reduce, rates. There is a new private sector in the Thames, the wharfingers. They can play an important, and I believe increasing, part in the prosperity of the lower river and of the upper port. My constituency and the Government's plans, through the urban development corporation, envisage such developments.

If, at some stage, the Government plan to take away the rates which the PLA charges, which effectively subsidise its commercial undertaking—that is, to take from the private wharf owners to subsidise the PLA—can they guarantee that that will not be done simply on a commercial basis if that would act to the detriment of the PLA's finances? Will the phasing out procedures envisaged as a result of the inspector's report and the Secretary of State's response take into account on the one hand the need to reduce the burden on the wharfingers and on the other the need to ensure that an unmanageable burden is not imposed on the PLA?

My last point relates to the planning of our ports policy. The pattern of events seems to show that there is some potential for developing new ports round Britain. However, it seems that there is also great potential—the case has been argued in many erudite reports — for ensuring that the river which comes up to London and services London is better used for commerce than it has been hither to. I do not expect the Minister, in the context of the Bill, to accept that it would be right to make such a provision, but it would be reassuring to know that the Government take seriously the interest which I believe the Docklands Corporation has shown in trying to maximise the commercial use of the Thames as an adjunct to, support for and extension of the existing dock and port facilities of London.

There is enormous potential, possibly for different sorts of trade. The technological revolution means that things have moved on. I hope that the Minister can say something encouraging about what he and his Department are doing, and are prepared to do, to ensure that the port of London and the PLA, which is responsible for the two different parts of the river, can—without detriment to anybody else's commercial success against other competitors—maximise London's unique potential for trade. That is why in the first place the port of London was the subject of a scheme, with all the infrastructure and planning and regulations that were established.

I do not propose to oppose the Bill. However, we look for more than merely financial temporary measures, which in my view is what the Bill is accepted to be. We look for something that will inject health, and not just money to pay off people. We look for more than the statement that the magic of the market place must rule irrespective of the interests of the port of London. I hope and believe that the Minister can be more reassuring, but I have yet to hear it.

8.46 pm

Mr. David Marshall (Glasgow, Shettleston): I fully support and endorse all that my hon. Friend the Member for Liverpool, Garston (Mr. Loyden) said about the intentions of the Government towards a national dock labour scheme and registered ports. I think that I need not elaborate on what he said.

I wish to bring to the notice of the House the serious situation in the Clyde port authority. If no action is taken soon by the Government, there will not be a Clyde port in the true meaning of the term, and the authority will be reduced to carrying out the role of a conservancy agency. It is inconceivable to think of the Clyde without any port at all. The indications are already there because the former Queen's dock is now the site of the new Scottish exhibition centre, and the former Prince's dock is now the site of the 1988 international garden festival. Welcome as these new ventures are, there is no shortage of alternative sites for them. It would be preferable if the docks had continued to work as a part of a busy port, as was the case not long ago.

Since its inception in 1966, the Clyde port authority has been a fairly profitable operation, but since 1980 it has made steady losses each year, and the total work force has been reduced from 2,000 to 500—a redundancy level of 75 per cent. in the short span of four years. The workers have not benefited from some of the enhanced payments proposed in the Bill.

In addition, to the best of my knowledge, the Clyde port authority never received any special grants or aid from the Government, and it has been forced to sell off many of its assets, such as land, in order to meet its day-to-day operating costs. I understand that my hon. Friend the Member for Greenock and Port Glasgow (Dr. Godman), if he catches your eye, Mr. Deputy Speaker, will give detailed facts and figures relating to activities on the River Clyde. In my brief remarks, therefore, I shall confine myself to some general issues of concern not only to Glasgow but to west central Scotland as a whole.

For the benefit of hon. Members who are unfamiliar with the Clyde, the port is like a stack of dominoes. There is the Hunterston ore terminal, Greenock container dock, Ardrossan harbour company and Meadowside granary. Take one away, and they will all eventually come tumbling down. Yet each and every one of them is at risk at present. The key domino to the future of the port is the Hunterston ore terminal. That terminal is crucial to the future of the port, yet its very existence hangs by a thread. That thread is the continuation of the Ravenscraig steelworks at Motherwell. Without Ravenscraig there would be no need for the Hunterston ore terminal, and without that terminal there would be no Clyde port at all.

I hope that the Secretary of State for Scotland, who is one of the Bill's supporters, will take steps to ensure the continuation of Ravenscraig, and so guarantee the future of the Hunterston terminal, thus making the provisions of the Bill unnecessary, at least for Hunterston. The Greenock container terminal has only one container firm remaining there. I hope that the Secretary of State will do all that he can to keep it there. In addition, the Ardrossan harbour sea wall needs repair.

I mention these points because the Clyde port authority cannot afford from its own resources to make concessions to container operators or to invest in the necessary new infrastructure and equipment that would make it a modern, competitive port. It is unable to do that, because it has

never received the assistance that other ports have received. Indeed, I hope that the Minister will bear that in mind.

The Meadowside granary in Glasgow is the second largest in Europe, with a capacity of well over 100,000 tonnes; yet it is lucky if, at any time, there are 10,000 tonnes of grain in it. It is operating at only a fraction of its capacity. All that could be changed substantially for the better. I understand that recently the EEC intervention board visited it regarding the possibility of storing EEC intervention grain there. If that is to be done, improvements will need to be made to the loading facilities. Will the Minister give an assurance that he will do all that he can to get that grain into Meadowside? Will he tell us what the prospects are for any shipments of intervention grain going to the Clyde this year?

I am glad that earlier, in response to my intervention, the Secretary of State confirmed that all dockers covered by the national voluntary service scheme, regardless of location, will receive the same treatment and that the sum will be £25,000 per person. I understand that until a week or two ago the figure for Glasgow was £16,000, but that happily there were no takers. Will the right hon. Gentleman again confirm that the figure for Glasgow workers will be £25,000?

Dredging on the River Clyde costs the port authority about £1·5 million per annum, yet there is no statutory obligation on it to carry out that work. If it has to stop doing it because of its desperate financial position, what will happen to the shipbuilding industry on the upper Clyde? What future will there be for Govan Shipbuilders and for the newly-privatised Yarrows yard in Scotstoun? Severance schemes, even at an enhanced rate, are not the answer to such problems.

My hon. Friend the Member for Wigan (Mr. Stott) referred to the speech made in the House by my hon. Friend the Member for Glasgow, Garscadden, (Mr. Dewar) in March 1983. I am sure that my hon. Friend the Member for Greenock and Port Glasgow will confirm that we take no pleasure in informing the House that the situation on the Clyde is much worse than it was only two years ago. One reason why the Clyde is experiencing such difficulties is that the traffic is diminishing. In recent times 75 per cent. of our trade has been with South America. We are concerned about the need to bring more business to the Clyde. Will the Minister give an assurance that he will do all that he can to attract new business to the Clyde and to build on the South American connection, whether or not it is to the Government's political liking?

As Clydeside Members of Parliament, we expect some evidence from the Government that they are aware of the major problems confronting the largest port in the west of Scotland and of the imminent threat of closure. The Clyde has been treated inequitably compared with other ports. I am glad that the Secretary of State has returned to the Chamber, as he will no doubt recall meeting the delegation of workers from the Clyde, as well as my hon. Friends the Members for Garscadden, and for Greenock and Port Glasgow, my right hon. Friend the Member for Glasgow, Govan (Mr. Millan) and me on 26 April last year. We were asking for parity of treatment with Liverpool and London. We were asking not for any additional aid or concessions, but only for parity. Surely that is not too much to ask for.

I hope that the Secretary of State will make a positive response to the appeals that I have made on behalf of the Clyde port.

8.54 pm

Mr. Michael Fallon (Darlington): I give the Bill a general welcome. It is good evidence——

Dr. Godman: The hon. Gentleman has only just come into the Chamber.

Mr. Fallon: Does the hon. Gentleman wish to intervene other than from a sedentary position?

Dr. Godman: Perhaps I should apologise, but I was pointing out from a sedentary position that the hon. Gentleman has only just come into the Chamber.

Mr. Fallon: I do not know whether the hon. Gentleman was asleep earlier, but I was here for both the opening speeches. I then had to leave the Chamber for another engagement, but I have now returned. I hope that that satisfies the hon. Gentleman.

The Bill is good evidence that the transfer of ports from the Department of Trade and Industry was a good move. They are now covered by one of the more enterprising Departments. I only hope that one day the Department of Transport will complete the exercise by taking from the Treasury control of the freeports and encouraging the development of a second generation of freeports under the auspices of my right hon. Friend the Secretary of State rather than under those of the Customs and Excise.

The Bill is about freeing our ports. I welcome all the dismantling of controls that it contains. If I have one small reservation about it, it involves clauses 1 and 2. What my right hon. Friend the Secretary of State is doing is not unreasonable—he is a reasonable man—but the amounts of money involved are large, and he is taking a considerable power.

I wonder whether hon. Members are not entitled to a slightly clearer statement from my right hon. Friend the Secretary of State—I am not sure whether I have his attention at present—on the timetable that he hinted at. He spoke of the unique circumstances and the special difficulties. That might seem to be rather Department of Energy language to those of us who consider the various borrowing powers Bills that are presented to the House. But I put it no stronger than that.

My right hon. Friend the Secretary of State said that it was his intention that assistance generally should be phased out. I wonder whether we could be given a slightly clearer idea whether he envisages the clause 1 arrangements, in particular, having any sort of medium-term permanency. The difficulties that have arisen and that clauses 1 and 2 are intended to tackle arise in no small part not because of the absence of a scheme but because of the very generosity of the scheme and the enormous costs thus imposed. It seems to me that the scheme as a whole has quite clearly destroyed rather than protected them. The clearest evidence for that is the ports to which reference was made by the hon. Member for Wigan (Mr. Stott) and his hon. Friend the Member for Newham, South (Mr. Spearing) — that is, Antwerp and Rotterdam. It is to those ports that we should look and that ports in this country hoping for commercial success should look.

Like the hon. Member for Newham, South, I paid a visit to the port of Rotterdam some three or four years ago and was enormously impressed by its efficiency. It may well be a different type of port from some that we have been considering tonight, and there is no doubt that it has very different working practices. It was made absolutely

[Mr. Fallon]

clear to me that no-strike agreements were at the heart of those working practices. Under his contract, an employee of the port of Rotterdam authority is not allowed to go on strike.

Dr. Godman: The hon. Member, by what he has just said, has obviously had more experience than I of the workings of the Rotterdam docks and industry and also the industrial relations that exist there. Can he tell the House whether there have been any industrial disputes since his last visit there three of four years ago?

Mr. Fallon: I cannot tell the House that, and I certainly do not claim great experience. I made a visit there, which lasted two days, as a guest of the port of Rotterdam authority. Strikes certainly did not seem to feature very high on their agenda, nor did they anticipate many in the future.

I would have hoped that in clauses 1 and 2 my hon. Friend would have laid as great stress on the need to modernise working practices and reform labour relations in the docks as he is quite evidently laying on the need for port employers to address their minds to the problem of restoring their finances.

9 pm

Dr. Norman A. Godman (Greenock and Port Glasgow): I start by asking the Minister if, in winding up, he will elaborate on the observation made by his right hon. Friend during his comments on clauses 1 and 2 to the effect that soon the ports will have to shoulder their burden unaided. I ask that because I should like to know if the Government envisage phasing out the severance scheme. this was the fate, as the House will recall, of the British Shipbuilders' severance scheme and I wonder if the right hon. Gentleman is pointing us in the same direction.

Representing a port on the Clyde, I have a great deal of sympathy for the plight of the docks on Merseyside and in London. However, like my hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall), I would remind the Secretary of State of the very serious economic circumstances of the ports not only on the Clyde, but on the Forth as well.

The deterioration suffered by Britain's maritime industries is nothing short of scandulous. Historical trends in maritime trade have pushed us in the direction that we have taken over the past 20 or 30 years, and some would say that those trends extend much further back. There has suddenly been a shift in maritime trade from the west of Britain ports to the east coast ports and much of this has been brought about by the growing importance of the short sea trade—the trade between those east coast ports and continental Europe.

There has also been over the past 20 or 30 years a disastrous, deeply worrying shift from Scottish to English ports, as outlined by my hon. Friend the Member for Wigan. Until he mentioned the Clyde, I was beginning to think that here again we were listening to a debate concerning the Government's policy for the English ports. There seems to be little or no ministerial concern for the plight of the Scottish ports.

There are understandable reasons which partly explain the decline in the Scottish ports. I am not talking here about Aberdeen or some of the other ports in the north-east of Scotland which have benefited dramatically from the development of the offshore gas and oil industries, but certainly other ports on the Forth and on the Clyde have suffered severely over the past 20 or more years.

Every day, Scottish goods are shifted to England by road and rail transport. Scottish cargo, including whisky, whether malt or blended—that is the best known cargo — knitwear, textiles, engineering products and goods produced by our burgeoning information technology industries, bypasses the ports on the Forth and Clyde and is shipped to places such as Felixstowe. That harms not only the Scottish ports on the Forth and Clyde but other industries in Scotland.

The only new cargo that has been offered to the Greenock container terminal in recent weeks has been the contaminated soil from the Faslane nuclear submarine base. An outlet had to be found for that soil so that the base could take the wasteful Trident programme. I am tempted to say that that soil should be shipped to English ports, but I am not that parochial or nationalistic.

The Government's ports policy may mean — if the Conservative Government survive this long, but recent signs are that they will not—that they will preside over the collapse and disappearance of most of the Scottish ports, and even Merseyside. What is the future of the ports on the Clyde and Forth? Will they eventually close? Will all or the major part of Scottish imports and exports pass through English ports? That has certainly been the trend during the past couple of decades.

Much of the coastal trade is carried on foreign vessels — in "foreign bottoms", according to the colloquial phrase. I believe that the state can play a major role in shaping developments in our maritime industries. Does the Secretary of State believe that the pattern of maritime trade that has evolved during the past two decades will remain as it is today, with an overwhelming emphasis on traffic moving through English ports?

I make a plea on behalf of the people employed by the Clyde port authorities—my hon. Friend the Member for Glasgow, Shettleston (Mr. Marshall) also made this plea — and by the Forth ports authorities. Although it is essential that help should be given to Merseyside and London, the Secretary of State and his ministerial colleagues should not overlook the desperate plight of Scottish ports.

9.9 pm

Mr. William Powell (Corby): It is always a great pleasure to follow the hon. Member for Greenock and Port Glasgow (Dr. Godman) and to listen to him speak about Scottish affairs. I listened to him with considerable pleasure, bearing in mind that I represent more Scottish people than any other English Member of Parliament and, indeed, more Scottish people than many Scottish Members of Parliament.

Dr. Godman: I am grateful to the hon. Member for giving way. However, as someone who was born south of the border I have to correct what he said about the "little Scotland" in Corby.

Mr. Powell: I have no doubt whatsoever that my right hon. Friend the Secretary of State for Transport will have noted carefully the hon. Gentleman's observations on the future of Scottish ports. There are no more ingenious or inventive people than the Scots. They have gone to every corner of the earth and created prosperity there. I have

little doubt that if the dead hand of state control were to be removed from their endeavours, Scotland would enjoy the prosperity which its people so richly deserve. Of course they will need help to create that prosperity—that is why many of the hon. Gentleman's observations were of such value—but help does not mean state control. Nothing is more likely to ensure that Scottish ports have no future whatsoever than to arrange, by our legislative mechanism, for the Secretary of State, Ministers and Whitehall, far away from Scotland, to have a decisive influence upon what happens there.

The reason I welcome the Bill so wholeheartedly is that it will reduce the level of Government and Whitehall interference and control. Liberalisation and deregulation will make a real contribution to the future prosperity of our ports. In making that observation, I am conscious that little has been said about Scottish ports in this debate. The most prosperous ports in our land are situated on the east coast and in the southern part of England. Only a few years ago, they barely existed. They have grown up because of the demand for the services they provide.

The hon. Gentleman referred to traffic being transferred from Scottish ports to Felixtowe. I have no doubt that both he and others will have asked themselves why Felixtowe has become such an attractive port to so many people. Geography is one factor. The hon. Gentleman is in the unfortunate position of representing a constituency in a part of the country which a century ago was ideal for the trade which passed through the ports on the west coast of Scotland and England. Because of the switch of international trade to Europe, those ports are now on the wrong side of the country. Those areas which, 100 years ago, were far from prosperous and endured periods of considerable depression and poverty are now the most prosperous in our land, while those areas which, 100 years ago, were the most prosperous now find that they are in the opposite position.

I am not one of those who believe that the state has no role to play. Far from it. The state has a role to play, but at best it is a regulatory role. State control is unhelpful and has led to the accelerated decline of ports whose prosperity was so evident only a generation ago. For that reason, the provisions in the early clauses of the Bill are very welcome.

My right hon. Friend has many matters on his desk. I welcome the fact that, despite his many other responsibilities, which take up a considerable part of his time, he has devoted part of his time to bringing before the House this measure which will make a real contribution to the future of our ports.

9.14 pm

Mr. Donald Anderson (Swansea, East): I was somewhat intrigued to hear the hon. Member for Corby (Mr. Powell) say that in his political ideology the state should have only a regulatory role. Corby has suffered more than most places from the decline of the steel industry. I have yet to hear the hon. Member criticise the substantial assistance which has properly been given to Corby by way of regional policy by both major parties after the ending of steel production. That is not a regulatory aspect of state activity. It is far more positive and against the spirit of one of the key clauses in the Bill.

This has been an unusual debate in that the Minister, who has the reputation in the House of being essentially a Treasury man parachuted into a spending Ministry, determined to reduce expenditure at all costs, and who has followed that to the full with the bus industry, now comes to the House without a blink of an apology with a Bill the key clause of which increases public financial assistance to two major ports by £140 million in an open-ended commitment. He knows that he loyally follows a number of predecessors, because the casualty rate of Secretaries of State for Transport has been high in this Parliament. He follows a number of his colleagues who have put forward schemes for subvention. He said, with his hand on his heart, effectively, "This is the last such subvention. We believe that the industry will be able to stand on its own feet after the process has been completed."

There has hardly been a whimper from those Conservative Members who normally are so alert about such public expenditure, save perhaps his hon. Friend the Member for Faversham (Mr. Moate) who made one or two sceptical noises earlier.

The hon. Member for Corby will no doubt have noted the removal of section 9 of the Harbours Act 1964 which relates to the control of harbour developments. That was debated at length in the House on 19 June last year. The Secretary of State supports the removal of that section his proposition that it is an anachronism in a competitive industry. The points made during the debate on the order in June last year are still valid.

I wholly support what my hon. Friend the Member for Wigan (Mr. Stott) said about the lack of strategy in the port industry. That is in part reinforced by the removal of that section. Surely the Government cannot maintain that in all circumstances a project involving substantial capital investment in the ports can be viewed on its own merits without seeking to examine its effects on the industry as a whole.

The Government appear to be saying, "If people are prepared to risk their money, so be it. Let market forces predominate." Even this Government, despite the way in which they have dismantled much regional policy since they came to power in 1979, maintain a regional policy, because they believe that if the ports were left entirely to market forces there would be substantial dislocation, with adverse social effects.

The Government are depriving themselves of what admittedly is only a last stop, but nevertheless, a means of placing decisions on port location and port investment in a wider context. There will now be no opportunity to exercises a wider national control or to examine any port investment decision in a wider regional context.

An example is the viability of the new port project at Falmouth, which may now be in doubt. Not unexpectedly, the promoters are still saying that it is going ahead. They are still optimistic. Can it be said that the development at Falmouth has no relevance to the national interest, and that the Government can simply say that if private promoters are prepared to risk their money, so be it? Obviously, it must have an effect on other ports, especially at a time of over-capacity and when that intended investment is aimed at ocean-going container ships and piggy-backing the imports to other ports.

Obviously, the project will also have an effect on infrastructure within that region. It is not enough to say that the local planning authority — Cornwall county council — exercise sufficient control. It will want to attract as much private and public investment into its area as possible. But that investment has public investment implications. If the project goes ahead, it will no doubt be

[Mr. Donald Anderson]

said that the road pattern to Falmouth is inadequate and there will be pressure for an increase in road spending. If that road spending is not sufficient, there will be pressure for increased rail investment and section 8 grants.

Therefore, one private investment without any Government supervision will not only have an effect on other ports within that area, but will trigger off a substantial amount of public investment. Can it be said that the Government, exercising the national interest as they would have done under section 9 of the 1964 Act, have no proper role in such an investment decision? I believe that that is wrong and that anyone looking objectively at a major investment location decision will surely conclude that Government should have a role in considering such an investment in a wider national context.

My second point relates to the additional £140 million to finance the severance pay at London and Liverpool. Will the Minister clarify his remark to me that there is no element of subsidy in that? He said that the explanatory memorandum was loosely drafted and he implied that it did not say what he had intended it to say. That memorandum states that the effect of clause 2 is to raise

"from £360 million to £500 million the ceiling on financial assistance"

to those two ports

"by grants, loans, and guarantees for measures to reduce manpower in their ports and"—

this is the key phrase—

"for supporting them while such measures are being taken."

I concede the Minister's point that the wording of the Bill is the key factor, not the explanatory memorandum. However, is he seriously saying that those words in the explanatory memorandum have no meaning? If they have a meaning, what is it? Can it be other than that there is a subsidy to those two ports and that they are therefore receiving a form of assistance that is denied to other ports and making them that much more competitive than other ports?

I remind the Minister that other scheme ports contribute finance, for example, for the servicing of debt, much of which is used for the purposes of those two ports. All registered ports have to pay a levy that is now roughly £1,000 per annum per man. I think that my arithmetic is correct. There are roughly 12,000 dock workers and the Secretary of State said that the cost of the scheme is £12 million per annum.

All the operators within the registered ports have the burden of financing severance, but some are more favoured than others, and this has regional implications. A port such as mine in Swansea suffers from the same problems, albeit not on the same scale, as the PLA and the Mersey ports. We too are subject to the effects of the same recession.

My port has been heavily dependent on the steel industry and there has been a major decline in the manufacturing base of south Wales. Queen's dock in my constituency is virtually dependent on British Petroleum. Within the past few weeks, that company has announced the closure of its refinery at Llandarcy in my constituency. This is bound to have an effect on the port because ports are a service industry. They reflect the pattern and volume of industry and the health of industries in their areas. The recession hits ports outside the two favoured ports just as much. They too will be affected by the same factors of over-capacity and the new technology of containerisation. I ask the Secretary of State to look carefully at this.

Have we not come to the point, in seeking to meet the problems of these two major ports, at which there can be adverse effects on the other ports, also in difficult parts of the country, that are suffering from the same factors, including the way that scheme ports are harmed by developments in unregistered wharves? These are developed alongside the scheme ports and have problems about safety. There are also concerns about the pensions available to the men and they are not burdened — properly burdened — with the obligations laid on the scheme ports.

Will the Secretary of State look carefully at the philosophy behind the Bill? Is it not going too far in the direction of favouring two ports at the expense of other ports, often in difficult regions and often facing the same problems?

9.28 pm

Mr. Christopher Chope (Southampton, Itchen): I apologise for not having been able to be present at the outset of the debate. I was detained upstairs in a meeting of the Select Committee on Procedure.

Any debate concerning ports is of interest to an hon. Member representing a Southampton constituency, and it is a pleasure for me to be able to rise in a debate on ports policy in a rather more hawkish frame of mind than I have on recent occasions.

There has been a great and welcome revival in the fortunes of the port of Southampton this year. That is due to good management, to a much better relationship with the work force and to an increase in realism, which has been sadly lacking in the past.

Last year, the troubles in the port resulted in a trading loss of £6·4 million. This year as a result of negotiations between management and work force, the total number employed in the port has been reduced from 2,400 to 1,400. That is sad, but in consequence there has been a 25 per cent. reduction in the rates offered to people wishing to use the port, most of the port's principal customers have returned, and business is booming.

On 29 March, my hon. Friend the Under-Secretary of State made a speech at a lunch organised by the British Ports Association. It was reported in the *Financial Times* on 30 March. He referred to the fact that

"British ports cost an average of 50 per cent. more for handling deepsea container cargoes than their Continental rivals",

according to research by his Department. He said that this had raised the costs of imports, resulted in lost export orders, and increased unemployment. It was also disclosed that negotiations were taking place between the National Association of Port Employers and the Government over the cost of the national dock labour scheme. The employers had argued that if the Government continued to refuse to scrap the scheme, which makes compulsory redundancies difficult, they should bear the costs.

There is little evidence in the Bill that the burden placed on the scheme ports is being reduced to any significant extent. I welcome clause 1, which will give a £10 million subsidy to the national dock labour scheme. The clause will stop that burden falling upon employers in the scheme ports. However, compared with the additional subsidy of £140 million referred to in clause 2—I look forward to

my hon. Friend's replies to the points made about that by the hon. Member for Swansea, East (Mr. Anderson)—it is pretty small beer and goes no way towards dealing with the principal complaint of scheme port employers—that a levy of about 10 to 13 per cent. is added to their costs because they belong to the scheme and carry the enormous burdens that it places upon them.

The port employers' chairman, Mr. Donald Stringer, was quoted in the *Financial Times* as saying:

"It is one thing to know that we are to continue to be beaten but it adds insufferable insult to painful injury if we have to pay the cost of the beater and his overheads."

That feeling is shared by scheme port employers throughout the country and by those who work for them. The scheme adds to the costs of the ports and makes it more difficult for them to compete with other British and continental ports.

Many of the problems that the Bill seeks to address have been caused by the national dock labour scheme. I do not call for the abolition of that scheme, but it is clear that it is expensive, inflexible, outdated, and in need of major reform, if not abolition. The Bill does not deal with that problem.

The purpose of the scheme was to secure stability of employment for dock workers, and the creation and maintenance of a permanent labour force of a size and composition appropriate for the efficient performance of dock work. In 1955, there were 81,000 registered dock workers. Today, there are 13,000. The scheme has failed to maintain the size of the labour force. It has also failed to provide a work force of a composition appropriate for the efficient performance of dock work.

Today, I received from the National Dock Labour Board figures for the numbers of people employed and the age groups into which they fall. There are 12,822 dockers on the register. Only 50 are aged under 25, 349 are between 25 and 29 and 994 are between 30 and 34. A grand total of 1,391 are under 35. I calculate that figure to represent less than 11 per cent. of the total, whereas 44 per cent. of the generally employed population are under 35. That shows the extent of the problem for scheme ports. They have the continuing burden of an aging work force and potentially large severance costs.

Moreover, this restrictive scheme denies entry to younger people. A young person who lives near Felixstowe can join a thriving port, but it is a non-scheme port, so, when he is taken on, the employer does not have to think about the consequences of employing him. It is rather different for scheme ports.

The national dock labour scheme has failed to achieve its declared objectives, and there are other elements of it about which I am deeply suspicious. I asked whether there is a guaranteed minimum rate of pay for dock workers and how much it is. I was told that there is no set national figure, but that it is agreed by the local joint council at each port. That is significant for both London and Liverpool. To what extent will the joint councils in those ports respond to the cold wind of competition if they are given the enormous additional subsidy outlined in the Bill?

I also asked about privileges for dock workers' children and was told that preference is sometimes shown to sons on the waiting list, again subject to local agreements. As somebody who believes in equality of opportunity of employment, I raise an eyebrow at the likelihood of preferential treatment being given to those whose fathers are dock workers.

I also asked about surplus labour in the ports of London, Liverpool and Southampton. The most recent available figures are for the last quarter of 1984. The average was 179 for London, 104 for Liverpool and 465 in the special circumstances of Southampton. The burden of those 465 was borne solely by employers in Southampton, yet there is to be a subsidy to London and Liverpool. If they are subsidised, others will be disadvantaged.

The hon. Member for Swansea, East said that it is a pity that section 9 of the Harbours Act 1964 is to be repealed and he said that the Government should be involved in the control of harbour development. That was the attitude of the Transport and General Workers Union in Southampton last summer when I met one of its officials to discuss the threat from Falmouth. I told him that the best way in which to beat off that threat was to increase efficiency in Southampton. Yet he told me that there was no way in which he could increase efficiency in Southampton and reduce costs. I am glad to say that that official has been proved wrong by what has happened since. We have been able to be more efficient and to reduce our costs by 25 per cent.

The hon. Member for Swansea, East said that the Falmouth project may now be in jeopardy, but he must accept that one reason for that is that Southampton is now a thriving competitor. A prospective investor might not think it worthwhile to invest in Falmouth when he can see a well-established, thriving port just up the road in Southampton.

For those reasons, I welcome the Bill and, although I have reservations about it, I shall, if necessary, support it in the Lobby tonight.

9.41 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Mitchell): We have had a useful and wide-ranging debate on the Bill and hon. Members in all parts of the House have made interesting contributions. Rather than repeat what my right hon. Friend said at the outset, I shall deal with the points that have been raised in the course of the debate.

The hon. Member for Wigan (Mr. Stott) said that he was not proposing to divide the House, and I was glad to hear that. He has adopted a sensible approach, showing that on many issues we need not have strident division. In other words, there are areas in which there is agreement and about which there is no reason to create artificial disagreement.

As the hon. Gentleman went on to develop his speech, there was much with which I could not agree, and he will not be surprised to hear that. He referred to drastic reductions in manpower, particularly in Liverpool and the port of London, and he illustrated the decline of the ports industry. He claimed that it was all because the Government had no strategy.

I assure the House that the Government have a strategy. It is based on the recognition that, as a trading island, reliant for jobs in manufacturing and service industries on our ability to get goods in and out of the country at the minimum cost, we have an overwhelming national need to ensure that the disadvantages of being an island—in terms of our ability to compete, particularly in continental markets—are minimised. For that reason, we must have ports which are as cost-effective as possible, so enabling

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us to get goods in and out of the country effectively and efficiently, with the quick turnround of ships and the safe movement of cargo.

There are areas besides the handling of ships which impose costs and burdens on goods coming into and going out of the country. They include the cost of pilotage, a problem which the Government have sought to tackle in a recently published Green Paper, in connection with which we are consulting on major reforms in the archaic system which governs pilotage in this country. There is also the area of lights. A major report has just come into our hands on what we should do about the burden of lights, which are perhaps unfairly distributed as between one vessel and another.

Thus, for the hon. Member for Wigan to talk about our not having a strategy is wrong. Our strategy is designed to ensure that we do the best possible for the many people whose jobs depend upon our being competitive in international markets. That means cost-effective movements through our ports.

The hon. Gentleman gave his alternative strategy. He said that he wanted to see planning, and he demonstrated that, I thought helpfully, by describing the Scotch whisky trade. He said that instead of the whisky being loaded from Glasgow, it was sent to Felixstowe for export. That was a very good illustration of the divide in the House on these matters. We would say that that whisky should go by whatever means its owners found to be most competitive in selling it abroad. The hon. Gentleman thinks that it should go by a planned system which would ensure that it went out through the Clyde by ship. As it would probably be destined for somewhere on the continent, it would have to go round this island before reaching its port of destination. That would add so much to the cost of the whisky that orders would be lost. That would mean not only that there would be no jobs for people on the Clyde, but that people in the whisky trade would lose their jobs because their product was not competitive in the markets in which people were trying to sell it. That is the sort of madness that would come from the planned system which the hon. Gentleman seeks to visit on us.

Dr. Godman *rose——*

Mr. Mitchell: I shall cover the points made by the hon. Member for Greenock and Port Glasgow (Dr. Godman) if he will give me time.

The hon. Member for Wigan opposes the Felixstowe expansion scheme. It is not for me to comment on that today. He said that he would be visiting there tomorrow, and that he would also be visiting Ipswich. I hope that he will see the Transport and General Workers Union representatives in both ports, as I have done, and not just the union representatives in one of them, so that he can get the pure flavour of their views.

The hon. Gentleman went on to attack the possible development of Falmouth, on the grounds that it might justify investment in road construction and in railways. Those are odd grounds on which to attack the idea. I had thought that there were other reasons which he might have used.

I do not know whether Falmouth is the right place for a port to be developed. That is for potential investors and the management to form a judgement on. However, a major transformation is beginning in the movement of international container cargo. Huge vessels are going round the world with the minimum number of stops. They will make one stop in Europe. It may be—I do not know; it is for the investors to judge—that if there were a transhipment port somewhere on the south coast—perhaps Southampton, Falmouth or some other place—it would attract all of that transhipment trade. Therefore, the employment would come to this country rather than go to Le Havre or another European port with us being missed out. I urge the hon. Gentleman not to wear blinkers when considering the possibilities that are opened up by new investment.

The hon. Gentleman claimed that ports had been privatised at too low a price but in the same breath he said that there was a surplus of capacity. I cannot think of a better way of the hon. Gentleman shooting his argument in the foot.

The hon. Gentleman also said that a Labour Government would go for interventionist policies. He illustrated that by saying that the ending of Government control had led to the loss of jobs in west coast ports and consequential gains on the south coast and the east coast. It is not the Government's ending of controls, but rather the movement of trade, which has led to that. It is the fact that continental markets have been opened up. Our trade is increasingly into Europe. Therefore, it must follow logically that it takes the short sea route from the east coast direct to the continental ports. The hon. Gentleman is living in cloud-cuckoo-land if he believes that one can expect to be competitive by shipping cargo from the west coast of this country into continental ports. That would destroy the prospect of those goods ever being sold. They would become uncompetitive because of the burdens which the right hon. Gentleman would add by the cost of transport. Transport is a very important part of the cost of delivery of goods and of our being competitive in world markets.

I respect the hon. Member for Liverpool, Garston (Mr. Loyden) for his intimate knowledge of the port of Liverpool. I believe I am right in saying that he worked in that port for just short of 30 years. He referred to the national dock labour scheme as having been founded by Ernest Bevin, that great man of my old union, the Transport and General Workers Union. Many have a great deal of respect for the hon. Gentleman's approach to trade union matters. He referred to the inequity of the former casual labour system, and I join him in his condemnation of it. When going around the ports I have met no one who would seek to bring it back. There are good Transport and General Workers Union members who work in non-scheme ports and who can demonstrate that one does not need to have a scheme to put an end to casualisation.

The hon. Gentleman said that, in his view, it was the clear intention of the Secretary of State to end the scheme. The Government have no plans to change or abolish the national dock labour scheme. However, I thought that the hon. Gentleman had a glimpse of reality when he said that we should plan ports so that they are spread around the country where the trade is. It is "where the trade is" that is the glimpse of reality. The problem is that the trade has moved from the west coast ports—from Glasgow, the Clyde, Liverpool and Manchester—to the east coast ports. The fact that one must have ports where the trade is provides the reason for the reduction in the amount of cargo going through the west coast ports.

The hon. Gentleman believes that if Liverpool won a large new service the port could not take it on because of the shortage of labour. Is it not ironic that at a time when there is so much unemployment in Merseyside, the hon. Gentleman, representing a Liverpool constituency, can get up and say that he believes that the port could not take on extra work if it were available? I do not take as unhappy a view, because my reading of the recent report of the Mersey Docks and Harbour Company is that it could, and would, willingly seek to take on considerable extra work. Therefore, I do not take as despondent a view, though the hon. Gentleman does do so. If the company would not dare to take on a contract because of a lack of labour when so many people are unemployed, that shows that it is because people cannot be asked to leave that others are not being recruited. Potentially, that is preventing jobs being created.

The hon. Gentleman referred to scheme ports withering on the vine because the non-scheme ports are free from the penalties of history. We should all recognise, as my hon. Friend the Member for Southampton, Itchen (Mr. Chope) has recognised, and as the experience of the unfortunate major strike in Southampton last year illustrated, that when we are talking about the penalties of history and the penalties of restrictive practices that go with it, those are things that men and management can tackle if they are determined to do so. They can break through and shed the shackles of history so that they can complete successfully for trade, in the way that Southampton is now winning back trade which, for some time, it was thought it would never succeed in resecuring.

In an intervention in the speech by the hon. Member for Wigan, the hon. Member for Newham, South (Mr. Spearing) referred to unfair competition from subsidised continental ports. I agree that there is an area that is unsatisfactory. My right hon. Friend the Secretary of State has recently given notice to one of the EEC Commissioners of our concern about state aids for port infrastructure. He is actively considering how we should pursue that matter in the European Community. It is linked with the area of shipping policy on which the Community is taking a new initiative and, more directly, with the treaty requirements concerning state aids. The hon. Gentleman was right to draw attention to it, and we are pursuing this at present.

The hon. Member for Southwark and Bermondsey (Mr. Hughes) described the London area's need for goods, and he wants to maximise the commercial use of the river. He and I may have some glimpse of what it could be, and a great sense of loss of what it is not. Here in the capital city there is a huge requirement for an enormous amount of stuff that is imported into the country, yet it lands at Felixstowe on the east coast and is dragged all the way along our road system to London. The simple reason for that is that London is not competitive. If London would get its act together, it would be the natural place into which all those goods should come.

I trust that the hon. Gentleman would not wish, and I certainly would not wish, to impose a requirement on people to send their goods in through the estuary and through the Port of London Authority if that were not the most economic way of doing it. His constituents would not thank him if the cost of the commodities that they bought in the shops had a loaded 2p or 3p on each item to pay for the extra cost of moving goods in less than the most economic way.

I therefore have to say to the hon. Gentleman that, unlike the Opposition Front Bench, who seem to have learnt nothing, we have a vision. It is not a vision of directing cargo to go to one port or another because that is what the planners think is good for people, but a vision in which that port gets its act together to the point at which it is the most attractive place for goods to come. A great deal more cargo ought to be coming into London, because it is the natural place and has all these advantages, but this will never happen until it can become an efficient and attractive place into which people can bring their cargo.

We have been seeking to strengthen the board of the Port of London Authority. We have appointed new members to it, who bring with them a breadth of business experience. Recently we have appointed a new chairman, Sir Brian Kellett. I am confident that, when he has become embedded in his new job, considerable progress will be seen, in a way that we would both wish, in London receiving its proper share of the cargo that is available.

My hon. Friend the Member for Bristol, North-West (Mr. Stern) exposed some of the petty conflicts in the port of Bristol. He and my hon. Friend the Member for Darlington (Mr. Fallon) are worried about the way in which the PLA and Merseyside are given special provisions and favoured by the Bill, as is my hon. Friend the Member for Itchen. They referred in particular to the generosity of the finance that is available on severance of non-registered dock workers. I understand their concern. We have announced today that we intend to phase out for these two ports the extra assistance for non-registered dock workers' severance costs. That is an important indication that we are moving in the way that my hon. Friends seek.

I was asked when the drip feed from the Treasury would come to an end. I can say only that there is no firm date, but we are moving perceptibly in the right direction.

My hon. Friend the Member for Itchen made a perceptive speech which I do not have time to cover in the depth that it warrants. Clause 1 is designed to move in the direction in which he seeks to go in beginning to mitigate the disadvantages of the burden of the scheme.

This is a small, useful Bill which I believe can do a little to help in a number of ways. It provides further funds to Merseyside and the Port of London Authority. It makes available limited resources to help scheme ports. It takes useful steps to reduce the burdens on trust ports, and finally formalises the end of section 9. I believe that it should be welcomed as a small step towards fairer competition in the ports industry. On that basis, I commend it to the House.

Question put and agreed to.

Bill accordingly read a Second time, and committed to a Standing Committee pursuant to Standing Order No. 42 (Committal of Bills).

PORTS (FINANCE) BILL [MONEY]

Queen's Recommendation having been signified—

Resolved,

That, for the purposes of any Act resulting from the Ports (Finance) Bill, it is expedient to authorise—

(a) the payment out of moneys provided by Parliament of any sums required by the Secretary of State for making grants (not in the aggregate exceeding £40 million) to the National Dock Labour Board in respect of costs incurred by the Board for the purpose of reducing the number of registered dock workers; and

(b) any increase in the sums payable out of such moneys or into the Consolidated Fund which is attributable to

[Mr. Mitchell]

increasing the limit in section 1(3) of the Ports (Financial Assistance) Act 1981 from £360 million to £500 million. *[Mr. Durant.]*

Foreign Limitation Periods (Northern Ireland)

9.59 pm

The Minister of State, Northern Ireland Office (Dr. Rhodes Boyson): I beg to move,

That the draft Foreign Limitation Periods (Northern Ireland) Order 1985, which was laid before this House on 2nd April, be approved.

The law in Northern Ireland, in common with that of other developed legal systems, contains limitation periods for the bringing of civil actions, so as to prevent stale claims. Actions in respect of contracts and debts, for example, must generally be brought within six years of the events which give rise to the action; actions in tort within six years, or three years in personal injury cases; and actions involving land within 12 years. The law of limitation in Northern Ireland corresponds to the law in England and Wales; the law of Scotland is distinct.

But it may happen that under the established rules of private international law — which have been evolved from the common law in relation to both England and Wales and Northern Ireland — a court in Northern Ireland is called upon to apply the law of a foreign country. I shall try to illustrate this with a simple example. A Northern Ireland importer agrees to buy goods from a French manufacturer under a contract governed by French law. A dispute arises in respect of the goods, and proceedings are instituted in Northern Ireland. The Northern Ireland court applies French law.

In such a case as the one that I have illustrated, the French limitation period may well appear to have relevance in the proceedings which are substantially governed by French law. But, in essence, under the present rule of private international law in Northern Ireland whether or not the Northern Ireland court applies a foreign limitation period depends in turn upon whether the court classifies the foreign limitation as a matter of substance or merely as a matter of procedure. If the court regards the limitation as a matter of substance, it will apply the foreign period; but if it regards the matter as merely one of procedure it will apply the Northern Ireland period.

The English Law Commission examined the rule in its report No. 114 and found it wanting. The rule was based on a highly technical and perhaps artificial distinction between matters of substance and procedure; it had created a number of anomalies; and it was inconsistent both with the private international law of many other countries and with the European Community Convention on the Law Applicable to Contractual Obligations.

The Law Commission's report was implemented, in relation to England and Wales, in the Foreign Limitation Periods Act 1984. The order does likewise in relation to Northern Ireland, thus ensuring that the private international law of Northern Ireland remains the same as that of England and Wales.

The essence of the Law Commission's recommendations, contained in article 3 of the order, is that, where under the established rules of private international law the substantive foreign law applies in a particular case, the rule of that same foreign law which relates to limitation should also be applied, rather than the Northern Ireland law of limitation.

Article 4 contains three exceptions to the rule, the most important of which concerns public policy. Where in a

particular case the court determines that the application of the limitation period prescribed under the foreign law would be contrary to public policy, it may refrain from applying the foreign period.

The order is quite legally complex. I know that the hon. Member for Middlesbrough (Mr. Bell) is a lawyer and he will no doubt look upon it with a lawyer's eye. However, I am grateful for the support which the order received from the Northern Ireland Assembly, which considered it with the benefit of submissions from the Law Society of Northern Ireland and the Northern Ireland Chamber of Commerce and Industry. All of them supported this change. Thus, I commend the order to the House.

10.5 pm

Mr. Stuart Bell (Middlesbrough): I am grateful for the opportunity to participate in this debate. The Minister anticipated my enjoyment when he referred to the fact that I am a barrister. As a barrister I have looked very carefully at the order. I have also looked at the order very carefully as a legislator. The legislator must be eternally vigilant. The barrister must be vigilant too, but in the sense of protecting not the nation but his client, whether plaintiff or defendant.

As a barrister I have welcomed this stroll back in time through the doctrines of renvoi — quaintly called "tortuous reasoning" by a Member of the Northern Ireland Assembly. There are also in this order the rules of private international law, lex fori and lex causae—rules which are prosaic or exotic, esoteric or essential, depending upon whether one is a plaintiff or a defendant.

The realms of international law are not as complicated or as bureaucratic as those of the former Chancery—by which we are all being entertained in "Bleak House" on BBC Television. They may not be as expensive as libel actions brought against the BBC and the "That's Life" team, but they can be costly and lengthy all the same. The weaknesses brought to light in Great Britain by the Law Commission, while they may be rectified by the order, may in time reveal other weaknesses which will also have to be purged from the statute book.

Reverting briefly to the role of the legislator, I congratulate all those in the Northern Ireland Assembly who have scrutinised this order in accordance with section 3(2)*(a)* of the Northern Ireland Act 1982. They have rendered the House a signal service and in a sense done a great deal of work for us.

I read with some amusement the verbatim record of the evidence taken by members of the Finance and Personnel Committee on Thursday 11 October 1984 from witnesses well versed in the highways and byways of private international law who were from the Office of Law Reform. I can sympathise with the statement of the deputy chairman of the Committee, who admitted that there were some of his members whose knowledge of legal matters was somewhat elementary but who had no doubt been enlightened on the subject. It is to be hoped that some of our colleagues have been and will be enlightened by this short debate tonight and that more will be enlightened when they avidly read the pages of *Hansard*, which I am sure that many hon. Members do, certainly as they relate to debates on Northern Ireland. I am sure that that is how they stay in touch.

I note that the deputy chairman requested submissions from a whole host of authoritative bodies in Northern Ireland, included among which was the Irish Congress of Trade Unions. There is no evidence of a reply. I presume that they were preoccupied at the time with the future of the town gas industries — and no doubt we shall be getting round to a debate on that subject at another time in the House.

The Finance and Personnel Committee was thorough in its work and therefore, as I have said, rendered a signal service to the Northern Ireland Assembly as well as to Members of the House, and they should be congratulated on that. It highlights once again the importance of the Assembly and the useful work that it can do on behalf of the citizens of Northern Ireland even when dealing with an item of legislation as abstruse as the Foreign Limitation Periods (Northern Ireland) Order 1985.

The heart of the order, as the Minister has already indicated, is the new rule, already incorporated in legislation covering England and Wales. Mercifully we are not also discussing Scotland tonight. The rule states that where a foreign law falls to be applied in a Northern Ireland court the rule of that same foreign law which relates to the limitation should also be applied, and not the Northern Ireland law of limitation. It occurred to me immediately on reading that that it might cause damage to plaintiffs rather than assist them or cause benefits to accrue to them. For a plaintiff might be damaged in the pursuit of his claim if the limitation period in the foreign law were shorter than the limitation period in Northern Ireland. That may be a complex point and it may read better then the way I have put it. We must bear in mind that there are different and differing limitation periods throughout the EEC.

I was somewhat assuaged in my anxiety when I read the background paper by the Office of Law Reform on the draft Foreign Limitation Periods Order, which seemed to indicate that this difference had been taken care of by article 4(2) which provides that the application of foreign limitation periods

> "shall conflict with public policy to the extent that its application would cause undue hardship to . . . a party to the . . . proceedings."

The example of undue hardship that was given was one where the foreign limitation period was extremely long compared with the Northern Ireland limitation. In such a case, the court might take the view that it would cause undue hardship to a defendant to have the threat of an action hanging over him for an excessive period—the concept in law of the so-called stale claim.

Conversely—this is the point that originally exercised my mind—in different circumstances a court might take the view that a foreign limitation period that was excessively short caused undue hardship to a plaintiff.

All this is not, of course, in the order. It is an interpretation which a judge must make. He must decide the appropriate definition of hardship. I cannot ask the Minister to alter that tonight. I cannot ask that the English and Welsh law should be changed tonight. I cannot ask for the Law Commission to make a further reference back to the Chancellor, because that can be done only if the Chancellor wishes. This is the concept of functus officio. Unless the Lord Chancellor refers the matter back to the Law Commission for further and better particulars and advice, the Law Commission has no status. It will be left, therefore, to the enterprise of the Bar, to the skill of the barrister on behalf of his client, plaintiff or defendant, to

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drive that point home in the Irish court of law or in arbitration proceedings. It will be for the judges or the arbitrators to understand and take that on board.

With these fine legal points I have completed the circuit of private international law, statutes of limitations, lex fori, lex causae, renvoi and the draft Foreign Limitation Periods (Northern Ireland) Order. I therefore follow the Government in commending the order to the House.

10.12 pm

Mr. J. Enoch Powell (South Down): I first congratulate the hon. Member for Middlesbrough (Mr. Bell) on the substantial and tasty meal that he has made out of this order. It need be no secret from you, Mr. Deputy Speaker, that throughout this afternoon and evening my hon. Friends and I have been anxiously approached by other hon. Members desirous of knowing the likely duration of the proceedings on this order and the order that is to follow and whether any events would require their presence. We have assured them—or, if they had spared the time to listen, we would have assured them — that it is not our fault that they are being troubled in this way, that we are on their side and that it is very much our contention that these are procedures with which the House should not be troubled; and that in the interest equally of Northern Ireland and the rest of the kingdom.

The Minister of State observed that the law of Northern Ireland in this respect corresponds with that of England and Wales. None of us would dream of saying that an alteration such as that which was made by the statute of last year in the law in England and Wales should not correspondingly apply in Northern Ireland. To that extent, we welcome the order. We have no intention of resisting its passage. We must take the opportunity to draw attention to the absurdity of the operation in which the House is engaged.

I have in my left hand the Foreign Limitation Periods Act 1984, applying to England and Wales, which was passed last year by the House, and in my right hand I have the Foreign Limitation Periods (Northern Ireland) Order 1985. I have examined them quite zealously and, except for the necessary references in the Act to England and Wales and in the order to Northern Ireland, they are to all intents and purposes identical—as, indeed, they ought to be. Therefore, the question naturally arises: why, when we enacted in 1984, did we not enact at the same time for that part of the United Kingdom in which the law on the subject is and ought to remain the same?

When we made observations upon that point, my hon. Friends and I used to be reminded of an imaginary thing called the statute book of Northern Ireland which had to be maintained in its pristine integrity. In order that it may retain that integrity, whatever is done in England and Wales that ought to be done in Northern Ireland has to be done separately for Northern Ireland by an Order in Council. However, in this case, as in many of the other examples that we have examined, that will not wash, for in article 4(4) we find a reference to something which will not be found upon any real or imaginary statute book of Northern Ireland, namely, the Limitation (Enemies and War Prisoners) Act 1945.

I consulted the statutes at large and ascertained that that Act applies to the whole of the United Kingdom. Therefore, the House is being troubled with an order so that the separateness of the code of law that applies to Northern Ireland may be maintained, yet this order is having to appeal to the text of an Act of the United Kingdom to which the same procedure was not applied —an Act of the United Kingdom, incidentally, that was passed when there was still a separate Parliament in Northern Ireland.

It would be wrong for my hon. Friends and I not to complain once again of the arrant and useless waste of effort and time that is involved in this sort of complication. It is a waste of skilled manpower. Drafting work is duplicated. It is also a waste of resources, of the time of the House and of the effort of all the officials who are concerned. It might be thought that this wasteful procedure is being maintained simply for the purpose of irritating hon. Members, including my hon. Friends and myself. It used to be argued, although the argument is wearing threadbare, that in order that Northern Ireland might drift off or be pushed off into another political connection there ought to be loaded on to it, as this House legislates, separate legislation for Northern Ireland. Then it could sail away with its code of law complete, not to mention the Limitation (Enemies and War Prisoners) Act 1945. For such causes is this House invited to do such absurd things.

Although the application of the Foreign Limitation Periods Act 1984 to Northern Ireland is necessary and right, it is a wasteful and stupid absurdity against which my hon. Friends and I are bound to protest. It is absurd that tonight the House is being troubled unnecessarily with what could have been accomplished equally well, sooner and more efficiently within the ambit of the 1984 Act.

10.18 pm

Dr. Boyson: I have listened carefully to the points made by the Opposition spokesman, the hon. Member for Middlesbrough (Mr. Bell). On his point as to whether the foreign limitation period is excessively long or excessively short, if the court decides that in the public interest it is excessively long or short, action can be taken under the law of Northern Ireland. I welcome the general comments of the hon. Member.

The right hon. Member for South Down (Mr. Powell) expressed the view that he holds about this procedure. I am not being drawn into that argument this evening. I know the integrity with which he holds that view. He has expressed it on a number of occasions.

Mr. Roy Beggs (Antrim, East): I assure the Minister that all my hon. Friends—present and absent—share the views of my right hon. Friend the Member for South Down (Mr. Powell).

Dr. Boyson: I welcome that intervention. I do not doubt that that is so. I referred to the right hon. Gentleman because only he had spoken. It would be difficult to refer to 635 people if all hon. Members agreed about something. I hope that on this occasion when there are only nine or 10 of us here we can agree to the order.

Question put and agreed to.

Resolved,

That the draft Foreign Limitation Periods (Northern Ireland) Order 1985, which was laid before this House on 2nd April, be approved.

Water and Sewerage Services (Northern Ireland)

10.20 pm

The Minister of State, Northern Ireland Office (Dr. Rhodes Boyson): I beg to move,

That the draft Water and Sewerage Services (Amendment) (Northern Ireland) Order 1985, which was laid before this House on 27th March, be approved.

One needs to be a quick change artist, Mr. Deputy Speaker, with the orders being brought forward as quickly as this.

The order deals with escapes of water from mains and pipes belonging to the Department of the Environment for Northern Ireland, which is the sole water authority there. It would, except in certain circumstances, make the Department of the Environment strictly liable for loss or damage resulting from escapes of water onto agricultural or forestry land from a water main or service pipe belonging to the Department.

Until recent years, water authorities throughout the United Kingdom were liable to compensate only for loss or damage resulting from an escape of water caused by a water authority's negligence. Property owners, however, could insure against loss or damage caused by escapes of water from water mains, but it has always been extremely difficult, throughout the United Kingdom, to insure agricultural or forestry land against that.

Following many years of pressure from farming and land interests in England and Wales, section 6 was added in Committee in the House of Lords to what is now the Water Act 1981. It creates a liability, which is not confined to agricultural or forestry land, on English or Welsh water authorities for loss or damage caused by all escapes of water from water authority mains. That provision was included after a promise made on Report in this House.

As often happens when proposed legislation is amended at a late stage, the effect of the coverage given was not fully realised. Because of the breadth of cover provided, water authorities have found themselves having to pay large sums of money to persons who would, in the normal course of events, have no difficulty in obtaining insurance against the risks covered by the legislation.

In 1982-83, over £14 million was paid by water authorities in England and Wales. Of that, only £100,000 was for damage to agricultural and forestry land. In 1983-84, the figures were nearly £2 million and just over £80,000 respectively. The money went to people whose agricultural or forestry land had been damaged by water from burst water mains. The effect has therefore been that in each of those years less than 5 per cent. of the money paid has been going to the bodies whose difficulties originally raised the need for legislation.

In addition, it has been discovered that of the compensation paid probably as much as 80 per cent. is paid to insurance companies through injured parties, or direct. The beneficiaries of section 6 of the Water Act 1981 have therefore been insurance companies and the losers have been the payers of water rates.

Inquiries of those companies have revealed that the provision of legislative cover has had no effect on the premiums payable for damage caused by water. The vast majority of claims against insurance companies for water damage are as a result of burst pipes or overflowing systems within property or floods from rivers overflowing.

I repeat that it should be kept in mind that the cost of meeting these claims, as with all other costs, is in fact borne by the consumers either through the rate bill or by direct charges.

The Water Act 1981 did not extend to Scotland or Northern Ireland, but it was indicated in Parliament at that time that the law in those two countries would be changed in due course, although there has not been a lobby for it in Northern Ireland.

Scottish legislation was enacted in section 57 of the Local Government and Planning (Scotland) Act 1982. It was wisely more tightly drawn, and it confined its cover to those suffering loss or damage resulting from an escape of water on to agricultural or foresty land; that is, to those who could not normally obtain insurance cover.

In bringing foward the amendment to the Northern Ireland water legislation, we propose to follow the Scottish rather than the English path and to deal specifically with the problem which first gave rise to this legislation, that is, the uninsurability of agricultual and forestry land against water damage risk.

The draft order was considered by the Environment Committee of the Northern Ireland Assembly and was debated in the Assembly. The report of the Assembly recommending no change to the proposal was laid before this House on 19 December 1984, and all of us will have seen that report.

Prior to the laying of the order before this House, a number of Northern Ireland hon. Members made representations to my hon. Friend the Member for Bath (Mr. Patten) to follow the English rather than the Scottish legislation. Among the 30 non-governmental bodies consulted on the legislation, only one made that representation. I can well understand why hon. Members made that representation. They were desirous that the law in Northern Ireland should be the same as that in England. It will be the same as that in Scotland—a country which has had close links with Northern Ireland. My hon. Friend the Under-Secretary, the Minister with responsibility for the environment in Northern Ireland, has communicated with my hon. Friend the Minister for Housing and Construction, who has agreed to consider whether there should be a change in the English and Welsh law on the lines of the Scottish law.

I stress that the unexpected results of the England and Wales legislation have put money into the pockets of the insurance companies at the expense of the payers of water rates. They take up with the authorities damage done to their client's property by burst water mains and collect the costs from the water authority despite having themselves received premiums to cover such liabilities.

As one who believes in personal responsibility and containment of Government expenditure, I support the move to the present Scottish system and not the England and Wales system, especially bearing in mind that the England and Wales system is being reconsidered.

I must also stress that the order does nothing to remove the existing rights of individuals to pursue claims against the Department if it is negligent. On the contrary, it provides cover for a section of the community which has difficulty in insuring against damage which may be caused by escapes of water from the Department's water pipes. If this order is not passed tonight, the holders of

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agricultural and forestry land in Northern Ireland will be at a disadvantage compared with their counterparts in England, Wales and Scotland.

As hon. Members are anxious to raise points on the order, I shall not go through the articles one by one, unless hon. Members so desire. It is the general theme of the order that concerns us, and I commend it to the House.

10.28 pm

Mr. William Ross (Londonderry, East): As the Minister has indicated, the order has its roots in section 6 of the Water Act 1981, which relates to England and Wales. When we ask that the same law be applied to Northern Ireland as to England and Wales, we are at least consistent. We are asking only for the principle that has already been followed to everyone's advantage.

I appreciate that this matter has caused some difficulty for water authorities in England and Wales, but that is not a good argument for suggesting that the people of Scotland or Northern Ireland should be deprived of a benefit that, perhaps, is more widespread than the Government may like but that would be of real benefit to some people in the community.

When the corresponding legislation for Scotland was being discussed, I noted from *Hansard* that, while the Labour party was anxious to support such legislation for England and Wales, it took the opposite view for Scotland, and did so on not particularly good grounds. The grounds were that there is a different set-up for water authorities in Scotland, where councils were the responsible body, and they could not afford the extra burden. I rather fear that the Labour party was taking that line on the advice of the councils in Scotland rather than on published figures, because it is difficult to get hard and fast figures on the cost of the application of section 6.

When the order was first published in September, I noticed that Northern Ireland was not being treated as England and Wales were. I asked what the effect of this difference in the law was, as I am of an inquiring mind. I wrote to the Minister and asked for his observations, and with my right hon. Friend the Member for South Down (Mr. Powell) I went to see the Minister. Despite the representations that we made forcefully and clearly, the order was published, and we are now discussing it.

A number of points have to be made about this order. As a general principle, we should try to have all public utilities on the same footing one with another throughout the United Kingdom, because they are all providing a public service to the community.

The water authorities have an absolute statutory duty laid on them to provide water to private individuals, and therefore Parliament has, over the years, given them the right to lay pipes where ever it is necessary to provide the water supply. If an individual builds his house alongside a major water main, he is accepting the risk inherent in that, because water under pressure is a pretty potent instrument if it gets out. However, if the high pressure watermain is laid alongside an already existing house, that risk was not there, the individual does not want it, and it is being imposed on him. On that ground alone, I would have thought that the water authorities have a powerful moral reason to provide compensation to an individual whose property is damaged by a burst watermain. However, the individual does not have that right now, unless negligence can be proven, and will not have it in Northern Ireland even if the order goes through. On the other hand, he can get compensation automatically in England and Wales.

Until section 6 of the Water Act came into force, the water authorities could not insure, and therefore they did not have the legal liability to compensate those whose property was damaged. Since the passing of the Water Act, surely the water authorities can insure that they have a legal liability to compensate. Cannot the water authorities in Northern Ireland insure themselves against damages? Has that possibility been explored?

In the debate in the other place on these issues, it was said that everybody paid water rates, and therefore all would be contributing to any compensation that was paid. It may well be that the system in Scotland is different from that in England and Wales, but the system in Northern Ireland differs from both. In Northern Ireland we all have to pay for the water that we consume. We are all metered. We all make payments to what is in effect a Government body. I can see no good reason why the burden for the damage suffered should not be spread among the water consumers rather than that the Department of the Environment should have to find extra money. Perhaps that is a suggestion that should have been considered.

I remember that the hon. Member for Pudsey (Mr. Shaw), then the Under-Secretary of State for the Environment, said in this House that the Government believed that the Water Bill had been greatly improved by the inclusion of clause 6. Something must have happened since then. Perhaps it was the harsh light of experience that made the Government change their mind. The Government should be trying to claw back. They should not be depriving the people of Scotland and Northern Ireland, and indeed the insurance companies there, of the benefits that they should enjoy. Surely they have as much right to the money for compensation as the people of England and Wales.

One of the excuses made in the other place with regard to Scotland was that there was simply not enough time to consult all the interested parties. There has certainly been time to consult interested parties in this case, and efforts have been made to do so.

I believe that the Government have not proceeded correctly. I would have preferred them to follow the English and Welsh legislation. A mistake made in one place could perhaps then have been remedied across the board when a suitable opportunity occurred.

The report by the Northern Ireland Assembly was an astonishing document, produced after an astonishing investigation by the environment committee and the Assembly.

The Assembly was satisfied, and it welcomed the Scottish standards. The agriculture committee of the Assembly was satisfied too. I am sorry that neither of the chairmen of those committees is present this evening. They might have been able to tell us, and the people of Northern Ireland, why they took such peculiar decisions.

The Ulster Farmers' Union was satisfied. The Northern Ireland Agricultural Producers' Association was asked, apparently, and did not reply. The Department of the Environment was satisfied. The general public in Northern Ireland was not consulted by the Assembly. They had no opportunity to put their view. Apparently, one body

consulted asked for the English and Welsh procedure to be followed. Could the Minister tell us what it was? Whatever it was, that body showed a wee bit of wit.

The Assembly stated that it was grateful to all the bodies that had assisted in the preparation of the report. Let us think about those bodies. Why should the Ulster Farmers Union not have been satisfied? It asked only about the agricultural aspect, and the agricultural aspect was met. The union was not worried about the domestic householder. It is not clear whether the Agricultural Producers Association was satisfied, as it did not reply. The Department of the Environment was satisfied. It told the Assembly what the Assembly wanted to hear.

The one person who could suffer from the bursting of a massive pipe was the domestic individual, and his interests were not protected.

Many years ago, when I represented the city of Londonderry, the water main to the city burst in the middle of a housing estate occupied by people who, at best were poorly paid and, for the most part, were unemployed. We should try to protect such people who, perhaps because of age, sickness or poverty, are unable to insure themselves and therefore suffer considerable personal loss. The houses were built across the hill in fairly long blocks, and some had 3 and 4 ft of water in them. A large water main with, in this case, 500 ft of head behind it, can shove out an awful lot of water in a short time. Such people get hurt, as they get no compensation from anybody and they are those who can least afford it. It is no excuse to say that insurance is available, as it is not always in force, for the reasons that I have given.

The Assembly also noted that Parliament was assured that the law would be reformed in Scotland and Ireland. I have not managed to lay my eyes on the relevant *Hansard* of this House, the other place or the Scottish Grand Committee, although I assume that it will be of this House. I should like to know whether Parliament was told then that the law for Scotland and Ireland would not be the same as that then being passed for England and Wales. If the House had been told, I feel that many more questions would, or should, have been asked.

The Assembly was worried about the effect on public expenditure. That might come as a surprise to some people. There is a means of spreading the compensation burden evenly, because all consumers are metered. Why did the Environment Committee and the Agriculture Committee in the Assembly and the Assembly in general allow the order to pass without challenge?

The Assembly said that it recognised the extent of the Scottish and of the English and Welsh legislation. I believe that that is not an accurate reflection of what happened. I cannot believe that anybody explained the practical effects to the members of those Committees, or to the Assembly. Officials in the Department of the Environment did not tell them, and the Minister did not tell them. Unfortunately, nobody in those Committees thought to ask the right question. The agriculture bodies were happy, as they got what they wanted, but nobody spelt out to members of the Assembly what the result would be.

I have no doubt that the Minister with responsibility for the Department of the Environment in Northern Ireland was told of the effect. I believe that his civil servants advised him, even if he had not the wit to spot it himself. Members of the Assembly and its Committees were not told, as the Minister would have been told, because the Assembly is served by civil servants who are not responsible to it or paid by it.

In other words, the brief was prepared by civil servants who were responsible to the Minister and to the interests of the Department, rather than to the interests of the Assembly. The order seemed fairly harmless, at worst, and, at best, helpful to the agricultural community. That is why I am glad that we are in this House. We can act as a longstop and ask the questions that were not asked in the Assembly.

The Department of the Environment presented to the Assembly a long letter which contained a statement that I should like to have clarified. The Department pointed out "that the regional water authorities in England and Wales who are responsible for sewerage also undertake prosecutions." Can those bodies undertake prosecutions against the Crown?

The question of the treatment of sewage occupied the Assembly when considering the order. I shall be writing a lengthy letter to the Minister tomorrow about the Kilrea sewerage works. We corresponded on the subject a year ago, but a serious problem remains. The sewage has been troubling people for years and it seems that the Department of the Environment is falling flat on its face.

That is the sort of matter with which the Assembly concerned itself. It did not worry about the domestic property that would be damaged and the problems that would be caused to the people living in that property.

The Department said in its letter to the Assembly that the whole matter would be reported to the water council. What can that council do about reports that are presented to it? I am glad to see that the hon. Member for Grantham (Mr. Hogg) has joined us, because he was prominent whenever section 6 of the Water Act was being debated. I trust that he will support us tonight. What can the water council do about bad sewerage works in Northern Ireland?

We are discussing an important matter because it raises the question whether all citizens of the United Kingdom shall be treated alike, shall stand equally before the law and have the same benefits, or whether some shall be treated differently.

The Labour party failed in its representations on behalf of Scotland, having argued one case for the people of England and Wales and another for the people of Scotland. The Government failed to protect the people of Scotland and are failing to protect the interests of the domestic sufferers in Northern Ireland. I hope that it will not be long before these matters are corrected.

10.48 pm

Mr. J. Enoch Powell (South Down): It is wonderful how a lesson gets inculcated, first one way and then another. The second order which the House is considering returns to the theme of the first yet approaches it from a different and novel angle.

It is a pretty pickle that has been committed by the Government which the House is invited to contemplate tonight. Before 1981, the code of law in all parts of the United Kingdom in these matters was the same. In that year, the Department of the Environment in England and Wales, for reasons unconnected with the matter which is under discussion, decided to go ahead on its own, and had its own Water Bill for England and Wales.

Into that Bill was inserted under persuasion in both Houses a clause which was ill-considered, of which the

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consequences were not foreseen and which the Government had reason to regret. Before long it was discovered that as a result of that provision £14·5 million a year was being paid out to unintended recipients, mostly in the form of insurance companies, to alleviate the burdens and obligations that they had undertaken in the policies that they had written.

So the Government wondered what to do. One might think that the simple thing to do would be to amend the Water Act 1981 and to remove the disastrous and offending section. But then there is a saying, much current in Treasury circles, that one cannot take butter out of a dog's mouth. The proposition of introducing a Bill into the House of Commons to amend the Water Act 1981 by deleting section 6 did not commend itself, surprisingly enough, to the managers of Government business, to the Whips or to those who might have been expected to ensure that that legislation got through.

So since 1981 the Water Act for England and Wales has been left severely alone to go on its riotous course, subsidising the insurance companies, but it occurred to the Government that they had still to deal with the other parts of the United Kingdom. They took Scotland first. They had a favourable course there, because whereas in England and Wales the sufferers, mainly the water authorities, are impersonal and not very popular bodies, in Scotland the water authorities were none other than the elected county councils which, as we all know, are so popular that everybody is anxious to take part in the relevant parts of the United Kingdom in the forthcoming elections to return even more worthy representatives to those bodies. The Government got away with it in Scotland and they succeeded in passing a Scottish water measure without the blemish which had unhappily been allowed to disfigure the England and Wales Act.

Then, of course, there was left Northern Ireland. "Easy," said the Government. "We do not have to legislate for Northern Ireland. We do not have the embarrassment of having to bring in a Bill and pass it through all its stages. Goodness knows what trouble there might be when people discovered what we were up to. We can do it by an Order in Council. That is how we legislate on transferred subjects for Northern Ireland. So we will just produce an order on the lines of the Scottish measure, without the blemish of section 6 of the Water Act 1981. If they do not like it, they will have to lump it because that is what Orders in Council are about."

It turned out, as my hon. Friend the Member for Londonderry, East (Mr. Ross) said, that by some strange inadvertence the curious Northern Ireland Assembly apparently liked it but the rest of us do not like the fact that what has not been remedied in England and Wales because it would involve legislation is omitted in respect of Northern Ireland because we do not have to be legislated for, but can just be governed by Order in Council.

We come back to the same old grievance. We have returned to King Charles' head—the evil of legislating differently for different parts of the United Kingdom and in particular of legislating for Northern Ireland by means of an Order in Council.

What ought to be done — surely the Treasury's interest must be engaged—is that the Water Act 1981 for England and Wales should be amended. It is a minor scandal that when the Minister in Northern Ireland in the Department of the Environment communicated with his opposite number in England and Wales he received a vague and distant suggestion that the Department might get round to considering what to do in England and Wales. I have to say to the Treasury—if my voice will reach it —"Wake up; there is £14·5 million a year there to be saved for the trouble of introducing amending legislation. Surely you can lean on the Department of the Environment to the extent of getting it to put its house in order in England and Wales and save that substantial sum from going every year down the drain as a result of that blunder."

Until that is done, until that happens, and certainly until there is a definite assurance that that is going to happen in England and Wales, we in Northern Ireland will not sit down under the indignity, because we are legislated for by order in Council, of having imposed upon us what the Government are afraid to impose upon England and Wales. Against that we are duty bound to protest. So strongly do we feel that duty upon us that many of my hon. Friends and I have temporarily quit the electoral field in Northern Ireland in order, alone of all the parties of Northern Ireland represented in the House, to make sure that our grievance is heard and is marked.

Let me once again, therefore, reaffirm what the grievance is. That grievance is that, by reason of the fact that in Northern Ireland we are under temporary arrangements, annually renewed, legislated for by Order in Council, that which ought to ge done in England and Wales and which would save £14·5 million in England and Wales if it were done there, is imposed upon us by sleight of hand. We do not like it. We protest against it, and despite the fact that the order is beneficial to the agricultural and forestry interests in Northern Ireland, as it is in the rest of the United Kingdom, we shall protest against it in the proper manner in due course.

10.56 pm

Mr. Stuart Bell (Middlesbrough): It is fortunate for me that I do not have to answer the argument put forward by the right hon. Member for South Down (Mr. Powell), although I congratulate him, as I often do, on putting his finger on the essential matter that preoccupies Northern Ireland Members. I had some sympathy for the Minister——

Mr. J. Enoch Powell: We all have.

Mr. Bell: Several of us here have great sympathy for the hon. Gentleman.

I had greater sympathy for the Minister when he was trying to explain to the House the problem that he had, as he moved to the Scottish system, of trying not to put money into the hands of free-thinking, free market insurance companies and take it out of the pockets of the hard-pressed water ratepayers in Northern Ireland. I know that the Minister believes sincerely and deeply in free enterprise, and that he also believes in restrictions on public expenditure. Therefore the dilemma that he faces is understandable.

I took on board the comments of the hon. Member for Londonderry, East (Mr. Ross) when he said that in this matter what he described as a wee bit of wit should have been used. We might all benefit from that wit when we discuss the great ironies and illogicalities of orders which, as the right hon. Member for South Down said, are

different in Scotland from those in England and Wales, and are now in parallel with Northern Ireland and Scotland. It would be of some puzzlement to the British public if they were aware of the great variety on this matter.

The essence of the order is aptly contained in the explanatory note dated August 1984 provided by the Department of the Environment. Essentially, it is that the order amends the Water and Sewerage Services (Northern Ireland) Order 1973 by inserting a new article 57A, which makes the Department of the Environment in Northern Ireland liable for damage caused by escapes of water on to agricultural or forestry land. The hon. Member for Londonderry, East referred to the domestic user of water and said that that was not covered by the order. The liability under the order is absolute and covers escapes of water from pipes for which the Department is responsible. That covers water mains and service pipes coming within the Department's responsibility.

It is true, of course, that when the proposals came before the Environment Committee of the Northern Ireland Assembly, although the proposals were generally welcomed, concern was expressed at the damage caused to agricultural and forestry land by escapes of harmful substances such as sewage and chemicals coming from equipment, plant or premises for which the Department has a vested responsibility. However, even absolute liability, to which I referred earlier, cannot be that absolute. The order will not extend to certain undertakings empowered by statute to provide public services; for example, railways and road transport undertakings. In addition, the Department will not be obliged to compensate a person who suffers loss or damage through an act for which he is wholly responsible. In essence, therefore, the basis of the order is that damage caused to uninsurable agricultural or forestry land shall be covered, but that there is a limit to the burden on public expenditure.

If I may revert again to my barrister training, I note that in the past liability rested with the Department only when an escape had been caused by the Department's negligence. The question of negligence might be relevant to the home owner who finds himself the subject of a burst water main and is not covered by insurance. He might nevertheless be covered by negligence. This principle was established by an English legal precedent, Green *v.* Chelsea Waterworks, and that was decided in the Court of Appeal as long ago as 1894.

Some reference has been made to the position taken by the Ulster Farmers Union. The hon. Member for Londonderry, East made the apt point that such proposals and such an order would be acceptable to the farmers union. The reasons for that are obvious. It has also sought additional amendments to cover leakages of harmful substances even in very small amounts which can lead to serious damage and losses to users of waterways, including farmers and livestock farmers. It appears to me that the farmers union, while it draws attention to valid points, goes further than this order should go.

The hon. Member for Londonderry, East makes the point that possibly the wrong questions were asked in the Northern Ireland Assembly and by the Environment Committee. It is right, as he said, that we are the backstop, the ultimate legislators who must try to put the right questions in the right circumstances. The Environment Committee recognised that there was a distinction between water and sewerage operations, whereby the Department had sole control over the former, whereas third parties can discharge effluent, pollutants and the like. It recognised also the increased financial implications should the area of liability be broadened. It also accepted the high level of public scrutiny to which the Department is subject in Parliament and in the Northern Ireland Assembly.

I should like to take on board all the points made by the right hon. Member for South Down (Mr. Powell), who never ceases to draw the attention of the House to the various anomalies which we face when we are dealing with such orders. He puts them in a constitutional context as well as a practical and pragmatic context. The Opposition take note of the various points that have been made and the differences between Scottish and Northern Ireland legislation and that of Wales and England. Nevertheless, we feel constrained to support the Government and to commend the order to the House.

11.3 pm

Dr. Boyson: The hon. Member for Londonderry, East (Mr. Ross), as always, expressed a measured, careful and in many cases sound view, although I cannot agree with everything that he said.

The hon. Member referred at the beginning of his speech to Scottish Members. There is no sign that any Scottish Members feel aggrieved by the fact that legislation was brought forward for Scotland of the type proposed for Northern Ireland. Scottish Members could easily have intervened in the debate this evening, but none seem to be bursting through the doors to say that rising movements throughout Scotland are protesting that they are not having the same privileges of paying their insurance premiums, twice, as it were, with the company then getting back the money from the water authorities — in that case, as the right hon. Member for South Down (Mr. Powell) said, from the local councils.

I do not think that it is a question of the amount of money. The right hon. Member for South Down referred to the £14·5 million that I mentioned earlier. That is a lot of money. Of course, everything could be said to be on the margin. Mention has already been made of "Bleak House". As Mr. Micawber said in another Dickens novel, happiness or misery depends upon whether one is sixpence below £20 or sixpence above £20. I enjoy agreeing with the hon. Member for Londonderry, East when I can, but I must mildly rebuke him over his remarks concerning the £14·5 million. That was a considerable issue. The right hon. Member for South Down said that he hoped that the Treasury was listening because if the legislation which now applies in Scotland, and is to apply in Northern Ireland, were introduced in England and Wales there would be a considerable saving to the public purse.

The Assembly has been referred to time and again. Today, I ate with one of the chairmen of committees in Northern Ireland, although he was not the chairman of the Environment Committee or the Agricultural Committee. I met the chairman of the Department of Finance and Personnel Committee today. But the Assembly's recommendation is clear. The Environment Committee recommends that no change be made to the draft Water and Sewerage Services (Amendment) (Northern Ireland) Order 1985. That was its view.

In my opening remarks I said that, of the 30 non-governmental bodies consulted on the legislation, only one had made such a representation. As I knew that some hon. Member would ask me about that, I made a note in the

[Dr. Boyson]

margin about that body. As the hon. Member for Londonderry, East implied, it was the Law Society. I did not include that at the beginning, because it did not particularly strengthen my case, but I had it in reserve if required. But whether or not it was the Law Society, we are here as legislators, and Assembly Members were making their comments as people elected to represent the Northern Ireland electorate.

It should be pointed out that the Association of Local Authorities, Shelter and the Northern Ireland Association of Citizens' Advice Bureaux were also consulted, yet none of them was against the proposal. They either did not reply — although they were not busy electioneering at the time—or they nodded in agreement from their offices.

The hon. Member for Londonderry, East queried whether the Crown could be sued. I am not a lawyer, and I should perhaps take legal advice on that. I was hoping that the hon. Member for Middlesbrough (Mr. Bell) would save me from having to answer that point. But I doubt whether the Crown can be sued in that regard. As the hon. Member for Middlesbrough, who spoke for the Opposition, said, the right hon. Member for South Down often puts matters on a more general constitutional plane. Since being privileged to be a Minister for Northern Ireland, I have listened to the logical and careful arguments that the right hon. Member has regularly put forward. He said that the grievance had been heard and marked. I am not quite sure what marked means in this case, but as a former schoolmaster I know that one can either tick it or put a cross against it. I shall leave my response to his comments there.

The right hon. Member for South Down used a phrase that I had never heard before, about taking butter from a dog's mouth. One problem is that once one legislates so that certain people have additional privileges, it is difficult to take them back.

Mr. Harold McCusker (Upper Bann): Fifty million of them.

Dr. Boyson: Probably fewer than that in England and Wales. I always say that one cannot take a bone from a dog without being bitten. I do not usually find dogs eating butter. They are usually eating bones.

My hon. Friend the Member for Bath (Mr. Patten), who is responsible for the Department of the Environment in Northern Ireland, wrote to the Minister for Housing and Construction about what could be done to rectify an error that was made at that time in section 6 of the 1981 Act, and the last line of his reply was:

"I am happy to assure you that we will think again about the way in which section 6 has operated."

We thought again when we laid this order and decided that it was not our job to put money into the pockets of the insurance companies, which drew money from people and then got it back again, so that they were paid twice over, without any sign of premiums being lowered. It is not our job to stop people from being prudent and insuring when possible, because we believe that they should be prudent. It is not our job to increase Government expenditure—the hon. Member for Middlesbrough agreed that that has been my consistent view — but, where people cannot insure — the pressure for the original section 6 came from the fact that it was almost impossible to insure forestry and agricultural land—the Government should step in.

On those counts we commend the order to the House. I trust that my right hon. and hon. Friends will support it in the Lobby when right hon. and hon. Members opposite show their displeasure with the order.

Question put:—

The House divided: Ayes 94, Noes 6.

Division No. 193] **[11.10 pm**

AYES

Amess, David
Ancram, Michael
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Boscawen, Hon Robert
Bottomley, Peter
Bowden, Gerald *(Dulwich)*
Boyson, Dr Rhodes
Brandon-Bravo, Martin
Bright, Graham
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Bruinvels, Peter
Butcher, John
Carlisle, Kenneth *(Lincoln)*
Chope, Christopher
Clarke, Rt Hon K. *(Rushcliffe)*
Conway, Derek
Coombs, Simon
Couchman, James
Durant, Tony
Emery, Sir Peter
Evennett, David
Fallon, Michael
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Marcus
Freeman, Roger
Gale, Roger
Galley, Roy
Garel-Jones, Tristan
Goodhart, Sir Philip
Gow, Ian
Gregory, Conal
Griffiths, Peter *(Portsm'th N)*
Gummer, John Selwyn
Hamilton, Hon A. *(Epsom)*
Hanley, Jeremy
Hargreaves, Kenneth
Harris, David
Hayes, J.
Heddle, John
Hickmet, Richard
Hind, Kenneth
Howarth, Alan *(Stratf'd-on-A)*
Howarth, Gerald *(Cannock)*
Hunt, David *(Wirral)*
Knight, Gregory *(Derby N)*
Knowles, Michael
Lang, Ian
Lennox-Boyd, Hon Mark
Lester, Jim
Lightbown, David
Lilley, Peter
Lord, Michael
Lyell, Nicholas
Macfarlane, Neil
Maclean, David John
Marlow, Antony
Maude, Hon Francis
Mayhew, Sir Patrick
Merchant, Piers
Miller, Hal *(B'grove)*
Mills, Iain *(Meriden)*
Moate, Roger
Neale, Gerrard
Neubert, Michael
Newton, Tony
Page, Richard *(Herts SW)*
Parris, Matthew
Pawsey, James
Portillo, Michael
Powley, John
Proctor, K. Harvey
Roe, Mrs Marion
Sainsbury, Hon Timothy
Silvester, Fred
Spicer, Michael *(S Worcs)*
Steen, Anthony
Stern, Michael
Stevens, Martin *(Fulham)*
Sumberg, David
Thompson, Donald *(Calder V)*
Thurnham, Peter
Twinn, Dr Ian
Waller, Gary
Watson, John
Watts, John
Whitfield, John
Wiggin, Jerry
Winterton, Mrs Ann
Winterton, Nicholas
Wood, Timothy
Yeo, Tim

Tellers for the Ayes:
Mr. John Major and
Mr. Peter Lloyd.

NOES

Beggs, Roy
Clay, Robert
McCusker, Harold
Marek, Dr John
Nicholson, J.
Powell, Rt Hon J. E. *(S Down)*

Tellers for the Noes:
Mr. A. Cecil Walker and
Mr. William Ross.

Question accordingly agreed to.

Resolved,

That the draft Water and Sewerage Services (Amendment) (Northern Ireland) Order 1985, which was laid before this House on 27th March, be approved.

FAMILY LAW (SCOTLAND) BILL *[LORDS]*

Order for Second Reading read.

Ordered,

That the Bill be committed to a Scottish Standing Committee —*[Mr. Boscawen.]*

St. John's Colliery, Maesteg

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Boscawen.]*

11.22 pm

Mr. Ray Powell (Ogmore): I requested this Adjournment debate after receiving a letter from the director of the South Wales area of the National Coal Board, Mr. Philip Weekes, who informed me that he had recommended the closure of St. John's Colliery, Maesteg. He attempts to justify his recommendation in his letter and in his press statement, both of which are dated 16 April. I shall deal with this matter in my closing remarks in order to ensure that the Minister does not overlook the special request that I shall be making to him.

The motion ends with the words

"the consequences of the closure of St. John's Colliery, Maesteg."

I appreciate the fact that the Minister may not be aware of some of the issues that I intend to raise, since they relate specifically to Maesteg and Wales and should therefore be dealt with by a Welsh Office Minister. However, I realise that the Minister was the winner of the *Observer* Mace for the British Universities debating competition in 1966. Therefore, I appreciate that he will be able to deliver a masterful reply. Nevertheless, I plead with him to recognise that unless a positive response is forthcoming it could result in the economic and social collapse of the whole community.

In his letter of 16 April, Mr. Philip Weekes stated that he was recommending the closure of St. John's colliery. He said that 350 men out of a total work force of some 830 had said that they were prepared to take the option of voluntary redundancy. The recommendation has not been agreed by the National Coal Board or the National Union of Mineworkers. We do not know whether the coal board could be persuaded by the NUM and others to keep the colliery open.

I am pleased to have drawn a place in the Adjournment debate to place on record the complete and overwhelming opposition to the closure of St. John's colliery felt in the Maesteg area. Some 830 jobs in the colliery and a further 200 to 300 related jobs would be lost.

The colliery is the last in the Llynfi valley. It is the town's last hope of remaining economically viable. Last Saturday morning in the council chamber I met representatives from the chamber of trade and religious organisations, the leader of the Ogwr borough council and other borough and county councillors, and representatives from the community council and other organisations. I intend to express tonight their views with the hope that somehow, somewhere, someone will listen to their pleas for help and that their 12-month struggle to retain their only pit will not have been wasted. I hope that the debts incurred will not be paid off with the 30 pieces of silver which are available to buy off the jobs of their sons and grandsons.

I stated many times during the protracted, demoralising 12-month dispute that Arthur Scargill's fight was not my constituents' fight. Their fight was not for more pay or better conditions; it was to retain their jobs, pits and communities. This proposed closure is a classic illustration of what the fight was about.

The Government did not listen then, and I doubt whether Mr. MacGregor or his Welsh boyo, Philip

[Mr. Ray Powell]

Weekes, will listen now. As they butcher the social and economic fabric of the Welsh communities, the harvest will be a complete reversal in the polls at the next election and the return of a powerful Labour Administration committed to a just society free from the scourge of the unemployment that we are now enduring.

It is fitting to consider the lovely and picturesque town of Maesteg some six years ago. It is the proud home and birthplace of saints, bards, singers, druids, miners and rugby players. It is a land full of folklore, custom, traditions and legends. It does us all good sometimes to look with humility and gratitude at the stock from which we were hewn and the quarry from which we were dug and to remember the people and influences that shaped our lives.

In Maesteg, legend has it that there was a maid of Cefn Ydfa. Hers was a romantic story that would take more than an Adjournment debate to tell. I want to go back not to the days of the maid of Cefn Ydfa but a mere six years when it was almost impossible to rent a shop in Commercial street or in the main shopping centre. It was impossible to hire a stall in the market, because the town was thriving. Unemployment was at 3·5 per cent. Of that figure, 2 per cent. of the people were unemployable because of silicosis and pneumoconiosis. The remainder were those employed in building or other such jobs registered as in transit from one job to another.

In the Maesteg area, 24 per cent. of the males are unemployed. If 830 jobs are lost at St. John's colliery, the prospect for jobs in the future is bleak and male unemployment may reach 45 to 50 per cent.

The boarded windows of shops in Commercial street symbolise the decay that has attacked that once flourishing town in six years. This community has suffered on all fronts—the catastrophic decline in the mining industry, the recently-lost development area status, and the worst catastrophe of all, the election of a Tory Government in May 1979. During the past six years unemployment has escalated and the town is now gripped in a depression that cries out for Government action, cries out for hope and cries out for reasoned and rational assistance.

The catalogue of decline since May 1979 has meant an increase in unemployment from July 1978 to July 1981 of 158 per cent. for the male population and 180 per cent. for the female population. The closure of the Caerau and Coegnant collieries has meant the loss of 483 jobs at Caerau and 392 at Coegnant. There has been a rundown of the Port Talbot steelworks with the loss of 315 jobs for workers living in Maesteg. Cutbacks and closures have shed 578 jobs. Multimetal Products, Louis Edwards Limited, Mastercraft Furniture Limited all closed in 1981 and there were 300 redundancies at Revlon International in early 1981. There were also 200 job losses at British Tissues paper mill in the Llynfi valley. All those have come about since May 1979.

What can we do to help the community of my constituents — the male and female unemployed, the business men, the bankers? At last Saturday's meeting I was asked to ask the Minister to class Ogwr borough, and Maesteg in particular, as a very special development area and regrade its development status up the two places which it was put down some weeks ago, to increase the inducement to industrialists to come into the area with more grant aid, to call on the Welsh Development Agency to look at the problem of that community area and take appropriate action, to call on the Development Agency for Rural Wales to assist and to ask for more funding from NCB (Enterprise) Limited to establish factories and improve what is already available at Tondu.

There is also the need to continue the fight to retain this colliery and there is a need for the plans for extracting coal from the Margam reserves and seams to be examined. Many miners have explained to me that these plans could be used, could work and could save the colliery for future generations. At the height of the strike there were daily bulletins about Margam development. It is passing strange, to say the least, that we have not heard a peep about the future development of Margam since the miners returned to work.

The help needed could be readily made available. The Government could have acted to retain the industries lost since 1979. We have skilled, trained, experienced, efficient and responsible workers on the dole in and around Maesteg. All that is needed is a deliberate attempt by the Government to assist in protecting the colliery itself because I have yet to be convinced that the pit is uneconomic. I have yet to be convinced that a deliberate, motivated attempt to overspend to qualify for justified closure was not orchestrated by Philip Weekes and other NCB officials.

I ask the Minister to give me a clear and concise promise that he will set in train an inquiry to establish why £8 million of public money was spent on St. John's colliery, who sanctioned that expenditure, on what it was spent, whether it was in search of coal seams and who advised where to carry out the search.

I believe that it is nothing short of criminal and wilful neglect and irresponsibility to allow such massive expenditure without some research. The Minister responsible will in all probability be asking for further funding for the NCB soon, and I ask him to justify this expenditure. Only £10 million has been allocated for NCB (Enterprise) Ltd. for the whole of the nation, but already £8 million has been spent in searching for what is now suggested to be non-existent coal in St. John's.

I recommend that the Minister looks at columns 601 to 610 of yesterday's *Hansard*, which has questions on job creation, answered by the Secretary of State for Wales. He will realise why communities such as Maesteg are desperate to see employment created, because there is no chance for any jobs.

I also ask the Minister to consider seriously the possibility of attracting tourism to areas such as Maesteg. Today, the Welsh Affairs Committee departed to investigate tourism in Wales. I suggested to my hon. Friend the Member for Gower (Mr. Wardell), who is Chairman of the Committee, that he should have planned to go to see some of the valleys where there is a need for tourism to be developed, rather than going to the northern part of Wales, where tourism is flourishing.

11.37 pm

The Parliamentary Under-Secretary of State for Energy (Mr. David Hunt): I fully appreciate the concern of the hon. Member for Ogmore (Mr. Powell), which led him to raise this issue tonight. Possible colliery closures, particularly in areas of high unemployment, are of concern to us all, and as a Merseyside Member I know only too well the serious problems caused by unacceptably high levels of unemployment.

The hon. Member has looked up my career, and he kindly mentioned my success in the *Observer* Mace. He did not mention my pride in having been born in Glyn Ceiriog near Llangollen in North Wales. I appreciate the significant point that he raised about the importance of communities in Wales. He will realise that many of the points that he has raised are matters for my right hon. Friend the Secretary of State for Wales. I shall bring them immediately to the attention of my right hon. Friend and his ministerial colleagues.

The hon. Gentleman will be aware of the recent history of St. John's colliery, but in view of his remarks about the management of the colliery, and his remarks which have been quoted in the newspapers, it might be helpful if I outline the facts from the NCB.

Over the past few years the National Coal Board in South Wales has spent many millions of pounds in an effort to make St. John's a viable proposition. A number of faces have been opened up, but the poor geology of the area has in each case made it impossible to mine from them a reasonable quantity of coal. In fact, in the last full year of production—1983-84—output and productivity were the lowest in the South Wales coalfield. The area director, Philip Weekes has made it clear that these results were due, not to standards of work, but to the appallingly difficult geological conditions.

St. John's is recommended for closure by the area director because of the exhaustion of all reasonable reserves, despite massive efforts to secure more. The unions have suggested—and it is reported that the hon. Gentleman has suggested too—that the pit could be made viable by reducing the work force from 830 men to about 500, thereby cutting costs. But that would not do, because the forces of nature are not impressed by cost-cutting exercises and the massive geological problems would remain.

The hon. Gentleman has argued that more money should be made available and that we should have an inquiry into the money already spent. That money has been spent wisely. Boreholes have been drilled, and, sadly, similar geological problems have been encountered in all the colliery's coal seams. The hon. Gentleman believes that considerable sums of money have been wasted. How much more money does he suggest the NCB might need to spend in proving that the exceptionally difficult geological conditions will simply not permit further worthwhile seams to be established?

At a reconvened colliery review meeting on 16 April the area director said that he saw no alternative to recommending to the NCB that St. John's should close. The meeting was held under the existing colliery review procedure. I understand that a very effective presentation was made by the deputy director, mining and the chief mining engineer, illustrating on slides the results over recent years, which have been most disappointing—mainly, if not wholly, because of the difficult geology. They explained that the board had been forthcoming with major development works. Those works were explained in detail. They need not have been, as many of those present already knew the facts. Those major development works had succeeded in making available only short-life faces on which production to any reasonably acceptable level had been inhibited by faults and other geological features.

The mainstay seam for many years—Gellideg—had been worked to its limit, and there had since then been a marked deterioration in performance. It was explained at that meeting that it was

"unlikely that any of the options considered by the investigating team could survive the type of geology which boreholes and other determinations had proved in the other seams."

The early stages of the existing procedure are being adhered to. The matter, I understand, now lies with the trade unions. I understand that neither the NUM nor the National Association of Colliery Overmen, Deputies and Shotfirers have yet given notice that they intend to appeal to the NCB about the future of St. John's. If the unions were to decide within the next month to appeal to the NCB, the next stage would be the national appeal meeting. The procedure after that would depend on the success in bringing in the modified colliery review procedure.

I understand that the NUM has made no technical inspection of the pit since before the strike. During that time, two producing faces were lost. Production is down to about 550 tonnes a day. Geological problems with the new S12 face may bring that figure down to 250 tonnes a day. With only one face now operational, there is little productive work available, sadly, for many members of the work force.

Many of the men whom the board has interviewed so far want to take voluntary redundancy and to leave the industry on the generous terms which we have discussed recently in the House. Those who wish to remain in the industry will be offered alternative jobs at other collieries.

Pits have always closed — because they were exhausted, because mining conditions became too difficult, or because they became uneconomic. Nobody denies that the closure of any pit can have serious implications for the individuals concerned and their community. That is why the board and the Government have gone to such lengths to ensure that, if a closure has to take place, there are good redundancy terms for those who choose to accept them and alternative jobs with generous transfer allowances for those who wish to stay in the industry. But that is also why we are as concerned as everyone in the House that some closures which might not have been necessary have become inevitable as a result of the self-inflicted damage of the industrial dispute of the past 12 months.

I have to say that because the hon. Member said much with which I disagreed about butchery and slaughter and the coming of a Labour Government, which would bring strength to the industry. Labour Governments were responsible for the closure of a total of 330 pits. We have debated that so many times that I shall not reiterate the arguments, except to say that there are answers to his assertions. I understand that he would not accept them and I do not propose to take up any more time trying to respond to his points one by one.

As for the new review procedure, I understand from the NCB that the first meeting of the joint sub-committee, comprising the board and the industry's trade unions, has been held to discuss the modified colliery review procedure. It was agreed to set it up at the special meeting of the Coal Industry National Consultative Council on 11 April, following the agreement last October to examine the colliery review procedure. The three unions, the NUM, NACODS and the British Association of Colliery Management have nominated two representatives to join three representatives from the NCB on the sub-committee.

[Mr. David Hunt]

Now that the strike is over, I strongly hope that this newer element will speedily be implemented in the review procedure. Provided that all those involved adopt a reasonable approach, agreement should be reached quickly, and disputed closures will be put to the new independent review body.

The hon. Gentleman has mentioned the Margam project several times in the House and blamed the Government for not bringing it forward fast enough. The board has now received planning permission from West Glamorgan county council to build a colliery at Margam, which would employ about 650 people. However, the board has yet to make a final decision on whether to proceed with the project. If it decides to proceed, the next step will be to refer it to the Secretary of State.

The hon. Gentleman spent some time talking of the effect on his community, and surrounding ones, of any possible closure. He is rightly worried about the effect of the proposed closure on the unemployment figures. We should not allow ourselves to forget that there are jobs in the industry for all who wish to remain in it. Those who leave choose to do so and receive redundancy terms which are the most generous in the country.

I should like to consider the NCB's enterprise company, which was a positive step to relieve the unemployment that follows pit closures. NCB (Enterprise) Ltd. was established by the board precisely for that purpose and to take measures which would create new jobs in areas affected by closures. The company has been in operation since October 1984 and has already established links with enterprise agencies throughout the country. It has done particularly well in south Wales, where the Welsh Development Agency is already operating, and where the Government have been creating a positive climate for job creation.

Ogwr is among the first area in Wales to benefit from the activities of NCB (Enterprise) Ltd. The Ogwr partnership trust is now operational and a manager from the National Westminster bank has been seconded to it at the former NCB training centre at Tondu. The centre is being leased at a peppercorn rent to provide start-up units. The NCB is also providing revenue support of £30,000 a year over three years. Urban programme aid is expected to be sought and some discussions with officials have already taken place.

I can also tell the House that I understand from the board that, on Thursday, it will meet the leaders of Mid-Glamorgan council and of other local authorities to discuss what further initiatives can be taken in the area.

The present unemployment rates are unacceptably high, but the Secretary of State for Wales has done much to attract new industry into the area. Wales receives more than its fair share of overseas investment. I am glad to have on the Front Bench with me the Minister of State, and I understand from him that since January 1984, offers of section 7 financial assistance have created and safeguarded more than 2,000 jobs in the hon. Gentleman's constituency alone. Stirling work is being done by the Welsh Development Agency. Three units are available for letting in the constituency, 74 in total in Mid-Glamorgan.

As I said at the outset, I share in many ways the hon. Gentleman's deep concern over the effects of unemployment on his area and the results of it on the local communities, but, unlike him, I see every reason to look forward to future prosperity. All the points that he raised tonight will be carefully considered by me, by the National Coal Board and by the Welsh Office.

Question put and agreed to.

Adjourned accordingly at ten minutes to Twelve o'clock.

House of Commons

Wednesday 24 April 1985

The House met at half-past Two o'clock

The Clerk at the Table informed the House of the unavoidable absence, through illness, of MR. SPEAKER *from this day's sitting.*

Whereupon MR. HAROLD WALKER, THE CHAIRMAN OF WAYS AND MEANS, *proceeded to the Table and, after Prayers, took the Chair, as* DEPUTY SPEAKER, *pursuant to the Standing Order.*

PRIVATE BUSINESS

ALEXANDRA PARK AND PALACE BILL

Read the Third time, and passed.

GREATER MANCHESTER BILL *[Lords]*

Read a Second time and committed.

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

South Africa

3. **Mr. Winnick** asked the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the South African authorities over recent events in that country.

The Secretary of State for Foreign and Commonwealth Affairs (Sir Geoffrey Howe): Following the tragic events at Uitenhage on 21 March, I issued a strong condemnation of the shootings. On my instructions, my hon. Friend the Minister of State, the Member for Shoreham (Mr. Luce), summoned the South African ambassador to express our shock and to call for the fullest possible investigation.

Mr. Winnick: Does the Foreign Secretary deplore yesterday's detention of three senior members of the United Democratic Front and the continued harassment of those actively involved in opposing the regime? Does the right hon. and learned Gentleman agree that, despite the somewhat cosmetic changes recently announced by the regime, there has been no fundamental change in South Africa, and that the vast majority of people there are denied basic rights and liberties because of the colour of their skin?

Sir Geoffrey Howe: It is too early to comment on the incident reported yesterday, but I confirm that we certainly expressed concern to the South African Government about the original arrest of UDF leaders and joined our partners in the Ten in underlining our concern. Our practice is not to intervene until the legal processes have been exhausted.

It must be acknowledged that certain important changes have been announced this year, starting with President Botha's speech on 25 January and including the suspension of forced removals, the extension of 99-year leasehold rights to blacks in the Cape area, confirmation that the Mixed Marriages and Immorality Acts will be repealed, and so on. None of them go far enough, but they appear to reflect changes in attitude which could be significant, but none of them diminish the strength with which we condemn apartheid as a system, along the lines suggested by the hon. Gentleman.

Mr. George Gardiner: My right hon. and learned Friend's latter words will be very welcome to many Conservative Members. Does he agree that if the Government gave a little more encouragement and praise for the moves towards reform that are taking place in South Africa, they would be making a constructive contribution and would ease the process of change there?

Sir Geoffrey Howe: When presenting their attitude towards events in South Africa, it is necessary for the Government to keep both halves of the subject in mind. It is necessary to condemn, as we do, actions that are plainly unjustified. But, as I have already said, it is also necessary to acknowledge and encourage steps that are being taken in the right direction. The key point is that we should continue to use all our influence and contacts in every way possible to maintain pressure for change of the kind desired in all parts of the House.

Mr. Robert Hughes: Does the Foreign Secretary agree that the South African Government's decision to impose a so-called multi-party Government on Namibia shows that the progress of resolution 435 has come to a halt and that there has been an end to the Crocker initiative? Does it not also throw into great doubt South Africa's acceptance of that resolution? Will he arrange to have this matter raised as soon as possible at the United Nations Security Council?

Sir Geoffrey Howe: With other members of the Contact Group, we have already made representations to the South African Government about the steps taken in Namibia and underlined the importance that we attach to the implementation of resolution 435. We shall continue to support the American-led negotiations to achieve that.

Mr. Anderson: We are glad that the Government were represented by our consul in Durban at the opening stages of the treason trial. Will the Foreign Secretary ensure that we continue to monitor that trial when it resumes in mid-May? Will the right hon. and learned Gentleman consider whether we should follow the example of the Irish Government and help to pay the legal costs of those UDF defendants? Will the right hon. and learned Gentleman consider also helping the families who are being crippled financially by this legal repression?

Sir Geoffrey Howe: I am afraid that I cannot follow the hon. Gentleman down the road that was opened up by the second half of his question. Many British subjects face trial in different countries in different circumstances, and successive Governments have not found it either possible or proper to pay their legal costs. We could not, therefore, extend our representative generosity along those lines. It is important that we should continue to monitor the trial carefully. We have already made it plain that we shall be sending an observer.

British Citizens (Hostages)

6. **Mr. Holt** asked the Secretary of State for Foreign and Commonwealth Affairs how many British citizens are currently held hostage by overseas Governments; and where they are held.

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Tim Renton): Although a number of British citizens are detained abroad under conditions with which we are not satisfied, none of these can be formally described as hostages.

Mr. Holt: We need to clarify the fine dividing line between what is a hostage and what is not. Under what conditions would it become unacceptable for a British citizen to be incarcerated overseas? What action would the Government take in those circumstances?

Mr. Renton: In general terms, a hostage is one against whom charges have not been laid by the overseas Government. The Government aim to render British citizens full consular assistance if they are detained overseas. That is one of the prime duties of our consular department. We raise complaints with the relevant authorities, including complaints about illegal detention, although we must work within the laws of the country concerned. In exceptional cases, and if it is in the interest of the persons held, we take the matter up at a high level with the appropriate Government.

Mr. Ron Brown: What about the case of King and Maxwell, the accused Scots held in Libya? Surely they need help badly. Is the hon. Gentleman aware that one way not to help them is to suggest that Libyan property should be seized in this country, particularly in London? That will undermine the efforts of those who are trying to secure the early release of the men.

Mr. Renton: As I understand it, those two gentlemen have stood trial, been convicted and are serving their sentences. Unfortunately, there are, as of yesterday, 1,070 British subjects abroad who are detained for one reason or another. It is the Government's duty, while respecting the laws of the country concerned, to provide as much consular protection as possible to all those people.

European Community (Dooge Report)

7. **Mr. Gould** asked the Secretary of State for Foreign and Commonwealth Affairs whether, in the light of the Dooge report, the European Economic Community intends to adopt a common position in international bodies.

The Minister of State, Foreign and Commonwealth Office (Mr. Malcolm Rifkind): The Dooge committee has recommended that the Ten should adopt common positions in the United Nations and other multilateral bodies. This proposal, with the others made by the committee, will be discussed at the Milan European Council in June. We hope that this discussion will lead to decisions which will enable the Ten to act and vote more unitedly in international organisations.

Mr. Gould: Will the Minister assure the House that the reservations he expressed on matters such as the weakening of the veto, the enlargement of European Assembly powers, and other steps towards political union will be firmly maintained?

Mr. Rifkind: I assure the hon. Gentleman that it was precisely for that reason that I entered those reservations in the report, as did representatives of certain other countries.

Mr. Stanbrook: Is it not thoroughly undesirable that Britain should be left isolated along with a minority of members of the European Community while the majority wish to make progress in this way? If more nationalistic states such as France can go along with these developments, why can they get away with it and we cannot?

Mr. Rifkind: The United Kingdom was not isolated in the Dooge committee. The Greek representative entered a total of 15 reservations, the Danish representative entered a total of 10 reservations, Britain and Germany both entered three reservations, and a number of other countries entered one each. On the vast majority of issues, we were able to support either the unanimous or the majority view of the committee.

Mr. Deakins: Why does the Department continue to pay lip-service to the idea of European political union when the Minister and his Department must know that that would be completely unacceptable to the British people?

Mr. Rifkind: I am not certain what the hon. Gentleman means by the phrase "European political union". It is not a phrase that has normally been used in the Community. We have said that we are prepared to see greater European unity on a range of issues, but I emphasise that what is sometimes described as the federal concept does not have the support of the vast majority of Community Governments, including the United Kingdom Government.

Mr. Budgen: If the United Kingdom entered so many reservations, will my hon. Friend explain what the Government did support?

Mr. Rifkind: If my hon. Friend had been listening to me with his customary attention, he would have heard that I made quite the opposite point. I said that while certain of our colleagues entered 15 and 10 reservations respectively, the United Kingdom and Germany entered only three reservations, in a report which covered a wide range of issues. We were able to support the unanimous or majority views on a range of questions, such as the internal market, political co-operation, security matters, and the need for more effective forms of decision making in the Community, while reserving the right of the national veto.

Mr. Heffer: Is it not a good thing that most of the nations of the EEC take decisions which are based upon their own national interests? Is it not clear that it would be absolutely disastrous if all the EEC countries took the same sycophantic attitude towards the United States of America and President Reagan as the Prime Minister does?

Mr. Rifkind: The hon. Gentleman has put to me a somewhat extraordinary jumble of ideas. He is correct in saying that individual countries have national interests which they are concerned to protect. Her Majesty's Government formulate foreign policy based on what we believe to be in the best interests of the United Kingdom.

Mr. Johnston: The hon. Gentleman must know that he is deceiving the House by going on about the number of

reservations that Her Majesty's Government have made. Surely the significant point is the nature of the reservations. Will the hon. Gentleman agree that the unwillingness of Her Majesty's Government, in conjunction with the Greeks and the Danes, to see an improvement in the decision making procedures of the Community is a bad thing?

Mr. Rifkind: I suspect that the hon. Gentleman has not read the report in question. If he had, he would have noticed that in that part which deals with decision making the United Kingdom did not enter a reservation. Two options were put forward in the main body of the report, one of which was supported by representatives of a number of Community countries. The other option was supported by other representatives. There was no footnote reservation or qualification of the kind that the hon. Gentleman suggests.

Mr. George Robertson: The Minister may have entered reservations on the question of majority voting, but he has conceded in his reservations the principle of more frequent use of majority voting on major EEC matters. Will the Minister be frank and tell us precisely to which areas the veto will not still apply? In which areas will the Government stand up for Britain?

Mr. Rifkind: As the hon. Gentleman will be well aware, the vast majority of areas permit voting under the treaty, but it has become increasingly customary for the Presidency not to ask for a vote on them in the Council. We have argued that that is undesirable. There are many areas of progress on which, if votes were taken, the United Kingdom would happily be with the majority, seeking certain changes—for example, on the completion of the internal market. That is an obvious example to which Britain has attached great importance. We have no objection to increased use of majority voting as long as there is reserved to each national Government the right, as an ultimate defence of its national interest, to apply a veto as provided for in the Luxembourg compromise.

Spain

8. **Sir John Farr** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications of the membership of the European Economic Community of Spain for Britain's ties with Gibraltar.

Sir Geoffrey Howe: The United Kingdom's ties with Gibraltar are not affected by Spain's membership of the European Community. We remain committed to honour the wishes of the people of Gibraltar as set out in the preamble to the Gibraltar Constitution Order 1969.

Sir John Farr: Will my right hon. and learned Friend assure the House that the signature by Spain of the treaty of accession to the EEC will in no way be allowed to prejudice or weaken the close, historic and unique link which the peoples of Gibraltar and Britain enjoy at this moment?

Sir Geoffrey Howe: The position is exactly as I stated in my original answer. The constitutional position of Gibraltar remains as set out in the preamble to the constitution order, which rehearses the well known assurances. We shall fully respect the freely and democratically expressed wishes of the people of Gibraltar.

Mr. Skinner: One of the questions that some people are asking about Gibraltar is put simply this: "Do you think that the Tory Government will treat Gibraltar in the same way as the Falklands, or will they treat Gibraltar in the same way as Hong Kong, which they gave away?" It is an intriguing question. I should like the Foreign Secretary to tell us precisely how the Government will treat Gibraltar.

Sir Geoffrey Howe: That question is founded on a huge lack of comprehension. The British Government will treat Gibraltar as they should treat Gibraltar. The three cases are entirely distinct from each other, historically, geographically, politically and in every other sense. The position of Gibraltar is governed by the constitutional provision to which I referred, by the existence of our title under the treaty of Utrecht and by the entire difference in attitude of the Spanish Government to the people of that country. I hope that the hon. Gentleman will be glad to hear that, as a result of the agreement that was put into force in February this year, there has already been a massive increase in the movements of people across the frontier. Almost 500,000 people have entered Gibraltar since 5 February. That represents a powerful foundation for growth of economic co-operation and prosperity in Gibraltar.

Mr. Andrew MacKay: In the light of Spain's accession to the Community, will my right hon. and learned Friend take this opportunity to let the House know what progress is being made to organise a new extradition treaty with Spain?

Sir Geoffrey Howe: That does not arise directly out of this question, but the position is that negotiations on the new extradition treaty, to which I know the House attaches importance, are far advanced. We hope to bring them to a conclusion before too long.

Mr. George Robertson: Have the Spanish Government made any proposals to the British Government about the issue of sovereignty and, if so, when might the British Government's response be made public?

Sir Geoffrey Howe: As I think I told my hon. Friend the Member for Banff and Buchan (Mr. McQuarrie) on 20 March, the Spanish Government have delivered proposals concerning the future status of Gibraltar. I have told the Spanish Foreign Minister that those proposals will be studied against the background of the undertaking to which I have referred. The details of the proposals must remain confidential at this stage, and it is too early yet to decide at what point that position will change.

European Community (Reform)

11. **Mr. Teddy Taylor** asked the Secretary of State for Foreign and Commonwealth Affairs if he is satisfied with the progress to date in achieving reforms in the European Economic Community; and if he will make a statement.

Sir Geoffrey Howe: Considerable progress has been made. The Council has agreed the arrangements for implementing the budgetary reforms negotiated at Fontainebleau. A start has been made on the reform of the common agricultural policy. The European Council has agreed that action should be taken to reduce the burden of regulation on business and has set a target date for the

completion of the common market in goods and services. A number of practical proposals for improving the functioning of the Community institutions are now under discussion.

Mr. Taylor: Does my right hon. and learned Friend agree that, despite all those wonderful pledges and assurances, the plain fact is that the Common Market is now spending over £20 million a day on dumping and destroying food surpluses, and is vastly overspending its agreed budget? Does my right hon. and learned Friend further agree that the only way to secure reforms is to control the supply of money to the Common Market? Therefore, would it not be crazy for the Government to ask the House, at a time when we are cutting back on essential services at home, to give an extra 25 per cent. in real terms to the Common Market?

Sir Geoffrey Howe: I cannot accept my hon. Friend's approach to the matter. Of course, it is important to maintain the pressure that we have successfully maintained for the establishment of effective budget disciipline in the Community. That is why we welcome the establishment of that discipline. It will also be important to bear that in mind when we introduce the own-resources decision. We have made it plain that we will not introduce that until all the components about which we have been concerned are in place.

Mr. Johnston: How did the Foreign Secretary respond to the views put to him yesterday by the delegation from the European Parliament? Has his attention been drawn to early-day motion 630? If so, will he comment on it?

Sir Geoffrey Howe: Yesterday I met the delegation from the Western European Union. I shall be meeting the European Parliament this afternoon and will be discussing the Spinelli report with it.

Mr. Kenneth Carlisle: As my right hon. and learned Friend said, it is very important that rapid progress should be made towards a common market in goods and services. Will he tell us what progress is being made?

Sir Geoffrey Howe: At the request of the Council at its last meeting, the Commission is drawing up a full programme, which will be published during the summer for the achievement of the internal market by a date that has been fixed in 1992. That is over and above the steps that have already been taken for the harmonisation of standards over a whole range of goods. Our objective is to take harmonisation much further and to complete the internal market by 1992.

Mr. Deakins: Why have the Government just agreed to an extra £240 million contribution this year to the Community budget? When is Parliament likely to be consulted, if at all, about such an outrageous decision?

Sir Geoffrey Howe: We have made it quite clear that, as happened last year, Parliament will be consulted. The agreement states clearly that our contribution is dependent upon the completion of our national parliamentary procedures. There is no question of asking Parliament to approve the agreement until our abatement has been guaranteed — that is, until the provision for our abatement has been adopted. The amount agreed has been substantially reduced from the Commission's original request. As a direct result of the Fontainebleau mechanism, the net cost of the United Kingdom contribution will be less than our contribution to the intergovernmental agreement last year.

Mr. Forth: Will my right hon. and learned Friend resist the temptation to do a European deal on the European Parliament's draft treaty of union and trade away what it suggests with anything else? Will he also look closely at the terms of reference of the suggested conference that is to deal with that treaty. It is to discuss only the treaty. Any other solutions to European Community problems will be unable to be considered.

Sir Geoffrey Howe: The Community will consider these matters in the light of the recommendations of the Dooge committee, which will be considered again at the Council meeting to be held in Milan in June. No decision has yet been taken as to whether a conference would be appropriate. Our view is that we are most likely to achieve decisions by taking them at Council level. However, we shall discuss whether a conference is necessary.

Mr. Foulkes: How can the Foreign Secretary say that budgetary control has been achieved when yesterday's agreement on the £240 million was the third such agreement on similar amounts to have been reached within the last 12 months, either by loans or by advances which can be reimbursed? How can he say that there has been a reform of the budget when more money is to be spent upon the open-ended commitment to agriculture and less upon regional and social policies which would help Britain? As he knows, I received a reply a few days ago from his hon. Friend the Minister of State, Foreign and Commonwealth Office, in which I was told that of the 50 poorest regions in Europe, 21 of them are in the United Kingdom. Should he not be fighting for money for those areas?

Sir Geoffrey Howe: The hon. Gentleman does not seem to appreciate that powerful arrangements have been set in place which come into force upon the adoption of the own-resources decision for the achievement of budgetary discipline within the Community. Throughout the consideration given both to last year's budget and to this year's, including yesterday's consideration, all those measures have been taken closely into account.

Central America

13. **Mr. McTaggart** asked the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has had with his American counterpart concerning United States involvement in Central America.

Sir Geoffrey Howe: I discussed the problems of Central America most recently with the American Secretary of State Mr. Shultz on 21 February.

Mr. McTaggart: As the United States Congress has made clear its desire not to pursue a military solution to the situation in Nicaragua, will the Foreign Secretary and his EEC colleagues urge President Reagan to abandon support for the Contras, to sign the protocol to the Contadora treaty and seek genuinely to help the Contadora countries in finding a peaceful solution to the problems of Central America?

Sir Geoffrey Howe: The hon. Gentleman rightly reminds the House of the sustained commitment of European Community countries to the Contadora process. The United States has repeatedly stated that it wishes to

see political reform in Central America through peaceful means, and we support that objective. The United States reiterated its support for the Contadora process at the recent session of the General Assembly.

Mr. Andrew MacKay: Were not the recent highly successful elections in San Salvador a further endorsement of the American policy of encouraging democracy and moderate politicians in Central America?

Sir Geoffrey Howe: I entirely agree. The recent elections in El Salvador were a clear demonstration of the consolidation of democracy in that country. The Salvadorean Government will continue to have our support in their efforts to place that democratic process on a stable foundation.

Mr. Meadowcroft: Does not the continuing desire of the United States President to interfere in Central America tend to undermine the stability of all electoral processes in the area, so that countries, such as Costa Rica, which have continually presented a democratic front will eventually be undermined unless a united effort is made to counteract the efforts of the Contras to be based in all parts of Central America?

Sir Geoffrey Howe: It is worth remembering that we share with the United States Administration the common objective of a settlement in Central America on the basis of the Contadora principles. As I have said more than once in the House, there is a need for restraint on all sides in the present situation, and not least a need for Nicaragua to end the substantial build-up of arms, troops and military advisers and to stop supporting attempts to destabilise neighbouring Governments.

Mr. Healey: As both the Pope and the President of Colombia have stated that President Reagan has misrepresented their views on Nicaragua, and as President Reagan has been compelled to drop his proposals for military aid to the Contras and had his revised proposals rejected by the House of Representatives and passed by only a small majority in the Senate, will the British Government now support the forces of common sense in that area and drop their poodle-like devotion to a policy which the American President himself has already abandoned?

Sir Geoffrey Howe: I have not heard myself expressing poodle-like devotion to any policy, today or on any other occasion. I have made it plain that we support the common objective of a peaceful settlement in Central America on the basis of the Contadora principles, and we shall continue to support steps directed to that end.

Mutual and Balanced Force Reductions

14. **Mr. Tom Clarke** asked the Secretary of State for Foreign and Commonwealth Affairs what proposals he is considering for an initiative in the Vienna talks on mutual and balanced force reductions.

The Minister of State, Foreign and Commonwealth Office (Mr. Richard Luce): With our NATO allies, we are currently studying carefully the Eastern proposal of 14 February, which repackages elements of the East's 1983 proposals. This followed the negative response of the East to the Western initiative of April 1984, which offered a real opportunity to resolve the long-standing dispute over the size of Eastern forces.

Mr. Clarke: Is it not deplorable that the talks have gone on for 12 years without any real achievement? Does not the accession of Mr. Gorbachev provide an opportunity to accept the Russian offer to withdraw 20,000 troops from Europe if America will withdraw 13,000?

Mr. Luce: I agree that it is very sad that no progress has been made in 12 years in these very important talks. Our objective is to work for a reduction in conventional forces on both sides on a mutually balanced basis, but we cannot yet reach agreement about the size of the forces on each side. It is our firm belief that the Eastern side underestimates the size of its forces by more than 200,000 men. Until we can reach agreement on data and the actual numbers on each side, it is very difficult to make progress, let alone to solve the problem of verification?

Mr. Viggers: Does my hon. Friend agree that in all arms control negotiations sweeping declarations of intent are of little value unless they are accompanied by offers on verification and inspection?

Mr. Luce: I agree entirely that the true test of progress is not great declarations but agreement on the nuts and bolts, which in this case includes verification. We have not yet been able to persuade the other side to make good progress on that aspect. Until that is achieved, it is not possible to reach an agreement which has the trust of both sides.

Mr. Heffer: Have not the Government reacted disgracefully, as has President Reagan, to the statement by Mr. Gorbachev, just after his election to the leadership of the Soviet party and Government, that the Soviet Union was prepared to suggest that there should be a freeze on nuclear weapons? Without any question, or even study of the matter, the Prime Minister and President Reagan have immediately rushed in and said that it is not practicable. How can there be any serious discussion of force reductions if our Government and the Americans take that stupid attitude?

Mr. Luce: I must disagree with the hon. Gentleman. The true test whether both sides have good intent and are sincere in their desire to make progress in arms negotiations is whether they make progress in the confidential surroundings of Geneva, not what they say in public declarations and public sparring. That is the only way in which to make progress. In this case, as far as INF is concerned, a freeze would ossify an imbalance of six to one in favour of the Soviet Union and remove the incentive to make progress on overall arms levels, which is what we want.

Mr. Heathcoat-Amory: Does my hon. Friend agree that, as a fully participating country, Britain has leverage at the talks? Will my hon. Friend use that opportunity to impress on the Soviet Union the fact that there is no conceivable defensive reason for its overwhelming conventional superiority in Europe? Will he also impress upon the Soviet Union that a breakthrough at the talks would not only ease tension in Europe but, in turn, help towards progress at the Geneva talks on arms reduction?

Mr. Luce: That is an important point. We have a number of opportunities to talk to the Soviet leaders. We shall continue to use those opportunities to put across such points. If the Soviet Union genuinely wishes to make progress towards mutually balanced conventional forces, we must reach a proper agreement on data.

Mr. George Robertson: Does the Minister agree that what is required for a genuine arms control agreement is a bit of imagination and some political will, which seem to have been singularly absent from the MBFR talks over the past 12 years? With a new Soviet leadership and new offers on the table implying a reduction of more than 50 per cent. in Soviet troops than American troops in the European theatre, should not all forces in the West grasp the opportunity to try to break the logjam that threatens us all?

Mr. Luce: Sadly, the talks have indeed lasted for 12 years. No progress was made even during the long period of the Labour Government. There is no lack of will on our part. We are trying very hard. What we are aiming for is a balance of forces on both sides and a reduction to 900,000. I believe that that was the objective of the Labour Government. That objective makes sense, but we need a response from the other side on questions of data and verification.

Poland

15. **Mr. Portillo** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his visit to Poland.

Sir Geoffrey Howe: I visited Poland from 11 to 13 April. I had a full official programme, and met a wide cross-section of Polish society.

My official talks covered various aspects of East-West and bilateral relations.

I was powerfully reminded during this visit of the interests and traditions which the British and Polish peoples have in common. I made plain in all my contacts the importance that we still attach to those freedoms for which we fought together with the Poles during the second world war.

Mr. Portillo: I congratulate my right hon. and learned Friend on his visit to eastern Europe. Can he tell us whether he met representatives of Solidarity, and, if so, what the outcome of discussions with them was?

Sir Geoffrey Howe: I am grateful to my hon. Friend for his opening remark. I had contacts with some members of Solidarity, in order to hear their views about the situation in Poland. I regretted the fact that that led to a boycott of the reception at which I met the Solidarity members. It was helpful to me to learn their views.

Mr. J. Enoch Powell: How would the Foreign Secretary like it if the Foreign Minister of a Warsaw pact country on an official visit to the United Kingdom comported himself as the right hon. and learned Gentleman did in Poland? Will the Foreign Secretary always bear in mind the wisdom of the adage, "Do as you would be done by."?

Sir Geoffrey Howe: I bear that very much in mind. The pattern is that in most countries one is able to see a wide range of people, members of the Opposition and of other parties and to visit almost any part of the country. I have not seen any inhibitions put on the programme of many visitors to this country, including Mr. Gorbachev. He was free to range in many parts of London. He did not take the opportunity to visit the cemetery that he had in mind, but he took the opportunity to go to Downing street. No comparable inhibitions were put on his programme.

Sir Peter Blaker: Does my right hon. and learned Friend agree that it is relevant to the question asked by the right hon. Member for South Down (Mr. Powell) that Poland is a signatory to the 1975 Helsinki agreement—as is every other country in Europe — under which countries undertake to have respect for human rights? Does my right hon. and learned Friend accept that that agreement also says that the observance of human rights is an important factor in the preservation of peace? When my right hon. and learned Friend visits eastern European countries and the Soviet Union, will he continue to make that point, especially in the Soviet Union, which purports to be a great peace-loving nation?

Sir Geoffrey Howe: I am grateful to my right hon. Friend. In all my visits I drew specific and firm attention to the importance of the Helsinki agreement, exactly as he described, and I shall continue to do so.

Mr. Maclennan: Did the Foreign Secretary feel that sufficient progress, or intention to make progress, existed in regard to human rights to enable there to be any strengthening of the bilateral economic relations between Britain and Poland?

Sir Geoffrey Howe: I made it plain to my Polish hosts that their stance on and progress with human rights was bound to be a factor which would affect the rest of our relations. I also discussed economic relations. There are economic factors at work as well. We hope that they will shortly sign an agreement to reschedule their 1982 to 1984 debt. We shall continue to play a constructive role in those negotiations, but the matters cannot be separated from each other.

Mr. Anderson: We warmly welcome the effective concern for human rights shown by the Foreign Secretary by his visit to the cemetery and his meeting with members of Solidarity. May we now express the hope that the same verve, imagination and force will be shown by the right hon. and learned Gentleman in respect of other parts of the world, such as Central America, Southern Africa and Indonesia, which the Prime Minister visited at the same time?

Sir Geoffrey Howe: We apply the same energy to our visits in all parts of the world, Indonesia included. Questions about which the House is anxious were raised by my right hon. Friend the Prime Minister as well as by me.

Middle East Wars (Casualties)

16. **Mr. Allen McKay** asked the Secretary of State for Foreign and Commonwealth Affairs what information he has about the number of fatal and non-fatal casualties since the beginning of 1984 in the Iran-Iraq war, the Lebanese civil war and the Arab-Israeli conflict.

Mr. Luce: Since the beginning of 1984 there has been much tragic loss of life resulting from the Iran-Iraq conflict, the Arab-Israeli dispute, Lebanese inter-communal violence and the Israeli occupation of south Lebanon. No authoritative casualty figures are available to us. With our partners in the European Community, we have consistently called for an end to the violence, and we stand ready to support all constructive moves towards negotiated solutions of the problems of the region.

Mr. McKay: Does the Minister agree that, in view of reports from all types of media, of the three areas of

conflict in the middle east, the most dangerous is the Iran-Iraq war, followed by the internal strife in Lebanon and the Arab-Israeli conflict?

Mr. Luce: I do not think that it makes a great deal of sense to apportion an order of priority. In terms of casualties, the Iran-Iraq conflict is having devastating consequences for both sides. Our priority is to work as hard as we can with other parties, principally through the United Nations and the work of the Secretary-General, for a diplomatic solution. The hon. Gentleman should not underestimate the gravity of the other problems.

Mr. Walters: As the casualties, human suffering and threat to world peace will continue in all of those areas until progress towards a settlement is reached, will my hon. Friend comment on progress towards a peace settlement of the Arab-Israeli dispute? Does he think that the recent visit of Mr. Murphy has advanced the possibility of a major American initiative in the near future?

Mr. Luce: As my hon. Friend knows, we very much welcome the agreement of 11 February between King Hussein and Mr. Arafat, which we felt was a basis on which progress could be made. My right hon. Friend the Prime Minister has had two important discussions with President Reagan. We have kept in very close touch with the United States, and we welcome the President's statement that there will now be renewed efforts on his part to see whether progress can be made on this problem. To that end, we are very glad that Mr. Murphy is undertaking his tour of the middle east.

Mr. Faulds: Unless I misheard the hon. Gentleman, am I right in thinking that he made reference to the Israeli occupation of Lebanon, but failed to make reference to the thousands of casualties caused by the Israeli invasion of Lebanon?

Mr. Luce: No. I have already mentioned south Lebanon, and, as the hon. Gentleman knows, the Government strongly condemned the Israeli invasion. We are extremely critical of the iron fist policies of Israel at the present time. However, we welcome the fact that the Israeli Government have decided, in phases two and three, to withdraw within their own international borders, and we hope that they will do so as soon as possible.

Mr. Soames: What further steps can my hon. Friend take to represent the revulsion felt by many people in this country at the contemptible and grotesque behaviour of the Israeli forces in Lebanon?

Mr. Luce: I have already said — and said in the House in recent weeks—that we certainly condemn the iron fist policies, as they are called, of the Israeli Government. This cycle of violence, retaliation followed by counter-retaliation, serves no one's interests, least of all those of the people of the Lebanon. What conceivable interests of Israel can this serve? We look forward to the early and orderly withdrawal of the Israelis.

Mr. Campbell-Savours: Has not one of the casualties of the Arab-Israeli conflict been the fate of the 4,000 Jewish community in Syria? Will the Minister make representations to the Syrian Government on their behalf?

Mr. Luce: I can tell the hon. Gentleman that the Syrian Government are well aware of this Government 's views on aspects of human rights in Syria, and they will continue to be made so aware.

Pakistan

20. **Mr. Ron Brown** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Britain's current relations with Pakistan.

Mr. Renton: We maintain good relations with Pakistan.

Mr. Brown: Following the statement on Poland a short time ago, is it not obscene that the British Government have a close relationship with the Zia regime, which not only murders and tortures political opponents and trade unionists, but turns a blind eye to the exports of heroin to this country?

Mr. Renton: I find it quite extraordinary that the hon. Gentleman, who has twice visited Afghanistan at the invitation of the Karmal regime, should speak in such terms about Pakistan, where there are now 3 million refugees who have fled from Afghanistan and who are being looked after as well as they possibly can be by the Pakistan Government. We regularly make known to the Pakistan Government our views and concern about violations of human rights. I visited the United Nations Fund for Drug Abuse Control Centre in Peshawar in January, and I have spoken to Pakistani and United Nations officials there about their attempts to substitute the crops from which opium and then heroin come. I remind the hon. Gentleman that elections have now been held in Pakistan—admittedly under martial law, admittedly on a non-party basis—and that six Ministers lost their seats in those elections. That, for the Opposition, should be quite a good test of progress towards democracy.

Viscount Cranborne: My hon. Friend has already referred to the results of the elections in Pakistan. Will he encourage the hon. Member for Edinburgh, Leith (Mr. Brown) to encourage his hon. Friends to follow President Zia's example in Afghanistan, and in particular will he tell the House how important it is for the stability of Pakistan to continue in order that the oppression of the Afghan people by the Soviets may be resisted by the will of the people themselves in refugee Pakistan?

Mr. Renton: I very much endorse what my hon. Friend has just said. It would be very good indeed if the Karmal regime in Kabul would look across the mountains south into Pakistan and take some of the tentative steps towards the restoration of democracy which are now being undertaken by President Zia.

Mr. Meadowcroft: What further representations has the Minister made to Pakistan about opium production and export from Pakistan following the revelations in *The Sunday Times* a few weeks ago, which appear to be well documented?

Mr. Renton: I thank the hon. Gentleman for that question. It is only fair to say, and I am sure the hon. Gentleman will accept, that the responsible officials in those parts of the Pakistan Administration have, I understand, written to *The Sunday Times* rebutting many of the details in those articles. The growth of poppies in Pakistan is properly a matter of concern to both sides of this House, and we should all use our efforts to ensure that the crop substitution programme is successful. In fact, the Pakistanis are taking a good lead in trying to achieve that end.

Czechoslovakia

21. **Mr. Watts** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his visit to Czechoslovakia.

Sir Geoffrey Howe: I visited Czechoslovakia from 10 to 11 April. During the visit I met the President and Prime Minister and had talks with the Foreign Minister. I also called on Cardinal Tomasek, and met a wide cross-section of Czechoslovak society. The main theme of the official talks was East-West relations. I underlined the West's sincere wish to reduce levels of weapons through genuinely balanced and verifiable agreements. I stressed our concern for human rights throughout Europe. I also discussed bilateral relations, including trade.

Mr. Watts: I welcome what my right hon. and learned Friend has said about his visit. Does he agree that one of the best ways of increasing our beneficial influence in the countries of eastern Europe and improving our relations with them is by extending our contacts through the expansion of trade? Will he comment further on the prospects for increasing trade between the United Kingdom and Czechoslovakia?

Sir Geoffrey Howe: I agree with my hon. Friend that trade can play a significant part in improving contacts in other ways. It was for that reason that I discussed the levels of bilateral trade with Czechoslovak Ministers. We agreed that there was scope for a large increase in trade. I have already passed details of my talks to my right hon. Friend the Minister for Trade, who will be visiting Czechoslovakia in May.

Mr. Mason: In his talks on human rights with the Czechoslovak regime, did the right hon. and learned Gentleman enlist their aid in his efforts to apply pressure on the Soviet Union to release more Soviet Jews to Israel?

Sir Geoffrey Howe: I did not seek to enlist the aid of the Governments in eastern Europe on that very important issue, which we continue to press with the Soviet Union.

Mr. Peter Bruinvels: I congratulate my right hon. and learned Friend on his successful tour to Czechoslovakia. Will he expand on his discussions with Cardinal Tomasek? Did he have any other meetings with leaders of the very oppressed Church?

Sir Geoffrey Howe: I met other representatives of the Church briefly and informally, but with Cardinal Tomasek I was able to have quite a full discussion of the problems of the Church, to which my hon. Friend has drawn attention—for example, the appointment of bishops, the admission of candidates for religious qualification and freedom of assembly. He regarded the meeting as important. I raised some of the matters with the President of the Czechoslovak Government.

Mr. Winnick: If, as I believe, it was right to speak of human rights in Czechoslovakia, is not it equally right to speak of human rights in other countries which the right hon. and learned Gentleman visits—for example, Latin America and Pakistan? Is the right hon. and learned Gentleman aware that many people in Britain, certainly in the Labour movement, remain deeply concerned about the way in which a number of people in Czechoslovakia—certainly those associated with the regime in 1968—continue to be persecuted and harassed by the Czech authorities? The Czech Government should recognise the deep feeling which exists in Britain over this matter.

Sir Geoffrey Howe: I am glad to have the hon. Gentleman's endorsement of the fact that concern in this country about respect for human rights in Czechoslovakia is widespread. It was on that basis that I raised the questions that I did. I agree that it is important to be ready to do so, as appropriate, in the many cases where that is necessary.

Central America

23. **Mr. Tony Lloyd** asked the Secretary of State for Foreign and Commonwealth Affairs what recent progress has been made towards stability in Central America by the Contadora countries; and what support has been given by the EEC in this respect.

Mr. Renton: We are encouraged by the resumption of Contadora talks on 11 and 12 April in Panama. We and our European Community partners continue to give firm and consistent support to the efforts of the Contadora group. We gave practical expression to this support at the meeting of European and regional Foreign Ministers at San Jose in September, attended by my right hon. and learned Friend. It has been agreed that a further ministerial meeting will be held in due course.

Mr. Lloyd: Earlier, the Foreign Secretary objected to being described by my right hon. Friend the Member for Leeds, East (Mr. Healey) as an American poodle. Yet is he not just like the dog that did not bark, in that we heard him say earlier today that the American Government were seeking peaceful solutions in Central America when clearly, far from that, they are seeking a warlike solution in Nicaragua? Is it not time that the British Government placed it clearly on the record that we condemn American adventurism in that region?

Mr. Renton: The hon. Member is totally misguided in his supplementary question. The American Government have stated time and again that they are seeking a solution by peaceful means to the problems of Central America. Indeed, no country would benefit more from a solution by peaceful means in Central America than the United States. After all, the problem is very much at its back door.

I remind the hon. Member, in regard to the earlier part of his question, that our approach in that region is very much one of partnership with our European Community partners. We have together sought a joint approach. That was the attitude at San Jose last year. The same message lies behind the approach of offering European Community aid to the region.

Mr. Tom Clarke: Does not yesterday's decision by the House of Representatives encourage the Government to think again about their whole aid approach to the Contadora countries? Is it not despicable that Nicaragua's aid should be held back, that in Costa Rica aid is 40 times more and in Honduras 100 times more? Surely that is totally unacceptable.

Mr. Renton: I do not think that it is for us at this stage to comment on or get involved in the process of voting that is still going on in Congress. The Senate voted in favour of the $14 million requested by President Reagan; the

House of Representatives voted against. As I understand it, there are to be further votes, and the whole matter is still up for debate in Congress.

Viscount Cranborne: Can my hon. Friend tell the House whether Cuba interferes in Central America?

Mr. Renton: Yes. Of course, the answer is that Cuba does interfere in Central America. That is one of the things that greatly worries the United States and should worry us as well.

Mr. Healey: Does the Minister agree that President Reagan's policy on Central America, thank God, is collapsing in all directions, that the Contadora countries have rejected his attempt to give military aid to the Contras and that Mexico, Venezuela, Colombia and Panama are all now attempting to achieve a non-military solution to the problem? Does he further agree that the British Government should identify themselves with all those forces inside the American Congress and in the Contadora countries which reject the President's approach to the problem? Finally, does he agree that the British Government should stop licking the President's boots, because there is no reason to do so?

Mr. Renton: The right hon. Gentleman seems to be obsessed by the metaphor about licking boots. I assure him that no one on this side of the House is licking boots. As he will know, by happenstance he and I were in Washington at the same time earlier this week. Doubtless we read the same editions of the *Washington Post*, and went to see Members of Congress on the same day, although perhaps different members. He will know, too, that opinion in Washington is very divided, just as it is, for example, in some of the Latin American countries. After all, the President of Colombia has expressed two different opinions about the American offer. I think it only right that we should allow time for the Americans to reach their decision as to how they spend their money in this very important area.

Mr. Heffer: How can the hon. Gentleman, speaking on behalf of the Government, say in all honesty that the United States wants a peaceful solution when in recent days President Reagan has said on television—I am sure that many hon. Members saw the programme—that the Contras were like the French Resistance? First, there can be no such parallel, and, secondly, that can hardly be described as any idea of a peaceful solution.

Mr. Renton: The hon. Gentleman appears totally to forget the effect of the presence of Cuba in countries such as Nicaragua and the fact that there have been Marxist-Leninist infiltrations into Central America and a spread of arms and violence in Nicaragua. That is what the United States is worried about, just as the hon. Gentleman would be if this country were in the same geographical position to Central America as the United States. That is why this issue gives the Americans such deep concern, although, of course, they want to achieve a solution by peaceful means.

European Community Questions

3.30 pm

Mr. Eric Deakins (Walthamstow): On a point of order, Mr. Deputy Speaker. I wish to draw your attention, in case it has escaped your notice, to the fact that this is the first occasion of the use of the new experimental system under which the 20-minute slot traditionally allocated to European Community questions has been absorbed into the overall hour for Foreign and Commonwealth Office questions.

I make no complaint about the fact that on this occasion only three European Community questions were reached, instead of the normal seven, eight, or nine which would have been reached under the previous system, but I wish to inform you that this change, which was announced by the Leader of the House just before Easter, on a Friday, in a written parliamentary answer — it having been agreed between the usual channels—does not reflect the feelings of a large number of Opposition Members. I cannot speak for Conservative Members.

The Leader of the House should take note of the fact that at the end of the experimental period we shall expect to be consulted not merely by our own usual channels but by him, perhaps in a debate on the subject, so that we can make our views absolutely clear. It is wrong that the new questions system should apply to an organisation such as the European Community, which, unlike South Africa, the countries of central America or the countries of eastern Europe, has the power to tax and legislate for the British people. We should have a separate slot to enable us to question Ministers on those matters.

Mr. Eric Forth (Mid-Worcestershire): Further to that point of order, Mr. Deputy Speaker. Can you advise the House of the length of the experimental period for EEC questions? As we are about to enter a crucial period of major decisions being taken on the EEC, it would be regrettable if hon. Members were denied the opportunity to ask questions on Common Market matters because such questions are now subject to the usual ballot rather than to the certainty of the previous system. Can you say for how long the experiment is likely to run?

Several Hon. Members *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): One at a time, please. Mr. Teddy Taylor.

Mr. Teddy Taylor (Southend, East): Further to that point of order, Mr. Deputy Speaker. May I ask you to advise me and other hon. Members who feel outraged at this decision, announced in a written answer, what rights we have as Back Benchers to seek to bring about a change in the situation? For example, are we able to put a motion before the House? What can we do to stop what has been unilaterally imposed, against the wishes of Back Benchers?

Mr. Dennis Skinner (Bolsover): Further to that point of order, Mr. Deputy Speaker. I appreciate that the responsibility for this change in the system cannot be put on your shoulders, but do you agree that it would be a good idea for you to examine the matter in view of the fact, as my hon. Friend the Member for Walthamstow (Mr. Deakins) said, that few questions relating to the Common Market were asked today under the new system? It is fair to assume that had we been allowed the 20 minutes which used to be available for EEC questions there would have been a call for a Division on the £240 million which the Government have agreed to pay, as part of the £1·2 billion settlement, to bale out the Common Market. There were few questions on the EEC, and therefore, incredibly, on the day after we heard the news about the increase, we did not have an opportunity to raise the matter.

I hope, Mr. Deputy Speaker, that you will take this matter back to Mr. Speaker, so that we can return to the old system and have a real good crash-in against the Common Market in order to reflect the views of the majority of the members of the Parliamentary Labour party, and eventually get out from underneath the gigantic mess into which the Tories, the SDP and the Liberals dragged us a few years ago.

Mr. Tony Marlow (Northampton, North): Further to that point of order, Mr. Speaker. The House has surrendered its sovereignty over trade policy. The House has surrendered its sovereignty over agriculture policy. The House is increasingly surrendering its sovereignty over the taxation of our people. Are we also to surrender the right to debate and discuss this issue? How was this decision arrived at, and what can we do about it?

Mr. Nicholas Budgen (Wolverhampton, South-West): Further to that point of order, Mr. Deputy Speaker. Has not the House been unfair to the Government about this? I am sure that the Government wish to explain their attitude, and it would be unthinkable for them——

Mr. Deputy Speaker: Order. I thought that the hon. Gentleman was raising a point of order.

Mr. Budgen: My point of order is that the Government, and particularly the Foreign Secretary, should be allowed an opportunity to explain——

Mr. Deputy Speaker: Order. That is not a point of order. I am prepared to accept points of order, but not speeches. We cannot debate this matter now.

Sir Peter Blaker (Blackpool, South): Further to that point of order, Mr. Deputy Speaker. Is it not a fact that the change in the way that questions are asked on Foreign Office days was made after wide consultation——

Mr. Teddy Taylor: Utter rubbish. Who was consulted?

Sir Peter Blaker: —and after widespread demand? How is it that so many hon. Members are complaining about the new situation when they could perfectly well have put in questions to be answered today if they had wanted to?

Mr. Denis Healey (Leeds, East): May I, Mr. Deputy Speaker, perform my usual role as a pourer of oil on troubled waters? I wish first, to mitigate any embarrassment which you personally, may feel, by saying that I understand that this was agreed between the usual channels. Secondly, we would have had twice as many questions on the European Community if all those who had put down questions had bothered to turn up for Question time today. Thirdly, I ask for an assurance from the Government that they will, as I have requested, make a statement tomorrow on the budgetary decisions of the European Council. I understand that the Minister concerned was rather too tired to make that statement today.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. It may be helpful if I say something now. First, the House will recognise that these matters are not for me but for the usual channels and for the House to decide. I deliberately allowed points of order to be freely expressed, because the House will notice that the Leader of the House is with us. I thought it right that he should have the opportunity to hear the House's response to what I understand is the first time that this experiment has been tried. I was aware that this was an experiment, so when we came to EEC questions I allowed a little more latitude than I might otherwise have done.

However, these matters are for the usual channels. I understand that the experiment was introduced after consultation and in the light of representations that had been made. I hope that the House will now leave the matter, in the knowledge that the Leader of the House has heard a fairly wide cross-section of views. Therefore, I hope that we can proceed to other business.

Mr. Russell Johnston (Inverness, Nairn and Lochaber): Further to that point of order, Mr. Deputy Speaker. While it is advantageous that the Leader of the House is present, it is you who protects the minorities' interests. We in the Liberal party, who are in favour of the Community, are also in favour of retaining the Community section for questions.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): On a point of order, Mr. Deputy Speaker. You represent our interests. To say that the usual channels represent Back Benchers is the most ludicrous thing of all. The usual channels represent only the interests of the Front Benches on either side of the House. We Back Benchers, who are the great downtrodden majority, are asking you to accept that if there are Question Times for Scotland, Wales and Northern Ireland, which, in God's name, cost us all enough, we should have a chance to ask specific questions on the Common Market, given what that costs us. We appeal to you, and not to the usual channels.

Mr. Andrew Faulds (Warley, East): On a point of order, Mr. Deputy Speaker. The House will be aware that there was an adverse proportion of voices opposed to these new arrangements. It is essential that it should be made clear that a large number of us eagerly support the new arrangements. They mean that there is more time for real foreign affairs questions. If the complaint is that there is not an opportunity, with these new arrangements, to make representations about the taxing capacity of the Community, should not those questions be transferred and taken out of Treasury time rather than Foreign Office time?

Sir John Farr (Harborough): Further to that point of order, Mr. Deputy Speaker. Several of us have been following this issue for some time. In the past few years there have been occasions when up to 80 questions have been tabled to the Secretary of State for Foreign and Commonwealth Affairs, all relating to the rest of the world. Of them, about 10 or 12 have been reached. However, in a period of 20 minutes, eight or 10 questions addressed to the Foreign Secretary may all be answered, all relating to the EEC. On several occasions I have called the attention of the House to that anomaly. It puts one part of the world—the EEC—in a privileged position, to which it is not entitled.

As my right hon. Friend the Leader of the House is present and is listening carefully to this short exchange, I hope he will realise that many of us think that the experiment should be regarded as a permanent change for the better.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. We cannot debate this matter now. It is turning into a debate on an issue for which I have no responsibility. It is not for Mr. Speaker to determine what time should be allocated to which Departments when answering questions. That is a matter for the Leader of the House and the usual channels. The Leader of the House has been present throughout the exchanges, has heard what has been said, and will doubtless take it into account. We must now move on to the next business.

Schoolchildren (Absence from School)

3.42 pm

Mr. David Amess (Basildon): I beg to ask leave to move the Adjournment of the House, under Standing Order No. 10, for the purpose of discussing a specific and important matter that should have urgent attention, namely,

"the encouragement of young people to go on strike in our schools tomorrow."

All hon. Members accept and understand the legal obligations on children to attend school. Indeed, all parents accept them, too. Local education authorities provide the means for the education of our children. However, it has come to my attention that adults are encouraging schoolchildren to play truant from school tomorrow. Several Young Socialists recently attended my constituency surgery in Basildon and proudly told me that they had been distributing leaflets and posters in my constituency about the strike tomorrow. When I told them that I suspected that this strike was one of the few which the Labour party would not be supporting and that I suspected it would be the Militant Tendency Members who would support it, they said that it was nice to know that there were at least a few decent Members of Parliament left.

I have received many anxious telephone calls from parents, who are greatly worried about the situation. I seek to move the Adjournment of the House in a spirit of helpfulness. I wish to help the Labour party. I believe that if we——

Mr. Deputy Speaker (Mr. Harold Walker): Order. The hon. Gentleman cannot move the Adjournment of the House in that spirit. He must have regard to the Standing Order, which requires him to tell the House why it is a specific and important matter that should have urgent consideration.

Mr. Amess: If an Adjournment debate were held on the subject, it would give the Leader of the Opposition and the Labour Front Bench an opportunity to state clearly where the Labour party stands. The county council election is to take place on Thursday 2 May, and many people wish to decide for whom they will vote on the crucial matter of education.

I believe that all hon. Members and parents would welcome a debate on this subject, and I hope, Mr. Deputy Speaker, that you will allow it to take place.

Mr. Deputy Speaker: The hon. Member for Basildon (Mr Amess) asks leave to move the Adjournment of the House for the purpose of discussing a specific and important matter that he thinks should have urgent consideration, namely

"the encouragement of young people to go on strike in our schools tomorrow."

I listened with care to what the hon. Gentleman said, but I regret that I do not consider that the matter that he has raised is appropriate for discussion under Standing Order No. 10 and I cannot, therefore, submit his application to the House.

Avon

3.45 pm

Mr. Robin Corbett (Birmingham, Erdington): I beg to move,

That leave be given to bring in a Bill to make further provision for local government services in Avon.

I move this motion on behalf of my right hon. Friend the Member for Bristol, South (Mr. Cocks), whose parliamentary duties make it impossible for him to do so.

It is a pleasure to move this motion because I did national service in the RAF in what is now part of the county of Avon, and because the area has strong and historic links with Birmingham and the west midlands through their shared background in manufacturing industry. Both areas have benefited from the genius of Isambard Brunel, the pioneering engineer of whom we have such sore need today.

The Bill seeks to bring the Government to book for the damage that they have inflicted on the county of Avon. This destructive Government's general policies on local government are bad enough alongside their belief that the faceless men and women in Whitehall know better than elected local councillors, but the Government's rate support grant policies have also hit Avon hard. Since 1980 no less than £81 million has been stolen in RSG from Avon by the Government. That is bad enough in terms of services which matter vitally to many families, including the lowest paid and the poorer families among the 930,000 people of Avon. But that is not all. In 1975-76, 36p in every pound of council spending was met by local ratepayers, with the other 64p coming more fairly from central taxes. Ten years on, in 1985-86, ratepayers have to pay 72p in every pound, central taxes only 28p. The Government have stolen local money to spend more nationally. The burden has been deliberately switched from taxpayer to Avon ratepayer under an unfair system which the Prime Minister promised to abolish and has not. The blame for the burden of rates rests four-square with this Government.

In 1974, Avon county was conjured up by the then Tory Government out of Bristol and parts of Somerset and Gloucestershire. It had no administrative centre on which to build and its creation had more to do with expected political advantage than anything else. The new area was expected to repair years of Tory neglect in the rural areas to bring services up to those earlier achieved in Bristol. To a large extent Bristol was expected to pick up most of the bill.

Labour-led since 1981, Avon has done much to try to improve services, with declining support from the Government and, indeed, financial harassment. With assistance from bodies such as the Avon Co-operative Development Agency and the Avon Enterprise Board, new hi-tech industry has been attracted into the county from the nearest end of silicon valley around Swindon. Now, 98 out of every 100 children entitled to three years of infant education are getting it. That is no mere statistic, because education missed before the age of five, or, for that matter, at any other time, is education lost for good. Sixteen new nursery classes have been opened by the county council and the pupil-teacher ratio has been reduced in both primary and secondary schools to give better attention to pupils' needs.

There are 1,000 more elderly and handicapped people who now have home helps and extra places in residential

homes. Small workshops have been built and financial help has been given from the £2 million economic development fund to help to create and expand jobs and business. Bus services have been improved and fares kept down—so much so that there are more passengers.

All this energy under the leadership of Councillor Andy Post contrasts with the record and threat of the Conservatives. All that they want are cuts, poorer services and higher charges—the same old dismal recipe by direction of "Her Mistress's Voice".

The Liberals are as bad. As late as June of last year they wanted a 2p in the pound cut across the board, irrespective of what that would do to schoolchildren, the elderly and the handicapped.

The Bill requires the Secretary of State to report on the damage done to Avon through successive cuts in rate support grant and to propose ways in which this can be reversed, in order better to meet the known needs of the people of Avon.

I pray in aid as well the report by the Comptroller and Auditor General, which includes extracts from the report of the Audit Commission for Local Authorities in England and Wales, published yesterday, when it makes the point:

"Some authorities are receiving less grant than their circumstances might warrant; and, by the same token, some are receiving more. The difference for a large city could easily amount to +£15 million in grant every year."

The report continues with a message for the Government:

"Local authorities' expenditure targets different from the GRE (revised) should be abolished as soon as practically possible, thus removing some of the perverse incentives in the present system."

It then adds, and this is the justification for the Bill:

"Local market forces (i.e. the local electorate) should eventually determine the level of local expenditure—provided that local accountability can be suitably strengthened".

3.51 pm

Mr. Jack Aspinwall (Wansdyke) *rose——*

Mr. Deputy Speaker (Mr. Harold Walker): Does the hon. Member wish to oppose the motion?

Mr. Aspinwall: Yes, Mr. Deputy Speaker.

I seek to oppose the Bill because, once again, the House has been faced with nothing more than a publicity stunt. It is all part of a scheme to try to enhance the chances of Labour in the county council elections on 2 May.

Avon has been targeted because Labour can see that it will lose its overall majority, which is just two. In a sense this attention is welcome, because it shows a great respect for the view that Avon county council will again become Conservative on 2 May.

There has been a long-running campaign, of which the Bill is part, and the other day it even included a visit from the Leader of the Opposition, the right hon. Member for Islwyn (Mr. Kinnock). It was ironical that when he was delivering meals on wheels the first recipient was a Conservative voter. I understand that today we have a visit from the Opposition Front Bench spokesman on education. I wonder whether that attention will still be given after 2 May.

The use of propaganda has become widespread in Avon. We have a fine example of an unbiased free newspaper, "Avon Report", delivered to every home, full of photographs of Labour members, at a gross cost of £210,000 to the ratepayers, while that excellent local paper, the *Western Daily Press*, is banned from local branches of libraries. Even the county's logo is copied on Labour party literature. Arrangements are being made to open long-standing projects during the three weeks in the run-up to the election, for propaganda purposes.

How can the Bill be introduced when the Labour leaders of Avon county council know full well that since 1981 the rates have increased by 71 per cent., the second highest of the shire counties in the country? During the same period earnings have risen by 30 per cent. and prices by 25 per cent.

There have been many fine examples of senseless overspending, such as a welfare rights campaign costing £200,000, a Sheffield-based local government campaign unit, £5,000, and CND, £900. Those are just a few examples.

Unemployment is a serious worry, particularly for young people, and many prospective employers have been frightened away — with a consequent loss of job prospects—by high rate charges and uncertainty. The Bristol chamber of commerce, representing many employers in Avon, has said that ratepayers face either a significant rate rise in 1986-87 or a sudden unplanned cut in services. That information came from recent rate consultation meetings with Avon county council.

Much of the problem has arisen because of the administration's policy, regardless of the means of the ratepayers to foot the bill. The county plans to spend £349 million in 1985-86. That cost has been reduced by the so-called financing adjustments, but it is still £10 million over the Government target. That overspending attracts a grant penalty of £28 million, payable to central Government. Many of the financing adjustments cannot be repeated next year, and similar overspending would entail a much increased penalty.

The rate increase for 1985-86 of 6·5 per cent. is acceptable. Members of the Bristol Chamber of Commerce warned that in 1986-87 the rise in rates could be at a level not known in recent years if there was no change in policy. Such high rates would mean less money for industry and commerce to spend on investment and jobs. That is the view of a responsible, non-political body —the Bristol chamber of commerce—and many others.

Avon citizens are entitled to good services and a well-run and caring administration at a price that can be afforded. That will be achieved when, again, we have a Conservative administration in the county of Avon. Therefore, I ask the House to reject the motion.

Question put, pursuant to Standing Order No. 15 (Motions for leave to bring in Bills and Nomination of Select Committees at commencement of public business):—

The House divided: Ayes 95, Noes 166.

Division No. 194] **[3.55 pm**

AYES

Ashdown, Paddy	Clark, Dr David *(S Shields)*
Atkinson, N. *(Tottenham)*	Clarke, Thomas
Bagier, Gordon A. T.	Cocks, Rt Hon M. *(Bristol S.)*
Beith, A. J.	Concannon, Rt Hon J. D.
Benn, Tony	Cook, Frank *(Stockton North)*
Blair, Anthony	Corbett, Robin
Boothroyd, Miss Betty	Corbyn, Jeremy
Bray, Dr Jeremy	Cowans, Harry
Brown, Ron *(E'burgh, Leith)*	Craigen, J. M.
Bruce, Malcolm	Cunningham, Dr John
Campbell-Savours, Dale	Dixon, Donald
Canavan, Dennis	Dormand, Jack

Dubs, Alfred
Eadie, Alex
Eastham, Ken
Evans, John *(St. Helens N)*
Ewing, Harry
Forrester, John
Foulkes, George
Fraser, J. *(Norwood)*
Freud, Clement
Godman, Dr Norman
Gould, Bryan
Hamilton, James *(M'well N)*
Hamilton, W. W. *(Central Fife)*
Harman, Ms Harriet
Hattersley, Rt Hon Roy
Heffer, Eric S.
Hogg, N. *(C'nauld & Kilsyth)*
Hoyle, Douglas
Hughes, Roy *(Newport East)*
Johnston, Russell
Kaufman, Rt Hon Gerald
Kennedy, Charles
Kinnock, Rt Hon Neil
Kirkwood, Archy
Lambie, David
Lamond, James
Lloyd, Tony *(Stretford)*
Loyden, Edward
McDonald, Dr Oonagh
McKay, Allen *(Penistone)*
McKelvey, William
McNamara, Kevin
Madden, Max
Marshall, David *(Shettleston)*
Mason, Rt Hon Roy
Maynard, Miss Joan
Meadowcroft, Michael
Mikardo, Ian
Mitchell, Austin *(G't Grimsby)*
Morris, Rt Hon A. *(W'shawe)*
Nellist, David
O'Neill, Martin
Owen, Rt Hon Dr David
Park, George
Patchett, Terry
Pavitt, Laurie
Penhaligon, David
Pike, Peter
Powell, Raymond *(Ogmore)*
Radice, Giles
Richardson, Ms Jo
Roberts, Ernest *(Hackney N)*
Robertson, George
Rooker, J. W.
Sedgemore, Brian
Sheerman, Barry
Sheldon, Rt Hon R.
Skinner, Dennis
Smith, Rt Hon J. *(M'kl'ds E)*
Soley, Clive
Spearing, Nigel
Steel, Rt Hon David
Strang, Gavin
Thompson, J. *(Wansbeck)*
Tinn, James
Torney, Tom
Wainwright, R.
Wallace, James
Welsh, Michael
Winnick, David
Wrigglesworth, Ian

Tellers for the Ayes:
Mr. Frank Haynes and
Mr. John McWilliam.

NOES

Adley, Robert
Alison, Rt Hon Michael
Amess, David
Arnold, Tom
Ashby, David
Baker, Nicholas *(N Dorset)*
Baldry, Tony
Beaumont-Dark, Anthony
Best, Keith
Biffen, Rt Hon John
Blackburn, John
Blaker, Rt Hon Sir Peter
Boscawen, Hon Robert
Bottomley, Mrs Virginia
Boyson, Dr Rhodes
Brandon-Bravo, Martin
Brooke, Hon Peter
Brown, M. *(Brigg & Cl'thpes)*
Browne, John
Bruinvels, Peter
Buchanan-Smith, Rt Hon A.
Budgen, Nick
Butcher, John
Carlisle, Kenneth *(Lincoln)*
Carlisle, Rt Hon M. *(W'ton S)*
Cash, William
Chope, Christopher
Clarke, Rt Hon K. *(Rushcliffe)*
Cockeram, Eric
Conway, Derek
Coombs, Simon
Cope, John
Currie, Mrs Edwina
Dickens, Geoffrey
Douglas-Hamilton, Lord J.
du Cann, Rt Hon Sir Edward
Durant, Tony
Edwards, Rt Hon N. *(P'broke)*
Eggar, Tim
Evennett, David
Fallon, Michael
Farr, Sir John
Favell, Anthony
Fenner, Mrs Peggy
Fletcher, Alexander
Fookes, Miss Janet
Forsyth, Michael *(Stirling)*
Forth, Eric
Fox, Marcus
Fraser, Peter *(Angus East)*
Fry, Peter
Galley, Roy
Garel-Jones, Tristan
Goodlad, Alastair
Gorst, John
Gow, Ian
Gower, Sir Raymond
Greenway, Harry
Grylls, Michael
Hamilton, Hon A. *(Epsom)*
Hargreaves, Kenneth
Harris, David
Haselhurst, Alan
Hayhoe, Barney
Heddle, John
Higgins, Rt Hon Terence L.
Hind, Kenneth
Hirst, Michael
Holt, Richard
Howarth, Alan *(Stratf'd-on-A)*
Howell, Ralph *(N Norfolk)*
Hunt, David *(Wirral)*
Hunt, John *(Ravensbourne)*
Hurd, Rt Hon Douglas
Jopling, Rt Hon Michael
Joseph, Rt Hon Sir Keith
Kellett-Bowman, Mrs Elaine
Kershaw, Sir Anthony
Key, Robert
King, Roger *(B'ham N'field)*
King, Rt Hon Tom
Knowles, Michael
Knox, David
Lamont, Norman
Lang, Ian
Latham, Michael
Lawler, Geoffrey
Lee, John *(Pendle)*
Lennox-Boyd, Hon Mark
Lewis, Sir Kenneth *(Stamf'd)*
Lightbown, David
Lilley, Peter
Lloyd, Ian *(Havant)*
Lloyd, Peter, *(Fareham)*
McCurley, Mrs Anna
MacGregor, John
MacKay, Andrew *(Berkshire)*
MacKay, John *(Argyll & Bute)*
Madel, David
Major, John
Malone, Gerald
Maples, John
Marlow, Antony
Mather, Carol
Mellor, David
Mills, Iain *(Meriden)*
Mills, Sir Peter *(West Devon)*
Montgomery, Sir Fergus
Neale, Gerrard
Needham, Richard
Nelson, Anthony
Neubert, Michael
Nicholls, Patrick
Nicholson, J.
Norris, Steven
Ottaway, Richard
Page, Sir John *(Harrow W)*
Page, Richard *(Herts SW)*
Parris, Matthew
Pawsey, James
Pollock, Alexander
Portillo, Michael
Powell, Rt Hon J. E. *(S Down)*
Powley, John
Price, Sir David
Rees, Rt Hon Peter *(Dover)*
Renton, Tim
Rifkind, Malcolm
Roberts, Wyn *(Conwy)*
Rost, Peter
Ryder, Richard
Sackville, Hon Thomas
Shaw, Sir Michael *(Scarb')*
Silvester, Fred
Skeet, T. H. H.
Smith, Tim *(Beaconsfield)*
Soames, Hon Nicholas
Speller, Tony
Spence, John
Stanbrook, Ivor
Stevens, Lewis *(Nuneaton)*
Stewart, Allan *(Eastwood)*
Stewart, Andrew *(Sherwood)*
Stewart, Ian *(N Hertf'dshire)*
Stradling Thomas, J.
Taylor, Teddy *(S'end E)*
Tebbit, Rt Hon Norman
Thomas, Rt Hon Peter
Thompson, Donald *(Calder V)*
Thorne, Neil *(Ilford S)*
Thornton, Malcolm
Townend, John *(Bridlington)*
Tracey, Richard
Viggers, Peter
Waddington, David
Wakeham, Rt Hon John
Waldegrave, Hon William
Walden, George
Walker, Bill *(T'side N)*
Walters, Dennis
Wardle, C. *(Bexhill)*
Watts, John
Whitfield, John
Wood, Timothy
Yeo, Tim
Young, Sir George *(Acton)*

Tellers for the Noes:
Mr. Jack Aspinwall and
Mr. Rob Hayward.

Question accordingly negatived.

Financial Services

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Neubert.]*

4.6 pm

The Secretary of State for Trade and Industry (Mr. Norman Tebbit): This is the second opportunity that the House will have had in nine months to debate matters concerning the financial services industry, the protection of investors and the City of London. Last July the House debated the Gower report. Today, we have before us the Government's White Paper.

It is remarkable how both the financial markets and perceptions of the requirements of investor protection have been changing since Professor Gower started his work. The scene is still changing, but our objectives remain the same: first, to enable the financial services industry to provide services to industry and commerce, private investors and the Government in the most efficient and economic way; secondly, to stimulate and encourage innovation; thirdly, to inspire confidence in issuers and investors by ensuring that the financial services sector is, and is seen to be, a clean place in which to do business; fourthly, to ensure that the system of investor protection is flexible enough not to cramp structural and other changes in the industry and not to be overrun by events. The White Paper which I published in late January is aimed at those objectives. The legislation which I hope to bring forward in the next Session will be designed to create a regulatory system powerful enough to deliver the objectives, but flexible enough to remain effective during further periods of rapid change.

It is change which has characterised the City in recent times, especially since July 1983. It was then that my right hon. Friend the Member for Hertsmere (Mr. Parkinson), then Secretary of State for Trade and Industry, told the House that the Stock Exchange had put forward proposals which were an adequate basis for legislation to stop the case brought by the Director General of Fair Trading against the exchange in the Restrictive Practices Court.

Of course, the ill-informed and the prejudiced described that as a sell-out and claimed that it would leave the status quo unchanged. Indeed, some of the well-informed and unprejudiced also questioned my right hon. Friend's judgment. They were of course wrong. Change has gone on apace since then. Many stockbroking or stockjobbing firms have formed links with banks or other institutions outside the exchange.

Stock Exchange members are now considering constitutional changes which could lead to corporate membership. New trading systems for both equities and gilts are planned for 1986, in time for the end-year deadline set by the Government for the abolition of minimum dealing commissions.

The shape of the City is changing, in response both to the growing internationalisation of markets, to new developments in information technology and to the need for fresh sources of capital to exploit those opportunities. There is no lack of urgency in the City. Indeed, the emergence of firms willing to trade in listed securities outside the Stock Exchange emphasises the need for swift completion of the reforms.

I believe that the changes in the City are serving to enhance the status of the United Kingdom as one of the primary financial centres of the world. The flexibility and expertise of practitioners providing a wide range of financial services have long been and will continue to be among the principal factors in our favour. The removal of restrictions such as exchange control has given the markets a liberal environment in which competitiveness between businesses and between our market and those abroad is enhanced.

The White Paper proposes a new regulatory structure to maintain and improve that spirit of competition, ensuring that it will meet the needs of those dealing in the market and thus consolidate the United Kingdom's international standing. As I have said, subject to the parliamentary timetable, I plan to present in the next Session legislation to implement the White Paper proposals.

The general reaction to the White Paper proposals has been favourable. The basic approach of self-regulation within a statutory framework has received widespread support, as indeed have the main elements in our proposals. We have also received many constructive and helpful comments and suggestions.

The drafting of the legislation is proceeding on schedule, but many details remain to be worked out, so in many cases further comments, from whatever standpoint, can still be taken into account. Indeed, this debate comes in time for the House to make its views known.

Before I go on to consider the White Paper proposals, I should again pay tribute to the work of Professor Gower, who has been responsible for so much of the change in thinking that has taken place in recent years. His report and the many discussions and consultations leading up to it have made an invaluable contribution to the thinking on this subject. Indeed, as I have said they have profoundly changed the thinking and played a key role in developing a new regulatory structure able to command the support and respect of both the financial community and investors.

Much of the interest in the White Paper has centred on the institutional framework that it proposes. I decided not to uproot the system which has served so well in the past but to build on it, to strengthen it, to repair its faults, to bring it up to date and to provide for future developments. Let there be no doubt, however, about the extent of the changes which the White Paper proposes.

The powers to regulate are to be granted by Parliament to the Secretary of State for Trade and Industry, and only at his discretion will those powers be delegated to bodies meeting the criteria of the legislation and his approval. Those powers will be granted to the bodies only so long as they are properly used, and the Secretary of State will retain the power to withdraw the powers from a body or bodies and grant them to another, or indeed to wield those powers himself.

It would be an unwise Secretary of State who took such action except in circumstances which, I believe, are so unlikely as to be almost beyond reasonable speculation, but I do not believe that Parliament would be prepared to grant the necessary powers "freehold" to the new authorities.

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): I understand that, although the Secretary of State will retain power to alter things, he will need the agreement of the Bank of England to appoint the chairman. It would certainly be unwise not to consult, but constitutionally it would be a great weakness to give any outside body the power to overrule the Secretary of State,

[Mr. Anthony Beaumont-Dark]

and thus the House. In my view, although it is clearly right to discuss the matter with the Bank of England, handing over a power of veto is a constitutional outrage to which the House should not agree. The power should stay here and not be handed over to anyone else.

Mr. Tebbit: I hope that my hon. Friend will not be unduly outraged. I believe that there is a place for the influence of the Governor of the Bank of England and for the influence of the Secretary of State. As my hon. Friend knows, in the area in which the Department has been the traditional regulator — the area to be covered by the marketing of investments board—the Secretary of State will appoint all the members. In the area which has traditionally been governed to some extent by the Bank of England as well as by the Secretary of State, there is a joint approach embodied in our proposals for the appointment of members of the securities and investments board. I think that it is overstating the case to refer to that as a constitutional outrage. In my view, it is a practical way of handling the problem of dual oversight of some markets.

Mr. Anthony Nelson (Chichester): My hon. Friend the Member for Birmingham, Selly Oak (Mr. Beaumont-Dark) is not alone. There is great concern that the proposals for the SIB, as opposed to the MIB, effectively give a power of veto to the Governor of the Bank of England because in this case his agreement is required, whereas for the MIB only consultation is required, as with other sections of the industry. Many of us are concerned about the steady encroachment of the Bank of England in this area. We trust the judgment of my right hon. Friend the Secretary of State in the appointment of the chairman of the SIB, and we do not want the role of the Bank of England to be extended in that way.

Mr. Tebbit: I am grateful to my hon. Friend for the kind way in which he has suggested that he trusts my judgment, perhaps even more than that of the Governor of the Bank of England, in this respect, and no doubt I shall remain Secretary of State for a long time—but not for ever. At some time, a Secretary of State whose views are not so understanding of the City may have these powers. Many people in the City feel that it is a nice balance to have the influence of both the Bank of England and the Secretary of State in this respect.

Mr. John Smith (Monklands, East): As the right hon. Gentleman has referred to a future Secretary of State, perhaps he will allow me to intervene. He has suggested that the purpose of the Bank of England veto, which is understandably criticised by his hon. Friends, is to guard against what a Labour Secretary of State might do. Will he explain why the Secretary of State in a Government accountable to Parliament should permit an appointment suggested by him to be vetoed by an official of the state? It is a monstrous proposition, given that the right hon. Gentleman, for all his faults, is accountable to the House, whereas the Governor of the Bank of England is not.

Mr. Tebbit: I am prepared to take criticism on this from my hon. Friends, but I am certainly not prepared to take it from a man who served under a Prime Minister whose motto was, "Find out what the trade unions want and give it to them." If any Government allowed the proposals of Parliament to be vetoed by outside bodies, it was the Government in which the right hon. and learned Gentleman served.

I am trying to deal with a perfectly practical problem, to find the best way to set up a self-regulatory agency under the statutory powers to be delegated to it. There is a strong body of opinion in the City to the effect that it is no bad thing to have the influence of professional City opinion alongside that of politicians, of whatever party, in this matter.

Mr. John Smith: The City will have a veto.

Mr. Tebbit: The right hon. and learned Gentleman constantly calls it a veto, but we consult and then reach a conclusion. The Secretary of State also has a profound influence over the appointment of the board members, who are in the majority. It is a nicely balanced arrangement. The right hon. and learned Member for Monklands, East (Mr. Smith) is trying to make bricks without much straw.

Mr. Nicholas Budgen (Wolverhampton, South-West): Does my right hon. Friend agree that the criticism of my hon. Friend the Member for Birmingham, Selly Oak (Mr. Beamont-Dark) might be more forceful but for the nationalisation of the Bank of England? The Governor is now, as the right hon. Member for Monklands, East (Mr. Smith) said, not an independent figure. He may wish to appear independent, but he is a servant of the state, and to that extent subordinate to the Government.

Mr. Tebbit: Chancellors have in the past occasionally suggested that the Governor was too independent. My hon. Friend's point is interesting, but this is not a matter of great constitutional propriety. My hon. Friend the Member for Birmingham, Selly Oak (Mr. Beaumont-Dark) may feel that it is, but his colleagues in the City may not share his view about the practicality of these matters.

Mr. Beaumont-Dark: This is an important issue. My right hon. Friend says that some of my friends in the City may not share my view. I speak as an elected Member of this House. In the end, those who are elected to this House are answerable to the House, not to the City. Cannot my right hon. Friend see the difference between being in the City and being elected to this House? My right hon. Friend keeps using the word "consultation". If the Bill were to stipulate that we must consult the Governor of the Bank of England, that would be right. If it refers to agreement, there is a veto. For the House to agree to a veto is a constitutional outrage.

Mr. Tebbit: My hon. Friend has already made that point. I am aware of the difference between being a Member of this House — or, more particularly, a Minister—and being in the City. For a start, we earn much less.

We are trying to design a practical system of regulation which has the confidence of investors and practitioners in the City. That is why I say that my hon. Friend might consider consulting those who are to operate the scheme in the City, and those who use the services of the City. He will find that the general mood is one of support for my proposal, rather than one of outrage at what I do not believe is a constitutional issue.

Mr. Alan Williams (Swansea, West): Can the Secretary of State tell us how many other instances there are in which the appointee of one Minister exercises a veto over the appointment rights of another Minister?

Mr. Tebbit: I cannot. I am not especially concerned about that matter. I am concerned with constructing a practical system that will work. No doubt we shall be able to dredge through the records and eventually find a precedent — *[Interruption.]* The right hon. Gentleman should not be so contemptuous of officials of the Department. He should have more respect for them.

There is a long tradition — overwhelmingly an honourable tradition—of self-regulation in the City, but markets are changing at a remarkable pace. New products, new services and new traders are coming into the markets and some wide gaps are showing between the regulated areas as well as weaknesses within them. The Government have concluded that regulatory coverage should be extended to cover all investment business. To that end, both investment and investment business will be defined in the legislation.

As the House knows, it is proposed to delegate power to the two new proposed bodies, the securities and investments board and the marketing of investments board. It will be for those bodies to draw up rules for the authorisation of investment business and the conduct of business. These rules will have to give effect to the principles described in the White Paper; safeguards against conflicts of interest, compensation proposals, protection of clients' assets and disclosure, and so on. Clearly, I shall have to be convinced that the rules are adequate and will be effectively enforced before I delegate powers.

Practitioner-based regulation will not be a soft option. Since the bodies will involve both practitioners and users of financial services as well as market regulators, the identification and response to rule-breaking or new forms of misconduct can be rapid and flexible. They will be up with or ahead of the play in a way which an undelegated system could not hope to be.

The task of the boards will not be easy, so I am particularly pleased that Sir Kenneth Berrill and Mr. Mark Weinberg have agreed to take charge of the preparations to set them up, and that Mr. Martin Jacomb has agreed to act as Sir Kenneth's deputy chairman. I am sure that the House will agree with me that the willingness of men of such calibre to serve is a good omen indeed, and reflects well on the system of finding such men.

Mr. Tim Eggar (Enfield, North) *rose*——

Mr. Tebbit: The composition of Mr. Weinberg's committee has already been announced and it has met. It has put it to me that its work would be assisted by the appointment of a person with knowledge of building societies. I have accepted that advice and hope to make an appointment shortly. The names of Sir Kenneth's other colleagues will be announced quite soon.

There has been criticism of the White Paper's proposal of two boards rather than one. It has been suggested that one board would be a tidier arrangement. The background to the proposal lies in the advice received from the Governor of the Bank of England and a group of insurance and unit trust representatives. It is not a point on which my mind has finally been made up. Sir Kenneth and Mr. Weinberg and their colleagues will have views. The House will have views. I shall certainly not insist on there being two boards, if no advantage is seen in this arrangement.

There is ample work to be done by the two organising committees in preparing for the implementation of the new system.

Mr. Tim Smith (Beaconsfield): Sir Kenneth Berrill is reported to have said, on his appointment, that he did not see himself as a policeman. Given that one of the underlying principles of the White Paper is crime prevention, surely that is precisely what he ought to be.

Mr. Tebbit: My hon. Friend may have misunderstood Sir Kenneth's point. What he meant was that his job as a regulator will not so much be to track down crime as to prevent crime and to make sure that the City is a clean place in which to operate. Sir Kenneth lays great stress on that aspect of his work.

Before leaving the question of structure, I should say that I am mildly surprised that there should be any doubt about how the costs of regulation should be met. It will fall to the beneficiaries — those who use the financial markets.

I want now to consider the objectives of the new regulatory framework as a whole and how the Government's proposals will achieve these objectives in relation to each of the main groups of interests involved — investors, those seeking to raise finance and practitioners.

First, I should like to say a word about the small investor. Believing in the benefits of wider share ownership, the Government have acted to encourage the spread of share ownership through the halving of stamp duty, the abolition of investment income surcharge and within the privatisation programme. Although large investors and professional institutions have access to the expertise needed to assess the merits of investment proposals and advice, the small investor needs more help and protection and will benefit from the Government's proposals.

As I have said, there will be a new and comprehensive definition of what constitutes investment and investment business and it will be an offence to carry on such business without authorisation. The investor dealing with an authorised business will know that that business is regarded as being "fit and proper" to undertake investment activities and is subject to rules designed to ensure the proper conduct of those activities. There will be rules requiring disclosure of the information an investor needs to make up his mind about an investment, and the definition of investment business will include the giving of investment advice.

Advisers will be under a duty of skill and care, requiring them to take account of the circumstances of each client and to disclose their interests in any investments which they might recommend. Many small investors depend on professional advice, and these provisions will help to ensure that it should be unbiased and relevant to their financial needs and interests.

The principles governing the conduct of business rules will ensure that the boards make rules requiring investment businesses to segregate funds belonging to their clients and to have adequate compensation arrangements in the event of loss arising from fraud, negligence or failure to comply with the requirements for the protection of clients' assets.

[Mr. Tebbit]

Some of the comments that we have received on the White Paper suggest that our proposals on these points go too far and will be unduly costly. We shall consider these comments, but it remains our objective that there should be full segregation and full compensation for private investors in the circumstances which I have described.

Of course, many small investors prefer to invest in "collective" forms of investment, such as unit trusts or life assurance policies, which offer a wide spread of holdings and the benefit of professional management. We propose to avoid over-regulation of unit trusts so as to enhance the range of schemes available, while maintaining essential safeguards. The legislation will also extend the mainstream investor protection system to cover life assurance policies for the first time.

Standards for the selling of life assurance have much improved and the profession's status has been raised—for example, through the establishment of the Insurance Brokers Registration Council—but the proposals in the White Paper go further.

Sir John Page (Harrow, West): The Insurance Brokers (Registration) Act 1977, which is known more intimately nationally and internationally as the Page Act, will be amended, and I wonder whether, when my right hon. Friend amends it, he will think of extending it to cover a wider range of insurance intermediaries.

Mr. Tebbit: I note what my hon. Friend says. I pay tribute to his part in that legislation. If I can, I shall endeavour to take a page out of his book. I suppose that that is the right expression. I propose that, unless intermediaries are tied to an insurance company which takes full responsibility for them, those who sell life assurance will in future need authorisation and be subject to conduct of business rules about, for example, avoidance of conflict of interest and the protection of clients' funds, which will ensure protection similar to that available to those who buy unit trust and other securities.

The White Paper, and the Bill that will follow it, are about the protection of investors and investments. In such a measure it would not be right to cover non-investment aspects of insurance. That different area of activity might or might not need attention in due course, but this is not the right vehicle for any changes.

All of the measures that I have described will be of considerable benefit to the small investor and will, I believe, help to encourage more people to invest directly or indirectly in shares and similar investments.

Mr. Alan Howarth (Stratford-on-Avon): While discussing the interests of small investors, will the Government apply to themselves the same standards as they propose to apply to others when offering investment vehicles? My right hon. Friend might recall a poster which depicted the beatific scene of a clergyman radiating confidence in the financial aftermath of buying national savings certificates. Does my right hon. Friend agree that inflation is the worst fraud that can be perpetrated on the public? Will he deplore that and bear such considerations in mind?

Mr. Tebbit: I have frequently described inflation as the most unjust form of taxation that has yet been devised. I stand by that view. I do not know who the beatific clergyman in that advertisement was, but perhaps we could sponsor a contest for who to put in the next one.

However well regulated the system, and however adequate the disclosure of relevant facts, there will always be people who make bad decisions or who take a risk that goes wrong. The responsibility on the individual for his own decisions on how he invests will in no way be diminished, nor should it be.

The larger individual investor and the professional investor will also benefit from the investor protection measures which I have outlined. The professional investor is, however, in a better position to assess risks for himself, so we propose to continue to allow certain circulars and other offers of investment to be sent to professional investors, even though they may not be sent to other investors, and to allow certain information requirements to be dispensed with in their case.

We also propose to widen the definition of eligible professionals to include those dealing extensively in futures, and we propose to allow authorised business to pass information about less orthodox investments to clients who, although not professionals, are sufficiently expert to understand the risks involved.

There has been some criticism of this proposal, but I believe that it is a desirable recognition of the differing needs of different groups of investors and the need to avoid over-regulation and nannying of those well able to take care of themselves.

Those who talk about the financial markets often seem to forget the needs of those who want to raise capital. They too will benefit by the removal of restrictions and the promotion of competition, which will ensure a wide choice of methods of raising capital in the cheapest possible way.

The White Paper proposes changes in the law on prospectuses to standardise rules governing civil and criminal liabilities for omissions and mis-statements in offer documents and to bring the content of all offer documents within a single set of provisions. The law on this subject is now out of date and complex. Clearer provisions will help companies wanting to raise finance as well as investors trying to understand offer documents.

We do not intend to impose unnecessary requirements on companies. Indeed, smaller companies will be able to take advantage of the proposal that offers of securities in a company made to fewer than 40 people will no longer be regarded as offers to the public and will not be subject to the full prospectus requirements. This should facilitate the raising of capital for small companies. The choice of 40 as the permitted number of recipients of such offers is of course somewhat arbitrary, and I would welcome views on the matter.

I have already said something about practitioners. Our aim is to strike a reasonable balance between investor protection and over-regulation which would be likely to stifle new developments and increase the costs. It has been argued that the cost of regulation will make the United Kingdom a less competitive place in which to do business, but if investors believe that their interests will not be adequately protected they will take their business elsewhere. Over-regulation would also be damaging and we are determined to avoid it, but a clean well-regulated market will attract more business to the United Kingdom.

The growth of financial conglomerates and the growing amount of international business raise new problems for regulators. Many of the new financial conglomerates will

undertake a much wider range of activities than those covered by the financial services White Paper, but reform is going on apace.

The White Paper and the subsequent legislation are but one aspect of the modernisation of the laws and regulatory arrangements in this area. Company law has, at long last, been consolidated, although I fear that it will not be many years before another companies Act comes along.

The Government are drawing up legislation on building societies. A review of banking legislation is currently under way. A consultative document on personal pensions has been published. When all these exercises have been completed, we shall have a modern legislative framework.

On the enforcement side, the new fraud investigation group has been set up to facilitate the investigation and prosecution of major fraud, and Lord Roskill's committee is considering the conduct of criminal proceedings arising from fraud. Whatever regulatory framework we design, however, financial conglomerates, by their very nature, will be subject to more than one regulatory regime in respect of their different activities.

Our regulators will have to work closely together to avoid unnecessary duplication of requirements and to ensure that there are no gaps in the regulatory system, and that the overall financial and technical resources of a business are adequate for the whole range of its activities. Naturally, we shall also continue to develop close relationships with those concerned with investment supervision overseas both to facilitate co-operation against international fraud and to encourage the opening up of overseas markets to British firms.

My hon. Friend the Parliamentary Under-Secretary of State with responsibility for corporate affairs has recently returned from visits to other European capitals and to the United States for some talks on these subjects, and he will no doubt say something about them later in this debate if he has the good fortune to catch your eye, Mr. Deputy Speaker.

During my own recent visit to Japan I stressed the importance which we attach to the liberalisation of Japanese financial markets. Some results are beginning to be seen. The granting of branch licences to United Kingdom firms to deal in securities has begun, and I hope that more liberalisation will be forthcoming. I also emphasised the potential benefits to Japanese investors and those seeking capital of using the City of London's unmatched expertise in investment management and financial advice.

Over recent months the Government have received plenty of advice of these matters of investor protection and market reform. Much though not all of that advice has been well considered and well informed. However, even within that category there have been widely differing views.

In principle, we have rejected both the nostalgic extreme views on self-regulation and the demands for bureaucratic state or neo-state regulation. On that matter the Government's position is absolutely firm. Equally, we believe that the pattern of self-regulation under delegated powers set out in the White Paper forms a coherent response to the needs of the City and its customers.

There are, of course, details on which my mind is not finally set, and I have referred to some of these in my speech. I would welcome the views of the House particularly, and of others outside. There is no supreme single everlasting right answer to many of the problems that we face in regulating these markets. It is in that spirit that I commend the White Paper to the House.

4.43 pm

Mr. John Smith (Monklands, East): I am grateful for the way in which the Secretary of State ended his speech, which seemed to indicate a disposition on the part of the Government to listen to observations that will be made during the debate. As the Secretary of State indicated, this is not the first opportunity that the House has had to discuss part one of Professor Gower's report "Review of Investor Protection". If there were a conclusion to be drawn from the debate of 16 July 1984, I think it would be that the message of the House was that a minimalist solution to the problems of the City was not enough, and something more would have to be done. I think that it would be fair to say that this is not a minimalist solution.

I shall criticise some of the Government's proposals. They are criticisms designed to elicit a response from the Government rather than being merely of a denunciatory character.

I think that there could be unanimity on a number of matters. First, I think that it was widely perceived by the House and by many other commentators that the existing law and its means of securing investor protection have become very deficient in the market place as it has developed. I am thinking particularly of technological innovation, the increasing internationalisation of markets and the number of events that have not brought credit to the City or to financial institutions.

It is a matter of concern for us all, and not only those who practise in the financial markets, that there have been major scandals. There is a widely perceived view that a number of people have been able to get away with things which, in a properly organised system, they ought not to have been able to. That is alarming both to the public and to those who practise in the City, and it is bad for the City's international reputation. In so far as these measures go some way to remedy that problem, we of course welcome them.

There is another reason why that change is necessary. It is that other changes will take place in the organisation of the City, most of which emanate from a decision of the present Secretary of State's predecessor to do a deal with the Stock Exchange in return for the Stock Exchange not being referred to the Restrictive Practices Court. I am not sure whether the changes that were found acceptable by the previous Secretary of State will have either the effects that are proposed or the advantages that are sometimes canvassed for them. However, they are going ahead. In a sense, they have been anticipated almost before the event. One suspects that changes have been made in anticipation of them which might be even greater than those that might be made as a result of them. But, whatever happens, whether for good or for ill, a new situation will obtain quite different from that which has obtained in much of the recent past. In that circumstance, this seems a desirable time for us to review the way in which the law is framed and enforced.

We have had a valuable report by Professor Gower. I was glad that the Secretary of State paid a handsome tribute to him. If I may say so by way of minor criticism, I thought that the White Paper did less than justice to Professor Gower's contribution by saying that the Government were greatly indebted to him. I am glad that

[Mr. John Smith]

the Secretary of State took the opportunity to express it today in more handsome terms. We owe a great debt to Professor Gower not only for proposing an intelligent way in which the law should be framed — and I draw a distinction between the law and the way in which it will be enforced—but, as I think the Secretary of State said, almost for changing the nature and tenor of the debate that has taken place among those who have considered the matter since the report. We have the White Paper, and we shall of course be moving to legislation.

The Opposition's judgment is that the proposed framework of the law is broadly correct. It is largely what was in the Gower report. The notion of having a fit and proper test for all those who wish to practise in the financial markets, and the notion that these should be licensed by the state before being permitted to do so, is one that we endorse.

So far as I can see, although this is a matter at which we require to look carefully when the legislation is presented to the House, the rules for the conduct of businesses seem to have a good deal of sense in them, particularly those parts dealing with the principles which should be applied, the way in which conflicts of interest should be managed and the importance of compensation for the victims of any malfeasance or fraud by those who practise in the financial markets.

At this stage, I raise one point of detail on the question of compensation. In dealing with compensation, at page 21 the White Paper states, I think properly, that the aim should be for the private investor to receive full compensation. That is, of course, a feature of quite a lot of professional obligations. For example, a solicitor undertakes to pay in full for any client of a solicitor who is the victim of defalcation in respect of an individual solicitor. The White Paper states in paragraph 7.12:

"As far as negligence is concerned, professional indemnity insurance could be made a requirement."

That "could" should be changed to "should". I can think of no reason why it should be left in the air or why there should be no obligation on those who practise to take out insurance against professional negligence. It would round off a system of protection for the investor. I hope that the Secretary of State will give sympathetic consideration to that proposal.

Mr. Tebbit: I entirely take the right hon. and learned Gentleman's point and the manner in which he made it. The key sentence in paragraph 7.12 is:

"The aim should be for the private investor to receive full compensation."

The manner in which that is achieved will be the subject of a great deal of discussion, but I do not think that either of us has any differences about the aim.

Mr. Smith: I am grateful to the Secretary of State for that intervention. I quoted that because I consider it to be the key sentence. However, I am puzzled about why the qualification was inserted in the sentence which immediately follows. Having announced the aim to give full compensation, it would seem sensible to adopt the most intelligent way of doing so. So far as I can see, no other options are canvassed in the White Paper.

Mr. Tebbit: If the right hon. and learned Gentleman reads the report carefully, he will see the comment upon the manner in which we might approach compensation for what is essentially a breach of propriety. The latter part of paragraph 7.12 deals with professional negligence as opposed to improprieties.

Mr. Smith: I hope that we shall not get bogged down on this point, because I did not intend to say a great deal about it. The Secretary of State has taken my point, and I am grateful for the way in which he has responded. Ultimately, if there is a difference of opinion, we shall wait to see what the House decides.

Paragraph 7.21 refers to the possibility that because of technological advance we shall shortly move to the transfer and ownership of shares without physical documentation. I readily accept that that is within the range of technology, and I would be grateful if the Under-Secretary, when replying, could give some information on how this will be accomplished. The law will have to grapple with new technology, and I should welcome a glimpse of how the Government propose to deal with it in the forthcoming legislation. I am sure that many hon. Members will offer advice on how simple that will be, but I would prefer to wait until we see what the Government propose.

The Government may have placed too much emphasise on the notion that if competition is permitted and encouraged, that somehow has a regulatory effect. That does not necessarily follow. A distinction must be made between efficiency in the market place and protection for the investor. It may or may not be true that competition leads to greater efficiency, but it is disputable that it inevitably leads to greater protection. Indeed, cut-throat competition might stimulate abuse of the market place and, by its very existence, might require even greater protection by way of regulation. It is not good enough to take refuge in some theological position and to argue that releasing market forces somehow leads to greater protection for the investor.

We have more doubts about the regulatory system. That brings me immediately to whether or not there should be a self-standing commission. When Professor Gower looked at this he came to a fairly balanced view, and his report sets out the argument for and against. On reading the report, my impression is that Professor Gower was, if anything, inclined towards a self-standing commission, although he said that there were arguments on both sides. My own party made representations to him which he took into account.

In principle, there are three possible ways of approaching the matter. The first is that the Department itself should regulate. I am strongly against that. I do not think that the Department of Trade and Industry is likely to acquire a sufficient expertise or range of talents—I mean no disparagement because the Department has other work to do—to regulate the City effectively or to keep up to date with those who are operating on the edge of good practice. I am not sure whether that is the sort of thing which we should ask a Government Department to do.

Another view, which I am glad to say is receding in its attractiveness, is that this can be left to the professions and the practitioners — that we can rely on self-regulation and that the City will look after itself. Recent experience indicates that that cannot be relied upon. It would not be relied upon given the new circumstances in which the market will operate, given that it is becoming increasingly

international and given that technology makes the speed of decision such that it is extremely difficult to keep pace with what is happening.

There is much merit in the self-standing commission approach. The Government have landed themselves somewhere between self-regulation and the self-standing commission. It can hardly be said that what they propose is self-regulation. I do not make that allegation, because the statutory framework is much more onerous on those who practise in the City than old-fashioned notions of self-regulation. However, I am puzzled as to why the Government held back from going as far as a self-standing commission. It could be that they want to propitiate opinion in the City, which has so far been hostile to it.

Mr. Tim Smith *rose*——

Mr. Smith: I am just developing my argument, and I hope that the hon. Gentleman will contain himself for a moment.

The opposition to a self-standing commission seems to relate almost entirely to the experience of the American system. It is felt that on the whole the Securities and Exchange Commission has been unsympathetic to people from this country who have come into contact with it.

It is said that it is an excessively legalistic and bureaucratic apparatus. There are reasons why that is so. The United States is a very complicated, legal world with a federal system and the laws of individual states. According to one's view, the United States is either a lawyer's paradise or a client's nightmare. It is certainly one of the most litigious countries in the world. The conflict between federal jurisdiction and the jurisdiction of the states is so easily exploited that the way in which to deal with it is very different from what would be necessary in this country. In addition, the size of the market is much greater, and what is suitable for a smaller market is not necessarily suitable for a larger one. As I have already said, the legalistic and litigious nature of United States society encourages such tendencies in an organisation which is set up to control the market place.

That need not happen here, and a self-standing commission in the United Kingdom need not apply the same deficiencies as those which occur in the United States.

In a speech in February this year, the chairman of the Stock Exchange almost anticipated a move towards an independent commission. In the president's lecture to the Insurance Institute of London, he said:

"If the structure"—

that is, the structure in the White Paper—

"does not work, there will be no alternative but to set up a statutory commission".

That is simple reality, because one cannot go back to the previous self-regulation or to the Department. He continued:

"Under this government the Department of Trade will have neither the political backing nor the resources to enable it to undertake the responsibility itself".

I would add, "under any Government." He went on:

"A statutory commission is likely anyway to be our ultimate destination, but to set one up in the immediate future would be a worse situation. It would introduce immediately"—

we should note the word "immediately"—

"into regulation a legalistic dimension which could do harm to Britain's competitiveness, and it would be unhappily devised without any of the evolutionary experience which the present proposals offer".

Those sentences were carefully constructed, and seem to indicate a disposition on the part of Sir Nicholas Goodison, if no one else, to accept almost the inevitability of moving to a self-standing commission. They almost argue that it would be better to approach it by this careful route rather than to take it at one go. On the merits of having a self-standing commission, there is not exactly stout opposition from the chairman of the Stock Exchange.

That may be how things will develop and through that route we may end up with a self-standing commission. It might be better for us to move to that now. The city could swallow that just as well as it has swallowed recent changes. In the hybrid solution proposed by the Government of self-regulation within a statutory framework there is a danger that the simplicity and clarity that are necessary for any effective system will be lost.

A complicated system is proposed. The Secretary of State will get power from Parliament. He will then delegate that as he chooses, but he has announced that he will delegate it almost entirely to two separate bodies, the Securities and Investments Board and the Marketing of Investments Board. Under the SIB there will be other regulatory bodies. For example, the Stock Exchange will have regulatory capacities. In addition, there will be a tribunal to which those who have been denied a licence to practise can appeal. If a person appeals against a refusal of a licence by the Stock Exchange he will have to appeal also to the SIB before he can appeal to the tribunal because he cannot go straight from the Stock Exchange to the tribunal. We are already getting into considerable complications without going into the argument about whether there should be one board or two.

It would be much simpler and clearer to all involved, and certainly to the ordinary public, if we moved immediately towards a self-standing commission. I argue that on the basis that it is inevitable anyway, and that we might as well get there now and set it up properly so that it may last for a fairly long period. In the present circumstances, that seems to me not so much a revolutionary proposal as almost simple common sense.

Mr. Tim Smith: Of course, the proposed system is complicated and it may not work, but if there is the will to make it work it will for two reasons be infinitely preferable to what the right hon. and learned Gentleman proposes. First, it will have considerable flexibility, which his self-standing commission would not have, and, secondly, it would build on existing foundations.

Mr. Smith: I am not persuaded, with respect to the hon. Gentleman's point of view, that there would be any greater flexibility under either model. It depends on the view taken by those who have to administer the law. The law will be the same whether we have a self-standing commission or these bodies. The crucial matter will be the view taken by those responsible, whether they are in the commission or in the hybrid bodies. On the whole, having considered the arguments over a period, I think that the arguments against a self-standing commission have become less compelling as time has gone by. I judge that they are being put forward with less passion now. It is almost as if the markets are coming round to an acceptance of that point of view.

On the question of two boards, I was glad to note that the Secretary of State did not nail his colours too firmly to the mast. Opinion is moving very heavily in favour of

[Mr. Smith]

the common sense conclusion that there is little point in having two boards when one could do the job perfectly well. Indeed, it becomes ridiculous when one understands that the majority of people will have to register under both the SIB and the MIB because the merging of different functions is such that, according to the White Paper, there will have to be provision for the exchange of information between the two boards. Therefore, a person may give information to one board or the other and they will be busy exchanging the information.

I can imagine what the Secretary of State would say if this were a Labour proposal. If the Labour party had made such a proposal we would have had to accept mocking sarcasm about such a Socialist solution — setting up boards, not even statutory boards, that were obliged by law to exchange information. I can well imagine the sort of speech that the Secretary of State might have made. When he goes home tonight perhaps he should reflect on what he might have been saying if I were the Secretary of State making these proposals. He might find that the most compelling argument of all that he has listened to in the long period since the Gower report came out.

In regard to enforcement, however we devise the law and however brilliant it seems, if it is not enforced it is not worth having. In the proposals which the Secretary of State makes new sanctions are produced. I welcome some of them. The revocation of authorisation is a very important and obvious one. I worry a little about it because it is a nuclear weapon. Will it not be a sanction that those responsible would be reluctant to operate?

I am not so sure about some of the civil remedies that are proposed. We will have to examine them in detail because they are not articulated all that clearly in the White Paper. I am not complaining about that because one cannot include all the detail in a White Paper but we shall need to consider these with some care.

The background to all this is a worry amongst the public that fraud in the City is not pursued or prosecuted properly by the authorities of the state. That point has been put to me with some force by people in the legal profession and by people who operate in the City, and I take it seriously. If an official of the Post Office steals money from a letter, he is likely to be visited with the full wrath of the law, to be prosecuted, to go to gaol and to lose his job. Of course, there is nothing wrong with that. But if a person deals in fraud on a much larger scale and runs off with £200 million to £300 million, the chances of him being brought to book are much less.

I am afraid that that is true and is perceived to be true. The reason is that those who deal in larger fraud have more resources and skill in avoiding the reach of the law. They are able to have much more elaborate and expensive defences. Worst of all, they are able sometimes either to avoid the jurisdiction easily or to create such apprehension in the minds of those pursuing them that they come to the conclusion that it is not worth continuing the pursuit. That is thoroughly bad. The Government, as a matter of urgency, should take on board the whole matter.

It is not just a simple question of having a jury. In some cases that is a side issue and we are in danger of going up a cul-de-sac in considering it. The question is whether the country is prepared to put the necessary resources behind investigating authorities and prosecuting authorities to ensure that major fraud is prosecuted with the same rigour and diligence as minor fraud. That is a slightly different issue, but it needs to be tackled by the Government.

Mr. Tebbit: The right hon. and learned Gentleman is, of course, right in saying that large-scale financial fraud is a most difficult crime to bring home and to secure a conviction on, not least because so often it is internaional in its nature and there is a reluctance of witnesses who are outside our national jurisdiction to attend court. There are problems here which are probably much more those of the law than they are of resources, although certainly we have managed to increase the resources and reorganise them recently in a way that I hope will make them more effective.

Mr. Smith: The Secretary of State is referring to the fraud investigation group which was established recently. I think that may be a useful exercise in co-ordination, but he will forgive me if I am slightly sceptical about Governments saying that they will co-ordinate their activities. I have been involved in so-called co-ordinating activities so often in the past that I am sceptical that co-ordination always achieves its objective. The immediate reaction in Whitehall to any interdepartmental problem is to propose greater co-ordination. We shall be persuaded that something is being done when there are major prosecutions and when major criminals are brought to book instead of laughing at this country from the havens to which they have escaped. They have brought the sense of fairness in British society into scepticism.

I was about to move on to the international dimension that the Secretary of State mentioned. Professor Gower drew our attention to the international dimension when he referred on page 176 of the report to the new phenomenon of international white collar crime. He argued for much greater international co-ordination. I wonder if we have done enough about that. I do not think that enough is said in the White Paper about the offshore problem. It needs greater attention by the Government.

There may be ways of doing something about it. Why cannot those who beam their activity to the British market from abroad, from Amsterdam or wherever, be penalised in relation to their other activities in Britain? If we could find some way of doing that it would be extremely useful.

I do not have an easy answer to what is a complicated problem. My impression is that not enough attention has been given to it. It is clear that there are problems of international law and national jurisdiction. We should pay more attention to the problem and see if there is a way, for example, to tackle people who have activities in this country and who indulge in activities from offshore havens, one being connected with the other. We should not enable them to have a free run in Britain, as it were, while cocking a snook at our laws from a haven elsewhere.

Mr. Tebbit: I am anxious not to interrupt the right hon. and learned Gentleman too much; I do not want to make this a debate between him and me. If persons were operating in that way, both outside the United Kingdom and had an operation here, that might lead the boards to the conclusion that they were not fit and proper persons.

Mr. Smith: It is helpful to have that remark on the record. If the Secretary of State thinks that it would be important to bring into consideration the question of authorisation, or the withdrawal of it, if unpalatable

activities from an offshore haven had an impact on United Kingdom activities, that is a useful idea. That is not quite said in the White Paper. It would be a view for the regulating authorities to take, and nc doubt they are able to take a step for a hint. I hope that that was what the right hon. Gentleman was giving.

Other activities are encompassed in the quite wide definition of what is marketed in the financial world. For example, franchising is developing greatly in this country. It might be argued that that is outwith the scope of the measure—that we are not dealing with investment when we are dealing with franchising—but I suggest that it is getting near the line when people are dealing with a product and are almost licensed to distribute it. I raise that as a minor point which might be considered; perhaps some protection should be given in that respect.

The Opposition are not slow to criticise the City when it needs to be criticised. We have often said that it is inadequate in dealing with the problem of financing British industry. I am glad to say that that view is no longer held exclusively by those on these Benches. Indeed, members of the Government sometimes express it. In a recent eloquent speech, the Secretary of State for Wales berated the City for the inadequate way in which it approached industrial investment in Britain. *[Interruption.]* I hear some muttering from Conservative Members. I think they are showing that they do not take the Secretary of State for Wales seriously. I am sure that my hon. Friends who represent Welsh constituencies will bear that in mind.

I note that the Secretary of State for Trade and Industry has been careful to keep a straight face; I can see his face, whereas his hon. Friends behind him cannot. He has been careful not to betray the confidence of a colleague. I was under the impression that when a Cabinet Minister made a serious and important speech, a speech obviously considered carefully in advance, he spoke on behalf of the whole Government and not just for himself.

Mr. Tebbit: How can the right hon. and learned Gentleman say that?

Mr. Smith: I believe that the Secretary of State is telling me from a sedentary position that I should not operate on that assumption. Where, then, is collective responsibility?

Mr. Tebbit: I was wondering how the right hon. and learned Gentleman of all people, having served in a Labour Government, could say that with a straight face.

Mr. Smith: I gave way to the Secretary of State because I thought it only fair to enable him to announce once again the doctrine of collective responsibility. I noticed with care that he avoided that opportunity. But, then, having regard to his colleagues, he was probably wise to do so.

Mr. Eggar: Is it fair for us on these Benches to assume that the right hon. and learned Gentleman accepts collective responsibility for the recent remarks made, and reports put out, by his hon. Friend the Member for Oldham, West (Mr. Meacher)?

Mr. Smith: I have been in the House long enough not to rise to the most obvious lures, especially from Conservative Members. I should be delighted to answer such questions if I thought that I could do so without breaching the rules of the House. I need only comment that the doctrine of collective responsibility is noticed in its absence rather than in its fulfilment by some members of the Government.

While there are serious deficiencies in the way in which the City serves British industry, it is important—there will be unanimity about this — for us to have an efficient, internationally competitive and fair-dealing system of financial markets in this country. It is in the national interest and in the interest of the prosperity of our trade and industry that it be maintained, particularly as the City of London is now under intense foreign competition.

I end on that note. An approach to this matter that guarantees fair dealing in the City is also the best way in which we can advance its efficiency and competitiveness. It is not just a method of protecting investors. It is a way of offering a guarantee to those who deal with it—both in this country and from abroad—that they can expect honest and fair dealing in Britain. We shall have differences of approach, but if we keep that principle in mind we shall achieve something good for the nation at the end of this whole process.

5.16 pm

Sir Edward du Cann (Taunton): I agreed with much of what the right hon. and learned Member for Monklands, East (Mr. Smith) said, in particular his concluding words. He made an admirable speech and the whole House appreciated its constructive nature. He was right to say that we should now be considering updating the law.

I am only one of many who take part in debates of this kind, inside and outside the House, and who give a warm welcome to the general principles of the White Paper. It is timely and well done. My right hon. Friend said he thought that it had had a unanimously successful press. I had not noticed that. I thought it did not have as good a press as it deserved. It is an excellent and constructive piece of work, and any criticisms of mine are more in the nature of anxieties about the detail rather than the direction in which my right hon. Friend intends to move, which I strongly support.

I have an interest to declare. I have been involved for many years in the unit trust, insurance and banking industries in Britain. I am the chairman of a unit trust management company. I was one of the sponsors of the Insurance Brokers (Registration) Act 1977, which was introduced by my hon. Friend the Member for Harrow, West (Sir J. Page) and which has been most successful. I am also a vice-president of the British Insurance Brokers Association.

I have therefore been a practitioner in these spheres for many years. Indeed, I have been involved not only in practice but in regulation, both as a Minister and as a member of various bodies. I speak from that standpoint.

That lifetime's experience leads me to say that the White Paper provides a desirable and practical framework for protecting the interests of the investor, and it should help to ensure the healthy development of this fast-growing financial services sector of the economy. It is not only fast-growing. As the Secretary of State and the right hon. and learned Member for Monklands, East said, it is fast changing, too. I am not sure that I approve of all the changes that I see.

Generalism is all very well, but the City of London has grown and prospered and has brought great strength and wealth to the nation because of its concentration largely on specialist skills. Anything that mitigates its

[Sir Edward du Cann]

effectiveness would be a pity. The financial services industry has been a great employer. It employs 1 million people. It has provided a great service to our fellow citizens at all levels. In other words, it is a great national asset. It has an important social and economic purpose, not least because of its £4 billion a year overseas earnings.

My right hon. Friend is therefore right to say, as he writes in the White Paper, that his first purpose as a responsible Minister must be to provide the public, the nation, with protection against deceivers, both the deliberate ones to whom the right hon. and learned Member for Monklands, East referred—I agree with him that the methods of international protection against deceit need to be sharpened because they are pitifully weak—and those who are careless. My right hon. Friend is right also when he says that disclosure has to be the norm, so that a man who is undertaking an investment knows exactly what he will obtain. At the same time, my right hon. Friend says—again I believe that he is right—that caveat emptor must remain the rule. The House has no business protecting people from their own folly or greed.

In choosing self-regulation as the means for achieving these objectives, the Government are giving this sector of our economy the opportunity to devise a detailed scheme to achieve a high standard of conduct by practitioners, an adequate level of competence within the industry and a proper protection for the consumer, and that too is right. There have been precedents at various levels for doing this. For instance, there has been the gentle discipline of the Association of Unit Trust Managers, of which I was one of the founders. That has been very effective. Now, with legislation, Lloyds is doing a powerful job in ensuring that the best practices are conducted there. This applies also to other aspects of the broking industry.

The House will remember that, through the Insurance Brokers (Registration) Act 1977, all intermediaries who chose to call themselves insurance brokers have, since December 1981, been regulated, and are required to observe a code of conduct that ensures their independence and requires that the interests of the client are always their first consideration. They have to meet tests on financial solvency. They are required to take out their own indemnity insurance to allow for compensation to the client if they are negligent in conducting his business. Here then is a system by which, under a general code of law, the consumer has been well protected and the industry is well self-regulated.

It is all very well establishing the idea of self-regulation, but in the end this depends on those who are doing the work of regulation. Everything is people. In insurance broking, we have been enormously lucky to find excellent people to do this work. I cannot pay a high enough tribute—some hon. Member should—to Mr. Francis Perkins, who was the chairman of the committee that brought together the four associations in broking and turned them into one. His successors, Mr. Findlay and now the excellent present man, Mr. Alexander, are also devoted people. They, and others, not least the chairmen of the registration councils and the like, and all their supporters, have done some marvellous work. My right hon. Friend will have to exercise all his ingenuity and persuasive powers to make certain that their example is followed in other respects. It is important to get the right people if self-regulation is to be made to work.

Self-regulation in the intermediaries sector anticipated my right hon. Friend's White Paper by a number of years, but it is effective only for those who have volunteered to use the title "insurance broker". Someone who wants to call himself an insurance consultant or an insurance adviser can practise as an insurance adviser without any control. This, contrary to the principles laid down by my right hon. Friend's admirable White Paper, has impeded the raising of standards. There is no doubt about that—this is a matter of fact. The fact that there is a cost of registration as an insurance broker has penalised those who wish to practise professionally and ensure proper protection for the insurance buying client.

We should be foolish to perpetuate that situation. My view, which I think is the view of the profession as well, is that one major shortcoming in the White Paper is the failure to provide for proper regulation of all insurance intermediaries. Life assurance policies, as long-term investments, will be covered by the proposed legislation and those who market them by the new self-regulatory system. However, non-life insurance policies—household and contents insurance, motor car policies, travel insurance and so on—are omitted altogether. As I understand it—this was confirmed by my right hon. Friend—it is because they are not commonly regarded as an investment. I do not accept or agree with that view. This is a serious omission, and I hope that my right hon. Friend will be willing to think again.

The private individual can suffer catastrophic loss just as much from inadequate or incompetent advice, or even from fraud, on his home insurance, for instance, as on a life policy. The White Paper could make this more likely, as those insurance advisers who fail to achieve the necessary standards to become authorised to market life policies will be able to switch their attention to the other general sector of insurance. Furthermore, the ability to opt out will inhibit the general raising of standards.

I go so far as to say that, if we do not include all intermediaries in the way that I suggest, much of the work that we have tried to do in the British Insurance Brokers Association may be valueless. What is the point of bothering to be a member of that institution and meeting its high standards and conforming with the requirements of the registration council and the rest if somebody can go down the road and do what the devil he likes?

Unless the Government bring in control of intermediaries offering advice on general insurance, we shall be losing a great opportunity. The present deficiency will not only be perpetuated but even accentuated by the new system for regulation of life assurance. It is the function of the insurance broker that needs to be controlled, not just the title of insurance broker.

In an intervention, my hon. Friend the Member for Harrow, West referred to the part of the White Paper that says that the Government propose amendments to the Insurance Brokers (Registration) Act to fit the Insurance Brokers Registration Council for its new role in the self-regulatory structure. They should extend those amendments to provide for a proper regulation of anyone wishing to offer independent advice on insurance. If anyone is unable or unwilling to comply with the requisite

standards, he could continue to trade as agent of an insurance company, provided that it is willing to take responsibility for his actions.

I am sure that my right hon. Friend the Secretary of State and my hon. Friend the Under-Secretary, who is to wind up, will have seen that there is early-day motion 460 on the Order Paper, entitled "Protection for Policy Holders". It proposes the changes that I have outlined. Without any canvassing for signatures, it has attracted signatures from some 67 hon. Members from both sides of the House. That goes to show not only that what I have attempted to talk about is a matter of wide concern in the House, but that the remedy for it has wide agreement also.

I move on to the White Paper as it affects life insurance. It asserts that the law and the regulatory system must be fair and not create artificial distinctions between services competing in the same markets. I am sure that that is the right policy. Unfortunately, it fails to achieve that objective in one major sector. It exempts what are known as tied agents from the duty to disclose their remuneration to potential clients. In so doing, it does not serve the consumer interest and it runs the risk of diminishing the sources of impartial advice available to the public.

We have heard a lot about Gower this afternoon. In his report on investor protection, Professor Gower recommended that the regulation of commission payments should apply to all intermediaries, whether independent or tied. That was his plain recommendation. I am aware that this is the view of many responsible companies, including almost all leading assurance companies in the market.

The White Paper requires only that the independent intermediary should be so regulated. But the tied agent working for an insurance company owes his first duty to the insurer and not to the purchaser of the policy. He receives commission from that company and other financial support such as office rents, phone bills and other indirect payments. Thus the White Paper's proposals create an artificial distinction and do not meet the White Paper's principle that there should be "equivalence of treatment" between services competing in the same market.

I do not think that that distinction is right. It means that the purchaser will know how much he is paying for independent advice, but not how much the tied agent is receiving. The consequence could be a diminution in the independent broker market and thereby an undesirable restriction on the comsumer's access to independent advice. That would be a pity, and it would be wrong to put the man who offers independent advice at a competitive disadvantage. Therefore, I hope that my hon. Friend the Minister will be able to say that this matter will receive further consideration. If there is to be any requirement to disclose commission and other payments, it should be fairly and universally applied. That is the best way to avoid market distortion and an unnecessary and undesirable commissions war.

There is another aspect of the White Paper where "equivalence" appears not to have been observed. The White Paper proposes that certain professions, such as accountants and solicitors, should be exempt from the regulations, provided that investment business is not a "significant" part of their activities and provided that their professional bodies have standards that offer equivalent safeguards to the investor. Great care will have to be exercised over what is to be regarded as "significant", since this could be a loophole through which large professional practices, which handle much more business than small insurance brokerages, could slip with, again, a potential distortion of market forces. If one group of people is obliged to disclose, everyone should be obliged to do so. That is my plain view.

Mr. Tebbit: Perhaps I can reassure my right hon. Friend on that point. Disclosure would be among the requirements that I would expect in the professions' codes governing these matters.

Sir Edward du Cann: I am very pleased to hear that, and congratulate my right hon. Friend on having thought through the logic of this matter.

I have three other general points to make. First, we have already had some discussion about whether we should have one or two boards. The right hon. and learned Member for Monklands, East had something to say about that. I can see the reasons that probably prompted my right hon. Friend the Secretary of State to start with the idea of two boards. In theory, marketing is probably a different aspect from the management of investments, but in practice it would be very inconvenient to have two boards. However, if my right hon. Friend thinks it right to start like that, perhaps I can invite him to have in mind the bringing together of those boards into a single board at the earliest possible moment. On the other hand, if he reconsiders the matter, he may come to the conclusion that one board now would be better than two.

Second, I know how difficult this is, but I urge my right hon. Friend the Secretary of State to beware of over-regulation. It is easy to believe that one has to regulate, and that one has to dot every "i" and cross every "t". But free markets—which is what the White Paper is all about—require maximum freedom. I hope that my right hon. Friend will go for the minimum rather than the maximum amount of regulation. Third, we have had some jokes about my right hon. Friend's successors in office in a hundred years' time, but I hope that he and his successors will bear in mind the great need for flexibility in the systems that we establish. As my right hon. Friend rightly said, the scene is changing. The right hon. and learned Member for Monklands, East said exactly the same thing, and it is true.

My lifetime's experience in the financial and other worlds tells me that the accepted wisdom of today is generally wrong. We need to provide for innovation, as my right hon. Friend the Secretary of State has suggested. If anyone had planned the City as it is today, he would probably not have given money markets the latitude that they have had or the possibility of success. One cannot plan exactly what will happen.

Perhaps I can share a memory with the House. When I, with my colleagues, started the modern unit trust industry in this country in 1957, and introduced the equity-linked life assurance concept, the City establishment bitterly attacked us. The chief actuary of a celebrated and significant life assurance company even wrote an article in *Policy Holder* magazine saying that what we were doing was dishonest. That was the sort of disdainful attitude that was displayed.

If we had had to go to a conservative City group and say, "This is what we propose to do," we would have been turned down out of hand. Whoever is responsible for supervision—it may well be right to have a practitioner-based supervision—we should ensure that it is not just a

[Sir Edward du Cann]

cosy City affair and that we get in independent people. I am not just talking about the statutory woman, black man or trade unionist. Let us get in people of imagination. Things are changing quickly. Let us lay down guidelines by all means, but let us give those who will pioneer new ideas a proper opportunity.

I congratulate my right hon. Friend the Secretary of State warmly on what he is doing. The catalogue of events about which he spoke, together with the White Paper and ancillary things which the Government are proposing, are all intended to make financial services more generally available to the British public and to make them a continuing source of wealth and employment in our society. I wish success to those associated with my right hon. Friend in what he is trying to do. Of course, it is a large job and it is being attempted in a short space of time. What happens and what is decided will have far-reaching consequences for a major and highly successful industry, which we hope will continue to be successful.

Consequently, it is all the more important to ensure that we get things right—although it is easy enough to say that—and that the general principles that my right hon. Friend the Secretary of State has enunciated, which doubtless have universal support, are implemented fairly and in the widest possible interests of the industry and the public. All those who heard my right hon. Friend's speech will have greatly appreciated his readiness to listen to suggestions and ideas. I hope that those that I have been able to offer the House will be of help.

5.36 pm

Mr. Doug Hoyle (Warrington, North): I listened to the Secretary of State's speech, and he seemed to be trying to be at his least offensive to the City and to be kind and humane. I wish that on occasion he would show such sentiments to other people. He appeared to be saying that we must get away with the least regulation possible. I agree that a little regulation is better than none, but the right hon. Gentleman will not be too surprised to find that we do not quite agree with all that he said, and that we want to go much further.

Perhaps I could suggest that the right hon. Member for Taunton (Sir E. du Cann) looks at early-day motion 460. We all agree that life insurance is important, but there is also car insurance, household insurance, insurance covering legal liabilities, and so on. All of them are equally important. Those who purchase those policies should also be protected. It is important that things should be taken more widely than at present. Indeed, I agree with the sentiments that have already been expressed on that point.

People have had their fingers burnt over offshore companies. More should be done to protect investors. We all know about the collapse of Signal Insurance. The problem is caused by advice being given to people who are looking for a good return on their money, and sometimes an excessive return. Those who give that advice should be responsible for it, and some action should be taken against them.

I agree with everything said by my right hon. and learned Friend the Member for Monklands, East (Mr. Smith). I do not believe that the City should be allowed to regulate itself. There should be statutory regulation along the lines of the United States Securities and Exchange Commission. The individuals on the committee to organise the Marketing of Investments Board have been praised, but there is only one consumer representative on that committee. If we follow that pattern in setting up boards, we are asking burglars to police themselves. I believe that consumer interests should be represented more strongly.

I have no firm views on whether there should be one or two boards. We must consider what voluntary regulation involves. Recently, the voluntary licensing of life assurance salesmen has suffered some setbacks. Attempts have been made to examine the voluntary regulation of commission payments to independent intermediaries since the collapse in 1982 of the Life Offices Association agreement. The key task is to consider whether the regulation of investments should be carried out by the Marketing of Investments Board separate from the Securities and Investments Board.

I understand the argument in favour of just one board, because there would be less bureaucracy. Opinion is divided—the insurance industry wants two boards and the City wants one. The City does not want a supervisory body to be set up over which it has no control, and that may be the reason for its reluctance to support the setting up of two boards. Separate boards would mean that City institutions would have to obey board rules when they are allowed to sell portable pensions. I believe that the Secretary of State favours the formation of one board. The Department asked for advice, but the organising committee did not include one assurance company chairman who recommended setting up two boards.

Much has been said about Professor Gower's report. I echo the point made by my right hon. and learned Friend the Member for Monklands, East, that the Government have taken a timid approach to Professor Gower's recommendations. We must never forget that Gower aimed to protect the investors. A self-regulating body will not be successful. Such a body would be successful only if those involved in it were determined to make it a success.

The Government's mind may be concentrated by the knowledge that there is increasing demand for regulation. Without self-regulation, there will have to be statutory regulation. The confidence of all investors—large and small — must be gained, because they are equally important. Investors must be protected. I am extremely critical of the way in which the organising committee for the Marketing of Investments Board has been set up.

A complaints procedure should be established, providing opportunities to individuals to make good any losses without undertaking lengthy legal proceedings. A complaints board should initiate action on behalf of individuals and pay compensation to them. That presupposes investigation by the board to establish a claim's validity.

My right hon. and learned Friend the Member for Monklands, East said that compensation should be available and referred to paragraph 7.12 of the White Paper. We must consider the type of compensation that will be available — whether there should be a funded compensation scheme, or insurance. I am in favour of funded compensation along the lines of the levy that was charged under the Policyholders Protection Act 1975. The drawback to an insurance compensation system is that insurers would be unwilling to pay out unless a court decided in favour of compensation.

Changes are taking place rapidly, and a periodic review is therefore needed. I welcome the move towards statutory authorisation of the investment business. I believe that a uniform approach should be taken to the authorisation and regulation of all financial services, taking the "best practice" as a guide. A rationalisation of the plethora of self-regulatory organisations is required, so that companies need deal with only one organisation. That would be more efficient.

This White Paper is only the first step, albeit a step in the right direction. The setting up of a statutory board would be an even better step. I do not believe that the City would have many objections to setting up a statutory board. Stronger medicine is needed, as can be seen from the City's record in the recent past. The Government should have taken more radical action. I welcome the move to protect investors, although it does not go far enough. Sooner, rather than later, we shall all recognise that statutory regulation is required.

5.50 pm

Mr. Michael Grylls (Surrey, North-West): I think that the House has been at its best this afternoon, in stark contrast to the horrors of yesterday afternoon. This afternoon the House has been looking, in a relatively non-partisan way, at the problems of the City and how the City can best be regulated. That must be to the advantage of all of us.

I should like, first, to say a word to those of my hon. Friends who have criticised the role of the Governor of the Bank of England and the fact that he is to have a veto over appointments. It is, in a sense, a novel idea. I should like to put one reflection into the balance against that criticism. When other regulations and burdens were imposed on business over the past 30 or 40 years, if the interested parties themselves had been consulted to a greater extent at the time when the regulations were dreamt up by Parliament, perhaps some of the regulations would have proved to be less burdensome to business as a whole.

There is the debating point that the Governor is responsible to the Chancellor of the Exchequer. There is also the possibility that we shall achieve a slightly better and more realistic approach to the regulation of the City by bringing the Governor into the process of consultation.

On 29 January, when my right hon. Friend the Secretary of State for Trade and Industry made his announcement concerning the White Paper, my hon. Friend the Member for Horsham (Mr. Hordern)—who, unfortunately, is not able to be here this afternoon—was the first to point out that the need of the City to have the investor protected as much as possible was paramount, and that the City's reputation completely depended on that. From the debate so far—and I am sure that it is true generally—the House of Commons appears to agree with that view. I strongly agree with it. Against that very important need, we should also balance what my right hon. Friend said in his statement. He emphasised that it is very important to have a framework capable of

"accommodating rather than stifling innovation". —[*Official Report*, 29 January 1985; Vol. 72, c. 157.]

My right hon. Friend the Member for Taunton (Sir E. du Cann) reminded the House of his experience over many decades and reflected on the time when he was dealing with and innovating the unit trust business. He said that that innovation could easily have been stifled at that time. Therefore, my right hon. Friend the Member for Taunton this afternoon reflected what the Secretary of State said on 29 January—that it is crucial that the framework should allow innovation to take place if the City is to maintain its position in the world. I should prefer to use the word "regain", because we should not delude ourselves. Some parts of the City, like some parts of British industry, have slipped behind the rest of the world and fallen behind other financial centres. Therefore, it is crucial to be able to innovate.

The hon. Member for Warrington, North (Mr. Hoyle) said that he wanted to see a tighter regulatory framework, and that may be necessary in the future, but not many of us can look round that corner at the moment. I hope the hon. Gentleman will agree that it is important that the regulations should not grow so much that they stifle the sort of innovation that the City needs.

About three weeks ago the Government published a report called "The Burdens on Industry". In that report it was stated that anyone starting a business and wishing to avoid all the possible pitfalls, and wishing to avoid tripping over various laws and regulations, would need to read 270,000 words—a task that would take 24 hours. There is a lesson to be learnt from that. We must not allow the regulatory process in the City to grow to such an extent that that sort of thing could happen.

In proposing the legislation, my right hon. Friend has walked a tightrope between over-regulation and under-regulation. As far as we can see at present, he has probably got it about right. It is impossible to be sure, as he would be the first to say; indeed, he implied in his speech that he would listen to comments. If it proves necessary to tighten the scheme in the future, that will have to be done.

The rules and regulations should be clear, so that they can be understood by everyone. If that happens, we are much more likely to have a flexible and competitive climate in which we can encourage new firms to come into the City.

In recent weeks a great deal has been written about mergers in the City, with giant firms, merchant banks and stockbroking firms being created. But surely we need a regulatory system to allow for new entrants with new ideas. We should allow new firms to innovate, thus ensuring that the City keeps up with other financial institutions throughout the world.

When my right hon. Friend the Secretary of State said that he hoped that arrangements in the City for the new system would enable the raising of finance to be done more efficiently for the smaller business, that was music to my ears. I have in mind the larger private business and the smaller private company. At present, such businesses are not all that well accommodated by the City in the raising of finance. Perhaps new entrants can make a contribution in that respect.

If we have the regulatory system right, as I believe we have, there will be freer competition; there will be competition that protects the investor. As I said at the beginning of my speech, that is crucial. Above all, we should be hopeful—as I am—that the proposals in the White Paper will allow the City not only to innovate but to grow and to regain its position as the most important financial centre in the world. If we have got it right, that can happen. As I believe that we have got it right, I hope very much that it will happen.

5.58 pm

Mr. Ian Wrigglesworth (Stockton, South): When the right hon. Member for Taunton (Sir E. du Cann) looked back into his own history and mentioned the establishment of unit trusts, he reminded many of us who have worked in the City, or have had contact with financial institutions, how much things have moved over the past 20 years—and nowhere more than in the great debate that has been going on for many years about the supervision of the City. There have been great debates within different parties about how that should best be carried out.

I am very pleased that we have moved as far as we have in the White Paper and have at last the sort of framework of supervision that some of us have wanted to see for many years. It has always been difficult to get a consensus on what that supervision should be. Although they may not be perfect yet, the proposals in the White Paper mark a welcome step forward.

I agree with other hon. Members who have spoken—and with a good deal of opinion in the City—that the major flaw in the present proposals is that there are to be two bodies. The most important change that the Government should make is to bring them together into one body. There is an overwhelming case for having a statutory body in the long term. That does not horrify me in the way that it horrifies some people. However, on the other hand, it is important to carry the City along with the proposals. The marrying together of a statutory framework and umbrella with self-regulation is a good way to do that.

Therefore, my colleagues and I will support the thrust of the Government's proposals. The idea of a statutory commission is not as horrific to me as it is to some people.

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Alex Fletcher): As no one else is likely to do so, will the hon. Gentleman tell us why a statutory commission is such a great thing?

Mr. Wrigglesworth: If the Minister looks at the experience in many other places, in many international financial markets in the world, places as free, open and entrepreneurial as Hong Kong, and as far afield as Canada, Australia and many other countries, he will find that statutory commissions have been operating successfully for many years. Financial markets and institutions throughout the world fully understand the operation of statutory bodies supervising markets. Therefore, I do not think that the international financial world found that proposition as horrific as some people in this country did.

People in the City have moved forward tremendously. As I said, I welcome that. I do not want to press the idea of a statutory commission, because I believe that what the Government are proposing constitutes a combination of statutory framework and self-regulation. I believe that it is best to suck it and see with this one and hope that it succeeds, but, if it is necessary, we should move further in the direction of a statutory body if the proposal does not work.

Mr. Nelson: I should like the hon. Gentleman to clarify what he is saying, because I am sure that I am very much in support of it. I understand the hon. Gentleman to be in favour of one body instead of two. There will be one body—whether one calls it a board, a commission or an authority is just nomenclature. At the end of 1986 the legislation should come into effect. If, in a securities Bill next Session, the board is given various powers over the self-regulatory authorities underneath it, it will be the equivalent of a securities commission. There should be no disagreement on that. Why is the hon. Gentleman saying, "Let's suck it and see."? If he is in favour of one board, he should have the courage of his convictions and argue the case.

Mr. Wrigglesworth: I do not believe that if the Government brought together the two bodies that would constitute the sort of statutory body that exists in other parts of the world or the sort of statutory body that other people have envisaged or proposed. It would certainly be a single body, but it would not have the powers that the Secretary of State is retaining unto himself. However, I hope that that will make it unnecessary to go down the road of giving it the complete independence and statutory authority that such a securities and exchange commission has in other countries.

Mr. Bryan Gould (Dagenham): I, too, am following with great interest what the hon. Gentleman is saying. I agree with him that the key question is what statutory powers—whether delegated or otherwise does not matter—that single body will have. I wonder what powers the hon. Gentleman thinks that the body contemplated in the White Paper would lack in comparison with the statutory commission that he has advocated.

Mr. Wrigglesworth: As I said, it may well be found that if, when the body starts operating, it does not have sufficient powers under the present proposals—which the two boards have—satisfactorily to supervise the self-regulatory bodies and different sectors of the City, it will have to be given statutory powers.

We need to look at the provisions that will be in the Bill. We need to judge the strength of those powers when they are laid out in the Bill. I do not see the need to go fully down that road at present. I want to see what the Government put in the Bill. All I know is that there is an overwhelming case for not having two separate bodies. I hope that combining them will provide a satisfactory arrangement.

I should like to refer to the operation of the boards as proposed, and reflect some of the criticisms that others have made. The new arrangements will have to contend with substantial changes that are taking place in the City. I hope that they will not be inhibited. In previous debates on this matter, I have welcomed the changes that are coming. They have been criticised — wrongly — by Conservative Members. I am glad that the changes are taking place, because they will help to make the City a more competitive environment. It was beginning to slip back. The markets in New York and other parts of the world were growing, but London was dropping back in some spheres. The increased competition in the City, particularly on the Stock Exchange, is wholly welcome. I hope that it will not be inhibited by the new arrangements that are being introduced in the White Paper.

One particlar change will take place after the so-called big bang in 1986 that I find rather worrying. I am not sure whether it will be adequately covered by the proposals in the White Paper. It is the problem of the so-called Chinese wall within financial institutions and the conflict of interests that will inevitably be perceived by investors and customers in large financial conglomerates. I do not have the perfect answer to the problem. Various provisions can

be made, with funds being kept separate in separate accounts and so on. Various proposals have been made, but I am not sure that when the investors see the new conglomerates operating and when the new system comes into force they will be satisfied that they are operating in the best interests of the investors and not of the institutions themselves.

As I said, I do not have an instant solution to that problem, but I see it coming down the track. When the system starts operating, it will cause great anxiety. All that I say to City institutions is that they will have to be aware of the suspicions that will be engendered when the proposal comes into operation. They will have to bend over backwards to reassure their customers and the public that that conflict of interest does not work to the disadvantage of the customers whom the institutions are supposed to serve.

I should like to refer to the role of the Bank of England. I agree with the comments made earlier about the proposed role for the Governor. I do not accept the reply that the Secretary of State gave to criticisms of the role of the Governor. For too long, the Bank of England has been in the curious position of being both spokesman and friend of the City, and supervisor of the City. It should be one or the other; it cannot be both. I do not like it having a supervisory role. Its predominant job is to act as a central bank, and it should get on with it. The responsibility for supervising the banking system has been put on to its shoulders. I suppose that it is now too late to remove that from its orbit. However, I believe that the Bank of England should not have the role that is envisaged in the White Paper. I hope that the Government will make that change before they introduce their Bill.

I also agree that there should be more independent members on the bodies. If the supervisory system is to obtain the confidence of the public, there will need to be a much stronger element of independent people on the boards—respected people who are not seen to have an interest in the City.

I am not sure why the test of competence has been omitted from the White Paper. I hope that the City institutions will wish to ensure that companies, partnerships and bodies are truly professional and that before they are able to operate they pass the test of competence. I hope that this will be one of the responsibilities of those who work the system.

I hope that the White Paper's proposals will be given a fair wind and that the Government will note that an increasing body of opinion believes that the two boards should be merged. I strongly support that principle. I hope that the Secretary of State will respond to the comments and criticisms and that the new system will help the City to be increasingly successful and more competitive so that it can serve well both its customers and the interests of the country. The City is undoubtedly of great benefit to this country. The new supervisory system will, I hope, benefit both the City and investors and the whole of this country by making the City a more respected and successful financial centre.

6.11 pm

Mr. Tim Smith (Beaconsfield): I thought that the exchanges during the speech of the hon. Member for Stockton, South (Mr. Wrigglesworth) vividly illustrated the consensus on this subject. During the last 12 or 18 months the differences between the two sides of the House seem to have narrowed. When the hon. Member for Stockton, South was asked by the hon. Member for Dagenham (Mr. Gould) what powers he wanted to be given to the Securities and Investments Board that it would not already have, all he said was that we should have to wait and see.

If the two bodies were to be merged, there would effectively be an independent commission, so we seem to have arrived at a consensus. I welcome that. It underlines the value of the way in which the Government have sought to develop policy. We have been looking at this question for about four years and it is valuable that we have spent this amount of time upon it. It would have been impossible to legislate earlier because of the new Stock Exchange arrangements. The consensus will mean that there is a much better chance of the proposals working in practice.

It is important to remember the kind of financial scandal that the White Paper is intended to combat. People are still prepared to cut out a small coupon from a Sunday newspaper and send off a cheque for £1,000 to an organisation about which they know nothing, except for the details given in the coupon. To me that is incredible, but so long as the practice continues there will need to be very strict regulation. People are still being ripped off. Only yesterday I received a letter from a constituent who told me:

> "In August 1982 my financial advisers put the balance of my savings (at that time nearly £17,000) into a very high-risk fund on the Commodity Futures market, without properly consulting me or—even when I asked about it—giving me information on the security of the fund. (I had originally asked only about pensions and then Eurobonds, which had been highly recommended and in which that money was placed at my request). In the end I lost £6,000 and consulted my solicitor and then Counsel. They said that the company had been guilty of professional negligence and deception on four counts (and there were similarities to the LHW Futures scandal, now in the hands of the Fraud Squad.) However it was not worth taking the matter to Court and the company state that further correspondence is 'too expensive' for them!"

That is still going on and the White Paper is trying to combat it.

The White Paper envisages the right balance between statutory control and self-regulation. It seeks to secure the best of both worlds—the protection that the statute will provide and the flexibility of self-regulation to which I referred earlier when I intervened during the speech of the right hon. and learned Member for Monklands, East (Mr. Smith).

Confidence and flexibility are two of the stated objectives of the White Paper, as are efficiency and competitiveness. I support all four of those objectives. I support also the principles which will underlie the new system. However, the most important principle of all is that of equivalence of treatment, to which reference has already been made. It will be very important that all those who operate in this area should be treated on as equal a basis as is practicable and possible. I would add one more principle to the six that are listed in the White Paper—disclosure of information. It is very important that the maximum amount of information should be disclosed to potential investors so that they have the maximum amount of information upon which to base investment decisions.

It is right that the definition of an investment should be wide, although it must at the same time be specific. I regret that I have to disagree with my right hon. Friend the Member for Taunton, (Sir E. du Cann) about non-life insurance. I do not believe that motor insurance can be

[Mr. Tim Smith]

described as an investment. An amount of money is paid for a 12-month period, after which none of it is left. One is simply taking out insurance cover for a restricted period.

As for the institutional structure, it is agreed that there should be one body rather than two. This will provide three advantages. Under the existing arrangements there is the problem of either an overlap or a gap between the two bodies. Secondly, two bodies are bound to involve additional cost. Thirdly, as was mentioned by the Opposition Front Bench spokesman, exchange of information will be necessary if there are two bodies. For those reasons, I believe that there should be one body rather than two.

I am glad to note the recognition by the Government in the White Paper of the important contribution to self-regulation which has already been made by a number of organisations. I referred to that fact in my intervention. A great deal of pioneering work has been done, in particular by the National Association of Security Dealers and Investment Managers, to which I am the political adviser.

During the last few months and years NASDIM has introduced a fit and proper test of membership. It has strict separate client account rules, adequate financial resources rules, compulsory professional indemnity insurance cover, annual renewal of membership, random checks on member firms and a proper complaints and disciplinary procedure, with the right of appeal to an outside tribunal. NASDIM is also in the process of introducing a compensation fund. Therefore, it already meets many of the criteria set out in the White Paper and should fit well into the future framework that is envisaged by the White Paper.

Chapter 6 deals with the fit and proper test. I support the White Paper statement that the test will be applied to all investment businesses. However, it will not apparently be applied to individuals within those businesses. We need to think about what that means. It contrasts with the existing law. Section 15(4) of the Prevention of Fraud (Investments) Act 1958 requires a recognised body to be able to furnish the Department of Trade and Industry with a list of the persons who are for the time being authorised by a member to deal in securities on his behalf. Surely, therefore, the White Paper proposals ought to include a requirement in law that individuals authorised to handle investment business on behalf of registered businesses should be adequately recorded and monitored. I may have misunderstood the import of paragraph 6·3, but I am inclined to think that it does not go far enough.

Chapter 7 deals with the rules for the conduct of business. In some respects it is not tough enough. First, on compensation, I agree with what was said by the right hon. and learned Member for Monklands, East. Paragraph 7.12 refers to professional indemnity insurance and says that it could be made a requirement. I believe that it should be made a requirement. That point was made by the Consumers Association in its submission.

On the disclosure of terms of investment business, paragraph 7.15 says that

"An investment business should disclose the full terms of business dealing to actual and prospective customers".

I support that statement. However, paragraphs 10.10 and 10.11 propose one of two routes for the disclosure of commissions to prospective investors. Either specific details of the amount and nature of the commission to be paid should be given or there should be an undertaking that it is within the limits prescribed by a voluntary agreement within the industry. I do not think that that is good enough. I assume that all those within the voluntary agreement will charge the maximum. If not, they will presumably inform investors of it as an advantage. I believe that specific details should be provided in every case. In Stock Exchange transactions, every contract note shows all the associated costs in detail. I see no reason to depart from that. Indeed, I believe that the principle of equivalence of treatment would not be met if that were not so.

The White Paper sets out a framework for investment protection and describes the parameters of the legislation. Naturally, it does not go into great detail, so some questions of detail remain unanswered. It may not be the easiest thing to contrive, but it would be most helpful if the Government could publish draft clauses or a draft Bill before the legislation is introduced in November or December. I realise that the constraints of the timetable may make that difficult. The Government have had difficulties with the Insolvency Bill because, although the White Paper set out the principles, there was no opportunity to comment on the details until the Bill appeared. In this case it is almost more important to get things right because the success of the legislation will depend so much on the goodwill and co-operation of those being asked to operate it.

Mr. Gould: I very much agree with that suggestion. The hon. Gentleman will be aware that Professor Gower intended to publish a part 2 to his report which would have taken the form of a draft Bill. Does the hon. Gentleman agree that it is a pity that Professor Gower was dissuaded from taking that course?

Mr. Smith: Frankly, I had forgotten about part 2, having given up asking parliamentary questions about when it was to be published. I shall be interested to hear from my hon. Friend the Minister whether and when it is to be published. He may well reply, of course, that that draft Bill would have been based on the Gower report and that we have moved on since then. In any event, it would be helpful to have draft clauses or a draft Bill because I believe that the proposals will work well only if the financial services industry is kept fully informed.

Sir Edward du Cann: My hon. Friend might also consider the alternative or additional possibility of using the procedure now established in the House for legislation to be submitted at an early stage to a Special Standing Committee for detailed and careful examination, during which people in the industry could give evidence and have it considered far away from the usual party battles.

Mr. Smith: That is a most constructive suggestion. I believe that proposals of this kind, on which there is a consensus, are especially well suited to the Special Standing Committee procedure. That would be a useful additional process. I am anxious that there should be the maximum scope for consultation before the legislation is published. I hope that my hon. Friend the Minister will be able to respond to that.

6.23 pm

Mr. Paddy Ashdown (Yeovil): I welcome the atmosphere of harmony and consensus which has

characterised the debate so far—perhaps yesterday's dreadful scenes had a cathartic effect—and I do not intend to disturb it.

The Secretary of State seemed to have most difficulty with questions about the appointment of the chairman of the Securities and Investments Board. He said that the Bill aimed to establish confidence both within the industry and among the consumers. I believe that the legislation must also secure the confidence of the British people, no doubt expressed through this House, in one of our greatest institutions which has brought us great advantage in terms of its invisible earnings and its standing in the world. The right hon. Member for Taunton (Sir E. du Cann) said that the people on the boards are everything, and he is absolutely right. They must be people in whom we can repose our confidence. The Secretary of State said that one of the advantages of legislation along the lines set out in the White Paper would be to give a sense of accountability, through himself and through Parliament, to the regulation of affairs on the Stock Exchange. In many ways that is the important principle in relation to the appointment of the SIB chairman.

The present proposals will give the Governor of the Bank of England a veto. I can find no other word. The Secretary of State is known for fairly pungent and plain speaking, but if it is not a veto, I do not know what it is. If the Governor of the Bank of England puts in a caveat, and adheres to it, he will be able to prevent an appointment, whatever the wishes of the Secretary of State. In the final analysis, an objection from the Governor of the Bank of England will have a determining effect. If that is not a veto, I do not know what is.

The hon. Member for Birmingham, Selly Oak (Mr. Beaumont-Dark, who is also known for pungent speaking, referred to this veto as a constitutional outrage. That may be overstating the case a little, but it is certainly a matter of constitutional concern that the Secretary of State should be giving a veto of that nature to a public servant. The Secretary of State ended by saying that he wanted the House to give its views and that those views would be taken fully into account. I hope that he will recognise the strength of feeling on this in all parts of the House, not least on the Conservative Back Benches, and perhaps think again.

According to the Secretary of State, the White Paper has two aims—to make the Stock Exchange a clean place in which to do business, as he put it, and to fit the City out for the future. The first may be easier to achieve than the second, although it is no less important. Whether the White Paper should be supported will depend on the conclusions that we reach about those two aims.

Members in all parts of the House have recognised that the Stock Exchange is going through profound changes, due to technological developments, the forces liberated in recent years with the restructuring of various organs of the Stock Exchange and because the whole business has become more intensely international in character. In those circumstances, as the Secretary of State has said, some flexibility is needed. We have no crystal ball to tell us exactly how this will turn out, but if I criticise this aspect of the White Paper it is on the ground that too much flexibility may not be the best option. International operators need to have a clear idea of the general framework through which they are to make their investments and the rules within which they must operate. Too much flexibility could lead to a sense of chaos or continual change.

On the proposals for the two boards, I suspect from what the Secretary of State has said that we are pushing at a half-open door. The proposed boards will be hybrid in nature, complicated and bureaucratic and, some believe, in many ways unworkable. Damage may well result if the Secretary of State sticks to the present proposals.

Mr. Tebbit: The hon. Member should not confuse flexibility with clarity. The flexibility which I seek is that of legislating for a system capable of changing to meet future demands which we cannot at the moment foresee. However, I agree with the hon. Gentleman that the regulations should be clear, and of course they should not constantly change.

Mr. Ashdown: I hear what the right hon. Gentleman says. In my view, there is a lack of clarity in the White Paper about what the Secretary of State perceives to be the ultimate destination. As the Gower report made plain, the right hon. Gentleman had three options. He could have allowed the situation to be totally self-regulatory. We all welcome the fact that he decided not to pursue that option. No doubt he acted in the light both of his own views and of the debate in the House last year in which the opinion was widely expressed that a totally self-regulatory system would be inadequate. The second option was that of a balance between self-regulation and a statutory framework. That is the option which the right hon. Gentleman has chosen, and which Professor Gower predicted in his report would be adopted. The third option—and here I see a lack of clarity—was that of an independent commission. That was the option preferred by many people.

We do not know exactly where we are going. The Secretary of State says that it may be a question of two boards, or of one. The Minister says that there is not much difference between a single board and an independent commission. That view is broadly shared. Which of the two solutions is it to be? Is it not important for the Secretary of State to give to the House, the industry, the Stock Exchange and the international investors a clearer idea of his view of the ultimate destination?

I welcome the move from self-regulation to what one might perhaps call a halfway house. No doubt the Secretary of State has been tempted—as we all might be in his position—by the advantages of a gradualist, evolutionary approach, of flexibility, and of the need to build on the present characteristics and nature of the industry. However, the confidence of the industry, especially internationally, would be greatly reinforced, both now and when the scheme is given legislative form, if we had a clearer idea from the Secretary of State of the ultimate destination. From that point of view, it would have been better to take a larger and more courageous step and to say exactly what we want. Would one board really be equivalent to an independent commission? I do not know. It is important that we should have a clearer idea.

The right hon. Member for Taunton referred to insurance. Like others, I welcome the safeguards and protection for the purchasers of life insurance. However, I share the right hon. Gentleman's view that we must recognise that people can be damaged to a significant

[Mr. Ashdown]

extent by non-life insurance too. I know that my hon. Friend the Member for Stockton, South (Mr. Wrigglesworth), like me, agrees with the right hon. Gentleman that there is a need to broaden the ambit of the protections so that they will cover others too.

Mr. Gould: I agree with the hon. Gentleman that this is a very difficult line to draw. However, his point applies to almost any business transaction. People can be damaged by any foolish purchase. Where would the hon. Gentleman draw the line?

Mr. Ashdown: That is a fair point, but the insurance industry stands alone. It is clearly defined. It would not be difficult, or excessively regulatory, to treat it as a whole. The point made by the hon. Member for Dagenham (Mr. Gould) about damage is valid, but it seems to me that we are taking only half a step when we could take a whole one. We are separating off a portion of the industry and providing safeguards only for those within it.

The White Paper must be judged by the two criteria set by the Secretary of State himself. First, will it ensure that the City is clean, and, secondly, will it fit the City for the future? There is some doubt whether these proposals will do the first of those jobs. An article in *The Times* on 30 January 1985 resorted to hyperbole uncharacteristic of that paper, saying:

"It is impossible to avoid the conclusion that if legislation is enacted on the basis of the White Paper, financial vermin will still be allowed to scamper unhampered through the sewers".

I would not necessarily associate myself with that phraseology, but there is concern that the regulations suggested in the White Paper may well not be strong enough.

Will the proposals fit the City for the future? The White Paper is a transitional one rather than one which delineates the ultimate destination. It would be improved by a larger amount of what the Secretary of State has himself referred to—clarity. I welcome its general direction, as did my hon. Friend the Member for Stockton, South. The document contains useful proposals, but perhaps it does not do enough or go far enough.

The Secretary of State had an opportunity to create the framework for the future of the Stock Exchange. Unhappily, in my view, he has not wholly done so. He has made a beginning, but the framework is skimpy. Additions will have to be made to it. Others more knowledgeable than I have made the same prediction. The proposals in the White Paper, if they are enacted, will be deficient, although the general direction is welcome. The White Paper, to that extent, represents a lost opportunity.

The Secretary of State says that he will be flexible in taking account of the views of the House. I hope that he will be. The White Paper is more a signpost for the future than a clear delineation of a destination. We hope that in framing the legislation the right hon. Gentleman will take into account the opinions that have been expressed, and that the legislation will provide an effective structure for the future rather than a general direction.

6.38 pm

Mr. Anthony Nelson (Chichester): I join others in welcoming the consensus in the House on this important White Paper, and the opportunity that we have been given to lay down some guidelines before the legislation is introduced next Session.

The White Paper marks an important step towards improving investor protection. New markets and new technology bring benefits, but they also bring problems. There is no doubt that the emergence of new markets, such as the unlisted securities market and the financial futures market, have provided new opportunities both within the City and outside it. Easier access to those markets provides new investment opportunities for many people, and information technology enhances the opportunities presented to many people who take advantage of those markets. Many advantages also arise from the increasing competitiveness in the marketing techniques that many financial companies, and many markets themselves, have operated in recent years.

However, those welcome factors have one undesirable consequence. Investors have become more vulnerable. The scandalous fraud cases such as have been referred to by my hon. Friend the Member for Beaconsfield (Mr. Smith) have tainted the reputations not just of individual firms but also of long-established markets. Public and international confidence in the City as a free and fair market is in danger of being undermined unless an effective regulatory system is introduced and the law brought up to date.

I also pay tribute to Professor Gower, who has stimulated public debate and made recommendations. In his carefully judged interim and final reports, he tried sensitively to bring the Government forward in what they were prepared to accept and propose. I think that I can say on behalf of many hon. Members, and without immodesty, that the House has also played its part in the process and encouraged them to be prepared to do what they might not have been prepared to do a few years ago. Gower and hon. Members have played their part. I hope that my right hon. Friend and his predecessors accept that.

There is an urgent need for a new framework of protection. Rapid changes in the City make that desirable with the arrival of financial conglomerates and because scandals, failures and uncovered positions are more prevalent in bear markets. Although I have faith that the resurgence of our economy will continue indefinitely, when it comes to investing my own money, I am prepared to bet that, sooner or later, there will be a bear market. I know from experience that, in bear markets, uncovered situations and unscrupulous operators are found out and Joe Public suffers a substantial loss. It is the business of the House to try to protect the public from that eventuality. That is why I emphasise that the matter is urgent.

The White Paper admits that there will be no legislation before the next parliamentary Session. Such legislation will not be enacted before July next year and it will probably not come into effect until January 1987, unless the bodies are operating beforehand on a non-statutory basis. I am pleased to see my right hon. Friend the Secretary of State nodding and thereby seeming to agree that he wants to put the proposals into effect as soon as possible. Many of us would like there to be a regulatory framework sooner rather than later.

We must frame laws and a regulatory system, but not just in response to identifiable problems that have arisen. Some fraud cases have already been referred to today. We should provide a durable and flexible regime—those adjectives are not incompatible. Much of the legislation that governs sectors of the financial market has been passed in response to crises or problems and have not proved durable or appropriate. The Banking Act 1979 was

rightly passed in response to problems in the banking sector in the early 1970s, but it is now too restrictive and does not allow sufficient competition. It does not allow successful banking companies to build up their status within the classifications of banking set out in that Act.

Conversely, the Lloyd's Act 1982 was passed slightly before there was a major scandal on the insurance markets. That scandal showed that legislation was necessary. The House should therefore have confidence in its ability to discuss these issues. It should have confidence in its judgment and status and not leave these matters to the City on the assumption that it always knows best. The initial Lloyd's Bill was resented and objected to because it was thought that it would destroy Lloyd's as we had known it. Amendments were made about divestment and conflict of interest, and they were hotly resented by Lloyd's. Nevertheless, the House passed them and, in the light of events, those changes proved absolutely right. We have since heard some objections from Lloyd's about the Act, but the House was quite right to pass such legislation. However, times change and we should not introduce legislation just to redress the problems of the past. We should try to make it endure.

Mr. Jeremy Hanley (Richmond and Barnes): I thoroughly agree with my hon. Friend. I wonder whether he is aware that the very first Companies Act was introduced in 1696 and dealt with the abuses of stockbroking.

Mr. Nelson: My hon. Friend has provided an interesting and persuasive anecdote, but he will know that there have been many Companies Acts since then.

The Prevention of Fraud (Investments) Act 1958 was passed when markets were much simpler and more stable. In the 1950s, when we had nil or relatively low levels of inflation and therefore much lower levels of interest, there was a much clearer and simpler distinction between an equity and a bond. An equity was regarded as a risk investment whereas a bond was regarded as a fixed investment with an assured maturity and an assured rate of interest. Whether the interest was paid or the bond was redeemed depended substantially on the view of the quality of the person issuing it. Irrespective of whether it was a gilt-edged security or a corporate bond, there was a much simpler division between debt liabilities and equity liabilities. That division has been broken down, largely because of higher levels of inflation and the increasing volatility of exchange rates.

Bond or debt issues are now regarded as much the same as a security or equity issue. One has to make many of the same judgments about a bond or fixed interest issue as about an equity issue. That judgment has to be about currency movements, inflation rates and comparative inflation rates. The fact that a range of debt instruments are now being marketed here and in the United States, where there is a secondary market in mortgages, shows how we have moved on since the 1950s.

Against that background, the White Paper rightly makes the case for proper investor protection, while trying to maintain the vitality of the United Kingdom as the world's principal financial market. We should not forget that it generates some £7 billion of foreign earnings, about 2 million jobs and about 7 per cent. of our national income. It should be the House's responsibility to ensure that that prosperity is maintained and the protection of investors improved.

The Government have done much to promote the City's international competitiveness already. We have removed exchange controls, dividend controls and price controls and there has been a significant reduction in stamp duty and an extension of private ownership through the privatisation programme. By no means least, the welcome changes announced by my right hon. Friend the Chancellor on capital gains tax on the futures markets will be influential in promoting the resurgence of those markets.

One of the problems of the futures markets is that, since their setting up, and in particular since the setting up of the London international financial futures exchange, there has been a lack of liquidity in the market and a lack of the speculator who performs an essential and indispensable role in the futures market. A substantial reason was the tax restraints on operations in that market which, as I understand it, have now been removed by the Chancellor's statement and will be incorporated in the Finance Bill. I hope that this change will bring about a substantial increase in the turnover, the opportunities and the attraction of the London financial futures markets of all sorts in years to come.

I believe that it is essential for the House to recognise the significant role that the speculator plays in providing liquidity to these markets, and the importance of the futures markets to the City of London and our financial system generally. Some have regarded these new arrivals as rather garnish and esoteric, but in my view there will come a time, especially if volatile international economic situations prevail, when corporate treasurers will be judged culpable if they have not considered defraying their liabilities through use of the futures markets. I believe that it is viable, essential and responsible for industrial and financial companies to consider using those markets.

Mr. Gould: I agree that there has been a shortage of liquidity in these markets. Would the hon. Gentleman accept that a natural limit may be reached at some point to the amount of money available for speculating in the markets, and that the more financial futures markets proliferate in London and elsewhere, perhaps the closer we will get to that limit?

Mr. Nelson: No, I would not agree with the hon. Gentleman, although I understand the point that he is trying to make. I believe that the London futures markets are ideally placed not only to grow in their own right in the organic way that I have suggested in trying to attract new business from corporate and other clients, but also to take substantial amounts of business from other international markets. If one considers the enormous growth of the Chicago mercantile exchange and, more recently, the establishment of the financial futures market in Singapore, one observes that in the American and Pacific basins there is already an enormous use of these markets.

We in this country are well placed to make specialist markets. One example is the Baltic exchange and the other is the gold market where the world price is established every day. We are ideally placed internationally to take advantage of business that arrives on the financial futures exchanges. One of the most used aspects of the futures markets in the United States is the stock index market, which enables managers of investment portfolios to defray risks of adverse movements in the portfolios under their

[Mr. Nelson]

control by hedging their risks on the stock index futures market. That has been widely used, and is very attractive and profitable in Chicago. That is exactly the sort of thing that we should be doing already in this country. We are well placed to do it now, and the sooner we can bring this about, the better. I believe that the removal of tax restraints on this aspect of business will allow great prospects for the development of these markets.

One of the principal aspects of the debate is whether we should have one board or two in control of the self-regulatory authorities and broadly in overall control of the financial markets in the City. As I have said in the House on previous occasions, in my judgment the arguments for two boards, or indeed more, are shallow and unsustainable. The White Paper admits that no new framework can be legislated for before 1987. In the meantime, two bodies will be developed—the Securities and Investment Board and the Marketing of Investments Board—to the stage where authority can be delegated to them. This may have been implicit in the appointment of the Martin Jacombe and Marshall Field groups, but no argument, other than saying that the bodies will be "function-based", as the White Paper asserts, is adduced in favour of two boards rather than one board.

There is, I believe, a suspicion that the underlying reason behind continuing to promulgate the case for two boards is a paranoia about creating any body that could be comparable to, or turned into, an American-style Securities and Exchange Commission. I believe that the reasons for this that were put forvard by the right hon. and learned Member for Monklands, East are most unlikely to be valid.

In this country, the system of self-regulation is quite different—particularly, for example, in takeovers—and there should and could be no reasonable fear that, were we to establish one body, it would take on the nature of a securities and exchange commission.

I believe that there are strong arguments for one board as opposed to two as proposed in the White Paper. First, as the White Paper admits, financial conglomerates encompass marketing and investment business. It would be anomalous and unnecessarily confusing to have two boards. Secondly, the Government recognise that there will be overlapping regulatory responsibilities. Indeed, the White Paper states in paragraph 3·2:

"If the law and the regulatory system are to be clear and fair there must so far as this is possible be equivalence of treatment between products and services competing in the same market."

Such an assertion in my judgmentis quite inconsistent with the later admission that there would be overlapping regulatory responsiblities and that anomalies would inevitably arise.

Thirdly, and by no means least important, there shall be all-party support for the setting up of the board. This is important not only to avoid future uncertainty over the structure and, therefore, the authority of the regulatory system, but also to ensure that the new board gets off to a good start, that it enjoys some certainty about its future continuation and that it has the confidence of all political parties in the House.

One is led to the view again, perhaps for clever political and tactical reasons, that the Government have wanted to be seen to be dragged into the position where they agree to having one board rather than asserting it from the beginning. In the gentlest and most constructive way, I have to say to my right hon. and hon. Friends that the House made this view clear a long time ago. It should have been obvious from the views expressed on both sides of the House at that time that that was what the House would wear and that was the inevitable course of events. The Government should have recognised that this is going to be the political reality and that we are not going to wear a different system in law. Therefore, it should have been encompassed in the White Paper.

The only reason that I can see for not doing that is either the paranoia to which I have referred — that we are terrified of a Securities and Exchange Commission; or that it might be a Trojan horse which, perish the thought, some future Government of a different complexion might turn into a much more powerful controlling body. But that might happen anyway. One cannot stop those eventualities. Surely it is better to judge on the basis of fact now, consensus and what is desirable, have the courage of one's convictions and state what is right. If the whole House has agreed with and asked for it, why should the Government be seen to be resisting that advice?

Therefore, I express some concern that the Government in producing the White Paper have not responded as fully as I think they should have done to the views that the House expressed. The writing was clearly on the wall in the earlier debate. Why are we now presented with a White Paper that proposes two bodies when it is clear that the House is not going to wear them and that there will eventually be one body? As many hon. Members have said, many parts of the City are themselves reconciled not only to one body, but to the possibility of that one body eventually having substantially greater supervisory powers.

I believe that there are narrow conceptual differences between offering and providing an investment service. What is the difference, let us say, between a merchant bank which offers its services generally to people who want to have their investments managed and place their investments with that merchant bank, which promptly puts the investments into a house equity investment fund that is exactly the same as a unit trust—that happens widely in the City—and another situation in which a unit trust actively markets its units to the public? Both are exactly the same, yet under the proposals one would come under the ambit of the Securities and Investments Board and the other under the Marketing of Investments Board. That would be anomalous and undesirable.

I too share the reservations about the White Paper's proposals for the Secretary of State to appoint the chairman of the Securities and Investments Board with the agreement of the Governor of the Bank of England—effectively it would be his veto — while the board members would be appointed by the Governor, presumably with the agreement of the Secretary of State. Interestingly enough, and conversely in the case of the MIB, the chairman and members would be appointed by the Secretary of State, not specifically with the agreement of the Governor of the Bank of England but generally with that of the financial sectors involved.

Mr. Budgen: Is not this likely to be a very similar sort of agreement to that which is required when bishops are appointed, where the appointment is by the Crown but with the appearance of agreement by other bodies? The Governor is now the servant of the state. He is a high civil

servant and no longer an independent functionary. It is impossible to envisage that he would refuse his agreement in any formal way.

Mr. Nelson: With great respect, I am not sure whether my hon. Friend advances his case by drawing on that precedent. While the Governor may be more tied than he has been in the past, it is evident to many people who have tried to follow these matters that in recent years, for the reasons I gave earlier, just as the prudential role of the Bank of England in terms of covering the fiduciary issue and the monetary aspects of banking control has extended substantially into the equity sector, so the remit of the Governor and the Bank of England has extended in an unlegislated and unenvisaged way into the scrutiny and control of the investment markets.

I am suspicious of the role of the Bank of England in these matters. I have the greatest confidence, as I hope all hon. Members have, in the present Governor and his very able deputy, Mr. Walker. But that is not the point. We are not making judgments about the ability of individuals—we are talking about the long-term future and the proper role of scrutiny. In my judgment, there is a basic distinction between looking after the banking and prudential requirements of the City of London and making much more judgmental decisions about investment markets, fit and proper rules, and the sort of organisations which should be involved in investment, insurance and so on. The Bank of England has a wholly proper responsibility in fiduciary matters under the Banking Act, but not in the investments sphere, which is much more judgmental, where the public is far more exposed, where political aspects come much more into play, and where this House, through the Secretary of State, has a responsibility to make the appointments to these relevant boards.

Mr. Tim Smith: Is not all this a fuss about nothing, and is not my hon. Friend to some extent belittling the role of the Bank of England? There are few enough people capable of taking an independent and informed view of these matters. My hon. Friend mentioned several individuals presently associated with the Bank of England. Surely they have made an important and constructive contribution to the measures that we are debating.

Mr. Nelson: I agree with my hon. Friend. I do not wish for a moment to underestimate or decry the great ability, experience and contribution which members of the Bank of England have brought to prudential supervision of the banking and investment sectors. However, the new investment and futures markets, and the new international aspects of those markets, are of quite a different order. As well as deserving separate supervision, they require different criteria in supervision from those which apply to the banking sector.

There have recently been problems in the United States with the Government bond market. I understand that those problems arose because of inadequacies in the supervisory system in assessing the capital adequacy of the companies involved in the secondary gilt markets. This is relevant because the White Paper makes certain recommendations about the gilt markets. If the same body looks at the capital adequacy requirements of the banks and the capital adequacy of a range of investment institutions which may deal in these bonds, there is a danger that the simple application of rules which may be relevant and prudential to the banking sector will be wholly deficient for the range of international, small and varied groups which deal in the investment sector. For this and other reasons, a differentiation is required between the financial, prudential responsibility of the Bank of England and investment and equity interests which should be supervised separately under a board or boards, as the White Paper proposes.

The White Paper identifies a number of duties for all investment businesses which could protect investors more adequately, such as fair dealing, fit and proper rules and disclosure. The abuses which arise from conflicts of interest within investment businesses have been commented upon and are worthy of some deliberation by this House. In my judgment, no reliance can be placed on the so-called Chinese walls—the practice of trying to keep private one part of a business from another part of that business.

When one looks at the agglomeration of financial businesses over recent years — particularly the acquisition of stock broking and stock jobbing firms by merchant banks and investment companies — one sees that the opportunities for breaching these Chinese walls are infinitely greater than in the past. Anyone with experience of working in merchant banks or the financial sector will, to say the least, know that there is great opportunity for breaching so-called Chinese walls where underwriting is involved. For example, a major company could accept to underwrite a new shares issue on an acquisition, but subsequently all the clients of the Investment division could find that the next day their portfolios are stuffed with the shares of that company, supposedly for the very best of reasons, although coincidentally that investment judgment is made on the very same day as an underwriting issue is made. That happens all the time.

As the White Paper recognises, very little reliance should, and can, be placed on Chinese walls. There is all the more need for independent scrutiny, fair dealing and a complaints procedure which is open to investors.

There should be a stronger duty on all involved in the investment markets to disclose their activities. However, disclosure should not extend necessarily to naming clients in all the markets. It is important to recognise that in some markets—for example, the metal markets—confidentiality is important. Where major countries are dealing on those markets, the disclosure of identity could prove a major inhibition.

There will be some problems in implementing the segregation of funds as proposed in the White Paper, especially in markets which require margin payments. The principle is sound. The White Paper also refers to compensation proposals and says that one or more of three possibilities should be considered to provide compensation to investors. One is the funded compensation scheme; the second is the transferred liability scheme; and the third is insurance. Unlike the right hon. and learned Member for Monklands, East (Mr. Smith), I am much more circumspect about the funded compensation scheme. I do not think that the examples of travel agencies or insurance have necessarily been happy or proper ones. I would place much greater reliance on statutory insurance responsibilities and requirements on operating companies and also on transferred liability schemes whereby the liabilities of individual companies could be assumed forcibly by their holding companies if they were found liable in any action that was brought.

[Mr. Nelson]

There is a need for much tougher penalties in regard to fraud than the White Paper proposes, particularly for individuals and not just companies. The threat of revocation of authorisation to carry on a business is not in itself a sufficient deterrent to some unscrupulous operators, and it should not be seen as the ultimate deterrent. We have to identify and hammer the individuals involved.

I very much support the establishment and work of the fraud investigation group, which has heavy and difficult responsibilities. I hope that Lord Roskill will come up with a more effective procedure in criminal cases of this kind. The Opposition parties should approach the recommendations of the Roskill committee with an open mind. The House has a common responsibility to find a more effective way of dealing with outrageous cases of fraud which up to now have proved exceedingly difficult to prosecute. Even when they have been prosecuted, they have involved an inordinate amount of time and public money. We should consider with an open mind any new procedures. Although the White Paper proposes certain fundamental changes in jury or other systems which Opposition Members and some of my hon. Friends find unpalatable, we have a serious responsibility, given the prevalence of substantial and harmful fraud cases in recent years, to consider radical reforms.

A small but significant proposal in the White Paper is the establishment of open-ended investment trusts. The corollary would be a geared unit trust—that is to say, a unit trust which can borrow money. There is a need for the public to be notified clearly what sort of fund they are investing in; they need to know when the risks are commensurately higher.

In regard to pensions, the House recognises that there is a need to safeguard the more than £100 billion that is invested in occupational pension schemes. Changes in trust law may be needed. The changes proposed in the Social Security Bill for accounting on the disposal of assets are welcome.

As to whether the pension management business of insurance companies should be treated as insurance, as it is at present, or as investments, I believe, as did Professor Gower, that logically it should be the latter. If it is not possible to bring it within that ambit, the proposal in the White Paper that it be brought within the ambit of the board should suffice.

My hon. Friend may be able to tell us when he is winding up whether there is a need to qualify the rules on issues and takeovers in statute law. I understand that this may be necessary under an EEC directive. The City Panel on Takeovers and Mergers has done a good job. If my hon. Friend is considering statutory changes, particularly to section 209 of the Companies Act 1948 on the compulsory acquisition of minority interests, I hope he will bear uppermost in his mind the need to protect minority interests and also the need to ensure that some of the worst practices of so-called golden parachutes — whereby directors of companies that are being taken over carve out for themselves enormous redundancy or service contract payments—are stopped once and for all. Such practices bring the City into disrepute and add further to lack of confidence.

With those comments, which I hope my hon. Friend will regard as being specifically constructive rather than critical, I join others in giving the White Paper a broad welcome. I wish my hon. Friend a great deal of luck, which he will need in framing legislation to satisfy the desires of the House.

7.15 pm

Mr. Richard Ottaway (Nottingham, North): My hon. Friend the Member for Chichester (Mr. Nelson) has shown how skills and experience acquired outside the House can be used for its benefit. The main thrust of the White Paper that we are debating today is that rigorous self-regulation with a full range of powers will provide a fresh climate for the operation of financial services in the United Kingdom. By and large, this is a correct approach and, indeed, the only viable approach, and I am happy to support it.

Despite this approach to the problem, the White Paper acknowledges that things can go wrong and properly devotes a chapter to enforcement. It faces up in a somewhat limited way to the question of enforcing the new structure upon those who seek to exploit it by way of fraud. As the hon. Member for Yeovil (Mr. Ashdown) put it in *The Times*, they are like vermin scamping through a sewer.

Responsibility for the pursuit and prosecution of those suspected of criminal offences under the legislation is to be given to the Department of Trade and Industry and the prosecution authorities, which we are left to assume will be the Department of the Director of Public Prosecutions. I should like to wish them well. My only criticism—a constructive criticism—of the White Paper is that it has not faced up to the restrictions and limitations, particularly of an international nature, under which those agencies will have to operate. The Secretary of State, in an intervention in the speech of the right hon. and learned Member for Monklands, East (Mr. Smith), said that it was a matter of the law rather than resources, but I think that it is both.

The major commercial frauds of the '70s and '80s have shown up alarming deficiencies in our criminal codes which were drawn up before the explosion of modern technology, particularly in communications, and which have been found to be woefully inadequate to bring offenders to trial and to ensure that justice is done and is seen to be done.

The White Paper says in paragraph 3.2:

"Prevention is better than cure."

The difficulty in this country is that in combating the international criminal there is little preventive work of the kind that we see in other areas of crime. The reason is that the crimes are sophisticated and international. There needs to be a high degree of expertise in combating the commercial fraudster and, not surprisingly, it is not always available at local police force level.

The most welcome development in this country, in response to pressure for a more aggressive attitude in combating commercial frauds, was the creation by the Government of the fraud investigation group to concentrate more on the large fraud cases. The combination of experts from the Department of Trade and Industry and the Department of the Director of Public Prosecutions should sharpen some of the weaker aspects of prosecution policy, but several limitations remain.

Although it is not admitted officially, it is a policy of the DPP not to bring actions against criminals where the person engaged in fraud is a foreign national and where his victims are also foreign nationals. Furthermore, the criminal may also escape the risk of prosecution in the

country where his victims live because that country may not have jurisdiction to deal with a crime committed in this country.

It has also been reported that the police do not intervene when money involved in an overseas fraud is in a United Kingdom bank. In an unofficial response the DPP did not deny such suggestions but pointed out the difficulty of getting witnesses to come from abroad and the cost of doing so. In one case the DPP paid a witness to attend a fraud trial in this country. It put him up in the best hotel at great expense, only to find that the witness withdrew his allegations against the criminal. It transpired that the criminal had returned the money of which he had defrauded the witness and the witness, being satisfied, flew back to Germany. It is obvious, therefore, that having trials with overseas witnesses will cost a lot of money. Governments must be prepared to increase their budgets for prosecutions if it is their wish to make progress in this matter.

Notwithstanding the introduction of the fraud investigation group, the great fear on the limitation of prosecution policy is that not only will the lack of prosecutions attract criminals to Britain, especially to London and the City of London, but that their uninterrupted operations will eventually damage the probity of British financial institutions.

Some police officers believe that those engaged in international fraud are already aware of the situation and are preparing to capitalise on it. Anyone would be free to come to the United Kingdom, buy a company for a minimal sum, issue innumerable cheques and commit any other type of financial crime as long as no British residents suffered any loss. There is great fear that this country has already become a haven for such criminals.

What justification is there for this country to spend more money prosecuting other nations' criminals? The financial services in this country make a substantial contribution to the economy, contributing more than £4 billion a year to the balance of payments and employing a million people. Accordingly, I believe that the price for receiving such a tremendous benefit to the economy is that these areas of operations, particularly in the marine world, must be more thoroughly policed and that some of the resources derived from them should be put back into the policing of them.

Hon. Members may have read recently in the press that the notorious fraud which evolved around the sale of cargo of the Salem N and its subsequent scuttling recently came to a head when some of the perpetrators of the fraud were prosecuted in the United States. As one of the intended victims was a United Kingdom company, it is clear that the United States is prepared to prosecute perpetrators of fraud in this country, and we should adopt a similar attitude to other countries' criminals.

Many steps can be taken to help the prosecuting agencies in this country. There are loopholes in our law of jurisdiction. If two people operating in this country conspire to commit a fraud which takes effect wholly overseas, they have committed no offence over which the United Kingdom courts have jurisdiction. I am pleased to say that this point is now being investigated by the Law Commission.

Furthermore, if the country in which the crime was carried out has no extradition agreement with this country, the perpetrators of the fraud can cheerfully carry on with their business in Britain without fear of extradition or prosecution. However, our poor image in the extradition world is now being reviewed in the recently issued Home Office Green Paper on the subject of extradition.

On an international level, there are positive moves afoot, primarily by the United Nations committee for trade and development, which is considering sponsoring international conventions for jurisdiction and extradition to cope with the epidemic of marine fraud which is prevalent.

Only by true international co-operation will the international criminal be foiled. Sadly, there is no true international police network which can get to grips with combating the international criminal. There is, however, a glimmer of hope. Interpol, despite its glamorous image, has been little more than a communications link between national police forces. It was prevented from being anything other than that by French law, which prohibited the keeping of records. This law has recently been relaxed and it is now open to Interpol to develop an international rogues' gallery. I understand that it is proposed to instal a computer to handle such information. This is a substantial step forward in creating a greater degree of international co-operation in this sphere.

I hope that Government Departments, and particularly the Department of Trade and Industry, will make a positive thrust in all these initiatives to protect the investor. It is not enough to say, "If the victim or perpetrator of a fraud is a foreigner, it is not our responsibility". We operate in a truly international climate and there must be a much greater effort if we are to comply with the sentence in paragraph 1.2 of the White Paper, which says:

> "All should know that they are doing business within a system which is properly regulated, where fraudulent or dishonest conduct is prohibited".

It adds that people should know that this is

> "a clean place in which to do business."

We still have some way to go before we can, with honesty, proclaim that. We are one of the, if not the, leading financial centres of the world and we must put our house in order.

7.24 pm

Mr. John Whitfield (Dewsbury): When the House first debated this subject, on 22 November 1983 on the Second Reading of the Restrictive Trade Practices (Stock Exchange) Bill, many hon. Members, some of whom are taking part in today's debate, expressed grave reservations about the substantial changes that were taking place in the City.

The financial revolution had already started, even at that time. The development of financial supermarkets was already going on, and the technical divisions between the services which had traditionally been provided in the City by separate bodies were being broken down. The new technology had been with us for a long time and had established a completely different world in the transaction of international business.

New markets and services were being set up. I shall refer to only two. The unlisted securities market was already successful, although it was not a particularly regulated market. There has since been established the international financial futures exchange, which provides an essential service to traders, enabling them to hedge against fluctuating interest and exchange rates.

With those changes came the need for improved regulation. The introduction of dual capacity, or even

[Mr. John Whitfield]

treble or quadruple capacity, was creating a completely new situation, and never was there a time when improved regulation was more needed in the City.

Such regulation, in its purest form, just about worked when single brokers, single jobbers and single fund managers dealt with one another. If one broke the rules, more often than not the others would take action. Each had his own axe to grind, and if somebody else tried to blunt it the law of the jungle would usually provide the remedy; and there is nothing wrong with the law of the jungle in that type of situation. It works well. But how could such a system of regulation work if the broker was also the jobber, the fund manager and the bank? Clearly, it could not. Something new was required.

Until this week, the small broking houses alone appeared to have been complaining about what was happening, while their better-heeled big brothers had been signing up with the new financial conglomerates beneficial conditional sell-out contracts. This week, Barclays De Zoete Wedd, in embryo—because that firm does not yet exist—declared its hand, not because it was concerned about the future of the minnows but because, perhaps we should say, it was honest enough to declare that, in its view, the conflicts of interest with which the White Paper was concerned simply could not be avoided.

The Chinese walls, whatever they were, have already started to fall down. Indeed, I wonder whether they ever existed. Whatever they were, anything less like the great wall of China would be difficult to imagine. When the insurance market at Lloyd's has, for its own protection and that of its reputation, moved towards single capacity, and when the Prime Minister has said that she is implacably opposed to dual capacity in the legal profession—that is, between solicitors and barristers—if the financial services industry wishes to move irrevocably in the opposite direction, as it clearly does, it is indeed time for improved regulation.

My right hon. Friend the Secretary of State is on record as saying that that is best done by allowing market forces to operate responsibly, without unnecessary restraints and in a way which promotes efficient and competitive business. A prerequisite, he said, for an internationally competitive industry was a clear, regulatory framework within which practitioners could deal with confidence and —the most important point—which safeguarded the interests of investors.

My right hon. Friend said on Second Reading of the Restrictive Trade Practices (Stock Exchange) Bill:

> "It is essential that if single capacity goes it is replaced by other protections, and probably the maximum openness and transparency . . . in dealings would essentially be among them".—[*Official Report*, 22 November 1983; Vol. 491, c. 190.]

Having read the White Paper, and having heard my right hon. Friend, we must tonight consider whether provision is being made for maximum openness and transparency in dealings. The White Paper is good on general principles, but the detailed rules are still to be settled because they are to be drawn up by the two new regulatory boards.

There are four main parts of the White Paper to which I particularly wish to draw the attention of the House. The first and most important is the duty on any investment business to disclose in advance any material interests. We have yet to settle what a material interest is, as a material interest to Merrill Lynch might not be one to the owner of 800 shares in British Telecom.

Secondly, the investment business must subordinate its own interests to that of its client. Thirdly, there must always be an adequate and reasonable basis for the making of investment recommendations. Fourthly, the failure by omission or mistake will be made the subject of criminal and civil liability and lead to the withdrawal of the right to trade. That latter point is important. The right hon. and learned Member for Monklands, East (Mr. Smith) described it as a draconian remedy, but it is one which the bodies concerned must be prepared to exercise, because if they are not the measure will become weaker than it would otherwise be.

Can we be sure, in the new world of financial conglomerates in which we shall have to live, that those close to the market are best able to ensure high standards of business conduct? I hope that they can, but we must not assume that they will. I note that the big investment businesses will have the right to appeal to an independent tribunal on disciplinary issues. I urge that a similar right be granted to those of their aggrieved clients who are not satisfied with the decision of the regulators.

I welcome the terms of reference of the Roskill committee which is examining whether trial by jury and the rule of evidence are appropriate for dealing with complex financial fraud cases. This has already been alluded to by my hon. Friend the Member for Nottingham, North (Mr. Ottaway). In cases of financially complex fraud, I wonder whether the traditional concept of the man who is charged being presumed to be innocent until he is proved guilty is appropriate. This is a fundamental matter, but the Roskill committee might consider it. In such cases, the defendants are usually well-heeled individuals, and it would not be a terrible thing if the onus of proof were shifted more on to their shoulders than it is.

Criticisms of the White Paper are coming thick and fast, and I am concerned about them. The chartered accountancy bodies in England, Wales, Northern Ireland and Scotland have recently said that they are worried about there being too much regulation. They have said that there must be a clearer definition of an investment business than there is now. Many firms of accountants are forming themselves into mini-financial conglomerates, and I wonder what their true motives are for questioning that aspect of the matter. I think that I can suspect what they are.

The British Insurance Brokers Association is concerned about the disclosure of commission. It is saying not that that should not happen, but that it will mislead the client as to the quality of the policies that it is selling. I should not have thought that this was an insurmountable problem. Surely it is not beyond the wit of the efficient salesmen whom the insurance brokers employ to explain to their clients what they are selling, while not detracting from that by admitting that there is a good commission in it for them at the same time. As a solicitor, I have never been faced with this problem, and my profession has always had the rule that if we receive a commission or another benefit from somebody as a result of recommending business of some sort to a client, we have to account to the client for it as part of our financial arrangements with him.

The arguments of Barclays De Zoete Wedd have to be tackled head-on. It has argued that the proposals are unworkable. It is clearly suggesting that the projected rules

should be diluted so that the rule that a company should act in the best interest of a client is qualified in some way. As a solicitor, I find that extraordinary. Should people be relieved of the responsibility to act in their client's best interest, which is what Barclays De Zoete Wedd seem to be suggesting? Should they be relieved of the responsibility to disclose to clients what commission and other benefits they may obtain from a principal in broking? Should they seek to pretend that they are not really carrying on investment businesses when that is what they are doing?

Whatever the views of my right hon. Friend the Secretary of State about lawyers—and I know that he has some views, which he has expressed from time to time—I know that, as an honest man, he will accept that the legal profession has something to offer. Lawyers recognise a conflict of interest when they see it. It is clear enough. The concept of the conflict of interest has to be grappled with, and the financial services industry must be made to recognise it and accept that it is something with which it will have to deal. Therefore, I urge my right hon. Friend the Secretary of State to resist the lobbying of the special interest groups which want him to water down the commendable principles set out in his White Paper and to ensure that those principles are clearly reflected in the detailed regulations when they come into force.

I am concerned about the small specialist broker. He suffers many disadvantages compared with the financial conglomerates which are springing up all over the place, but he can provide the personal services which clients have come to expect. He has few difficulties with conflicts of interest, because he operates in a simple world and can see them clearly. If the conglomerates anticipate problems for themselves, perhaps this will enable the small man to compete more easily with them, and this would be no bad thing.

I know that my right hon. Friend the Secretary of State is in favour of competition. The maintenance of competition is another reason for the imposition of effective regulations on the financial services industry. Financial supermarkets must be made to conform and to conduct their affairs properly, as decent professional people have done for hundreds of years. Whatever changes have already taken place, and are still to take place, they must not and cannot relieve these institutions of their basic social responsibility.

7.38 pm

Mr. Nicholas Baker (Dorset, North): I was interested by the speech of my hon. Friend the Member for Dewsbury (Mr. Whitfield).

Normally, I find consensuses of the kind that we are seeing tonight deeply worrying because they usually mean that something is wrong. It may have arisen on this occasion because only one Labour Back-Bench Member has spoken so far.

Mr. Budgen: Do not encourage them.

Mr. Baker: I shall not do that.

I wish to apply to the White Paper one particular test that has not yet been applied—whether it assists to promote the development of the share-owning democracy. This process started in the 1950s, when many people of relatively small means became excited about the buying of shares, and became investors. The process came to a halt under the advances of high inflation, but it is now slowly on the move again, thanks to lower inflation and tax incentives introduced by the Government. The British Telecom share issue will have an effect as well. A system of practitioner-based regulation within a statutory framework is capable of assisting the process.

However, the rules must be clear and comprehensive and must be enforced firmly. I caution hon. Members against a system that is infested with lawyers because it will be too expensive and will definitely operate against the interests of the small investor. That is one reason why criminal penalties are necessary, and why self-regulation by self-regulatory bodies is also required.

We have discussed at length the two regulatory bodies proposed in the White Paper. I dissent from what seems to be the general view about that. After all, the two boards mentioned have different functions. Although they may be in the same building and although there may be some minor overlapping in their administration, I can see an advantage to the consumer in having boards or regulatory bodies that are closer to the affairs that they are supervising. In the balancing act that has to be performed between self-regulation and a central statutory control, I come down in favour of self-regulation and of more rather than fewer bodies. I was singularly unimpressed by the case put for having one body. The case adds up to it being tidier to have one body and easier for the public because they will know who to write to. Both of those things may be true but that is not a sufficient reason.

In practical and political terms, one such body is more likely to lead to an SEC. I was sorry that my hon. Friend the Member for Chichester (Mr. Nelson), who spoke with great experience, did not make it clear whether he was in favour of an SEC or of just one central regulatory body. There is a difference. If anyone wants to see what power an SEC operates, he should look at the system in the United States. An enormous corpus of rules, a massive amount of paperwork and a huge bureaucracy are involved. The work for lawyers is phenomenal. As part of that, there is the supervision of the courts, which is very expensive and heavyweight. If it can be avoided, and if proper protection can be achieved for the investor, it is in the investor's interest that that should be done.

I understand from my right hon. Friend the Secretary of State that the Government have given us an assurance that they do not intend to go down the SEC road. I hope that that is so. But I also caution hon. Members against thinking that malpractices will not occur.

Mr. Ashdown: Perhaps I can press the hon. Gentleman further on that point. Like him, I gained the impression that the Secretary of State said that the Government did not wish to go down the SEC road. Yet even the Minister, when he questioned my hon. Friend the Member for Stockton, South (Mr. Wrigglesworth), seemed to think that a single board—which the Secretary of State has said that he would consider and might even grant—was the same thing. Is there not a good deal of confusion? On the one hand, it is said that a single board is the same thing as an SEC and, on the other, it is said that we do not want an SEC. Should not the confusion be cleared up?

Mr. Baker: There may, indeed, be some confusion. Some of those who support the idea of one board think that they are supporting a self-regulatory board, while others

[Mr. Baker]

think that they are really supporting an SEC now, or in a few months time. I hope that my hon. Friend the Minister will clear up that point, because it needs to be clarified.

Malpractices will occur in any system. I was interested in what my hon. Friend the Member for Chichester said about the Lloyd's Bill, which I promoted. I shudder to think of the sort of Lloyd's Bill that we would have produced if we had been working in the hysteria of all the scandals that took place after the Bill had come into force. Nevertheless, I believe that the framework introduced by that Bill was sufficient to give people in Lloyd's the equipment with which to deal with the skeletons that have come out of the cupboard.

The system set out in the White Paper promotes a share-owning democracy, and so I give it a reserved welcome. I practise as solicitor, and therefore should declare that I have an interest in that my firm practises in this general area. The principle of a professional closed shop is essential to investor protection. We rightly do not like closed shops, but that principle is necessary in order to protect investors who do not know the ramifications of the investment that they are dealing with.

Investors can be protected by drawing a ring around a group of trades and requiring qualifications, in return for which those professionals are granted the privilege of earning their living within that ring. I agree with my right hon. Friend the Member for Taunton (Sir E. du Cann) that the quality of the people involved is critical. I believe that the Stock Exchange is still an example of such a ring. When looking at the reforms that have taken place in the Stock Exchange, it is important that we do what we can to preserve the central market as an essential ingredient in investor protection. There is a danger of fragmenting that central market if the liquidity of the market is not maintained, especially in the run up to October 1986, when the Stock Exchange changes come into force.

I have some brief points to make on the White Paper, and I hope that my hon. Friend the Minister will deal with some of them. First, will my hon. Friend give us some idea of the costs involved in the regulatory bodies? Secondly, I should like some clarification of the nature of the two boards or the one board, which he might be tempted to substitute if he listens to many of my hon. Friends. Will the board or boards be licensing or regulatory bodies? I hope that they will be licensing bodies. However, the White Paper is not very clear on that point.

Thirdly, page 10 implies that newspapers that talk about tips for shares will not require authorisation when they recommend share transactions. Although I am a great admirer of the press and yield to no one in that, I see no reason why it should be excluded. Perhaps my hon. Friend the Minister will consider altering that. Fourthly, there is a reference to information technology. My hon. Friend the Member for Nottingham, North (Mr. Ottaway) has already made an important speech about fraud. As information technology grows, so the types of fraud and the opportunities for fraud will increase. We do not have any idea of the widespread nature of fraud in the computer world as there is a lot of hushing up for reasons that concern, in particular, the banks and other institutions affected by them.

Finally, I should be interested to know how the City Panel on Takeovers and Mergers, which is a most effective body and perfectly capable of dispensing swift and informal justice, will relate to the boards set out in the White Paper. The City wants to be established as the financial centre of the world, and I see it as the nucleus of the development of the share-owning democracy that we all want to see.

7.49 pm

Mr. Alan Howarth (Stratford-on-Avon): I declare an interest in this subject as an adviser to a merchant bank.

Like other hon. Members, I support the approach in the White Paper. The document aims sensibly at a balance between statutory and self-regulation. If I make some observations on possible difficulties, it will be very much against a background of warm support for the White Paper's overall principle.

The Government are right to build on the success of self-regulation. It is right, too, that hon. Members should record their praise of the City's record in self-regulation. Of course there have been abuses—the City contains the same mixture of human frailty and virtue as is to be found in any other group of people in any other walk of life. Abuses are deplorable, but it is fair to observe that the City has a successful record in self-regulation. This is ultimately because practitioners in the City understand that it is in their best interests for the City to have a good reputation and to be regarded as a clean place in which to do business.

I believe that the majority of the scandals that have come to light in recent years have been in areas where the Department of Trade and Industry was responsible for policing—scandals with respect to Eurobond dealing, commodity trading and licensed deposit takers, all of which have taken place where self-regulation has been undeveloped in the City. The charge that the Department has too often been reluctant and slow to investigate suspicious circumstances may not be without foundation.

The White Paper acknowledges that there is a great deal to be said for self-regulation. Practitioners who belong to the culture understand the markets in a way that hon. Members or civil servants in a Whitehall Department cannot possibly do. In paragraph 5.2 the White Paper observes:

> "iv practitioners are best equipped to stop breaches of the rules and take swift and effective enforcement action".

That has already been demonstrated to be right.

I should like to put in a good word for Chinese walls. I am not sure whether that has been done so far in this debate. It is critical that we should protect investors from abuses arising from conflicts of interest. We must recognise that the developments that are taking place in the City, especially the emergence of new types of financial conglomerates, increase the ways in which conflicts of interest occur. The wording of paragraph 7.4—

> "The Government are not convinced that total reliance can be placed on Chinese Walls because they restrict flows of information and not the conflicts of interest themselves"—

seems, however, to betray some unrealism. That statement implies that conflicts of interest can be reduced. I believe that we have to choose—we must either accept that we shall have financial businesses which are diversified and, therefore, carry with them potential conflicts of interest, or say that, for the sake of achieving a system in which the possibility of chicanery is substantially reduced, we shall not have such diversified financial institutions.

If we say the latter, we are going along with the policies set out in the NEC document produced some time ago by

the Labour party, entitled "The Financial Institutions". We would be waving good-bye not only to the new types of so-called financial supermarkets which are emerging, but to the long-established merchant banks which for many years have combined under the same roof businesses dealing in corporate finance and in investment management and which have maintained stout and effective Chinese walls within their premises.

The task must be to ensure that the conflicts of interest, which could be removed only at the price of losing the benefit to investors and our national economy of having diversified financial institutions in the City, are clearly recognised, that appropriate standards of conduct are defined and observed and that effective sanctions are established. We must have Chinese walls, and we must ensure that they are high, strong and impermeable. The City has a great deal of experience in operating with Chinese walls. We should not disparage what has been achieved.

The chief executives of our financial institutions recognise that one of their most important responsibilities involves preserving the effectiveness of Chinese walls. No doubt, chief executives will increasingly be served by compliance officers, following the American pattern. That may be a good development. Those chief executives should also be supported in the execution of this key responsibility of external monitoring by the regulatory system which we are debating.

The wrong way, however, for the regulations to proceed in this is put forward in paragraph 7.5.iii of the White Paper, which refers to:

"a duty to disclose"

and says:

"This would, for example, require an investment business to disclose in advance any material interest which it had in a proposed transacton, the capacity in which it would act, the fees which it would charge, the remuneration which it might receive from other parties interested in the transaction and any connection which it might have with other parties interested in the transaction."

Such disclosures would break the existing Chinese walls and be completely impractical, because the market will not wait while such a rigmarole is carried out. It is better to have a Chinese wall and to make it work. We must remember that it is in the interests of the financial services to have a reputation for probity. That is the best guarantee.

I should like to refer to the structure which is adumbrated in the White Paper. Like other hon. Members, I hope that the idea of having two boards will be dropped. I suspect the the White Paper proposes two boards because the Government were responding to the City's lead last year. It is now fairly clear that the City realises that it made a mistake.

There are points of difference between the securities and investments side and the marketing of prepackaged investment vehicles. The concerns in common to both sides far outweigh, however, those points of difference. If there are two bodies, there will be problems of demarcation, duplication of staff and information bases and gaps of coverage and problems of reconciliation. The White Paper proposes that authorised unit trusts should be approved by both the SIB and the MIB. It is conceivable that those two bodies might operate differing criteria and standards so that it would not be possible completely to reconcile their dual requirements. I believe that it is sensible to bring the two boards together.

There will be problems in attracting sufficient high quality staff who understand the markets. The problem with secondments is that firms are commonly unwilling to send their best people on secondment; the problem with having permanent staff is that those staff will not be so closely in touch with markets as practitioners. Those people will be, not poachers, but people who have turned into gamekeepers.

Hon. Members have referred to the problems involved in securing effective lay and consumer representation. No doubt it will be possible to persuade senior business men to serve on these bodies as representatives of consumers. But it is far more difficult to see how the small investor can be represented. How can that be achieved in an effective way?

Much thought must be given to the substructure of self-regulatory organisations subordinated to the SIB. This is a matter for the SIB to work out. If, as I am sure we should, we are to establish the SIB, it is only right that it should have the time to work out those problems. I simply draw attention to some of the problems with which I think Sir Kenneth Berrill and his colleagues will have to grapple.

To those hon. Members who say that the policy of the White Paper leans too far towards self-regulation, I would observe that the White Paper leaves a very large role remaining for the Department of Trade and Industry and for other state bodies. The Department, for example, is to keep a check, via the Office of Fair Trading, on rule changes. Indeed, I wonder whether what is set out in the White Paper in that respect may not be fairly cumbrous. The Department is to check the practices of other countries and to make sure that we are in line with them in appropriate ways. The Secretary of State himself will lay down very specific conditions under which unit trusts are to operate, as described in paragraph 9.7.

There is to be a regulatory web which will consist not only of the Department of Trade and Industry but of the Office of Fair Trading, EEC institutions, the tribunal, the SIB and perhaps the MIB, self-regulatory organisations, other bodies associated with other legislation, and the courts.

I do not criticise the complexity of the structure, because I can see the case for incorporating each of the bits in the jigsaw. I would only say that here is a lot of supervision, many points of reference, and many sources of monitoring. Here is plenty of scope for institutional and bureaucratic rivalry, and here will undoubtedly arise not insignificant compliance costs. While I do not criticise, I certainly would not agree if anybody suggested that this is a laissez faire regime; it is not.

We should consider, while we are debating the White Paper, what sorts of firms and organisations will be subject to its provisions. The White Paper rightly states the importance of the principle of equivalence of treatment. Paragraph 3.2.vi states:

"If the law and the regulatory system are to be clear and fair there must be so far as this is possible equivalence of treatment between products and services competing in the same market. The law should not create artificial distinctions."

I agree with that. However, the White Paper then goes on to exclude — unless I have misread it — some very important categories of investment management from the general approach set out in the White Paper.

Among the categories excluded are self-managed investment trust companies, self-managed occupational

[Mr. Alan Howarth]

pension schemes—chapter 11, on pensions, seems to be quite the weakest in the White Paper — and the investment management activities of companies engaged in long-term insurance business. Those are important anomalies, because those are institutions which loom large in the market, and they should not escape the net. Those who are employed in investment activities within such entities are no different from and are as much subject to the frailties of mankind and exposed to the same temptations in their dealings with the markets as those who will fall within the scope of the legislation as it is proposed.

I believe that there should not be pockets of exemption or privilege. The people concerned should be brought fairly within the ambit of the SIB's authority, and the practical way for such entities to proceed may be to form subsidiary investment management companies which themselves would be fully subject to the SIB.

With regard to enforcement and sanctions, the White Paper states that the boards will be enabled to make rules with the force of law and to ensure that businesses comply with them. Stress is laid on how the boards are expected to monitor and enforce observance, and on the point that enforcement should be vigorous, but the only sanction specifically referred to in the White Paper is the refusal or withdrawal of authorisation.

I suggest that there needs to be a middle range of sanctions; indeed, the White Paper says that. In paragraph 15.1 it talks of the boards having power to impose sanctions up to and including the revocation of authorisation, and there is reference to civil penalties for breach of the rules of the board. But the question of the middle range of sanctions—of penalties less draconian than the revocation of authorisation—is not explored or elaborated.

There may be legal and constitutional problems in empowering a body such as the SIB to impose fines. Possibly that difficulty could be met by making authorisation by the SIB subject to a contractual commitment by the firm authorised to accept a range of possible penalties. However it is to be achieved, it is important in practice that it should be addressed.

The tribunal is cursorily introduced in paragraph 5.11, yet it is obviously a very important part of the whole structure. It is described, indeed, as a "final determinant". Its powers are said to be analogous to those of the courts. But the status, the nature and the role of the tribunal are not discussed in that one short paragraph, and I hope that my hon. Friend, in winding up the debate, will be prepared to enlarge a little on what part the tribunal should play.

Still in the field of enforcement and sanctions, I should like to mention the takeover panel. The White Paper invites the comments of the City. It seems to me that the takeover panel should be praised for the success that it has had in its history in exercising what has been a moral rather than a legal authority. At the same time, we should note that it is operating in a fast-changing world. That is why we have the White Paper. The code is now under almost continuous review, and the approach of the takeover panel is becoming increasingly legalistic. We should also note the modern tendency of aggressive advisers and principals involved in take-overs to hit first and take rather lightly the panel's reprimands.

There are obvious difficulties in doing so, but I wonder whether we should now incorporate the takeover panel in the new regulatory structure, backed by statute, while seeking to preserve its flexibility and the speed of response which has been a good part of the reason for its success. It is right to provide this opportunity for self-regulation. The City knows that if it fails to take the opportunity now being held out to it, a heavier handed approach by the Government will be inevitable. The City has its chance, and I believe that it will take it. We should also do well to recognise that there will be no bouquets for anyone on the political side. The absence of abuse and scandal will create no sensation, but if we can maintain the absence of abuse and scandal, and create a framework of circumstances in which financial services in the City can continue to prosper and enhance their reputation and their contribution to our national well-being, that will be sufficient reward.

8.8 pm

Mr. Nicholas Budgen (Wolverhampton, South-West): I want to make a single, wide and perhaps political point, as opposed to dealing with important points of detail.

I have a couple of interests to declare. I am a provincial barrister, so I am a parasite on the back of provincial solicitors. I am also married to a solicitor who intermittently practises as a conveyancer. I say that because I want to look for a moment or two at the large financial conglomerates that will be created after the big bang.

My right hon. Friend the Secretary of State for Trade and Industry said that there had been many changes and that we had come a long way. Indeed, we have come a long way.

On 27 July 1983, when my right hon. Friend the Member for Hertsmere (Mr. Parkinson) announced the agreement in principle between himself and Sir Nicholas Goodison, he said that he intended to safeguard the position of investors by the separation of the functions of brokers and jobbers, and he said that the Stock Exchange would continue the rules prescribing the separation of capacity of brokers and jobbers. Yes, we have come a very long way, and I want to say a few words about protecting the small investor, and particularly the provincial investor.

It is now quite obvious that there is a consensus trying to put forward the argument that the problems of conflicts of interest are exaggerated and can be overcome. On the one hand, there is the ministerial argument, the loyal, necessary ministerial argument, explaining that, while the Government were previously a firm supporter of the separation of capacity, they now believe that, by various rules, it will be possible to overcome the conflicts of interest. On the other hand, within the City, whereas before 27 July 1983 everybody explained that, from the point of view of the investor, the stockbroker was more a professional than an entrepreneur, and certainly more a professional than a bureaucrat, now it will be possible to achieve the advantages of all three worlds without the investor being troubled in any way.

It has to be said that the advocates of that new view had substantial inducements to persuade their audiences. There is hardly a person connected with the City who is not in some way involved in the changing status of the stock market. The big institutions are purchasers of parts of stockbroking firms, and they are purchasers at very substantial capital sums. The big stockbroking firms are

all sellers and, again, they are sellers at very substantial sums. I have no doubt that if I had a million quid perilously near to going into my back pocket, I would become, if not a more persuasive advocate, at least a very persistent one. Indeed, they are very persistent. They keep arguing that those conflicts of interest can be overcome by a system of Chinese walls. They may be right—I do not know. As I said, I am putting forward this argument from the point of view of wishing to safeguard the position of the small provincial investor on the Stock Exchange.

My hon. Friend the Member for Chichester (Mr. Nelson) knows a good deal about the details of the way in which the markets are organised. He rather doubts whether Chinese walls will work. My right hon. Friend the Member for Taunton (Sir E. du Cann) spoke rather guardedly about the advantages of specialisation, which I took to mean that he was also saying that he rather doubted whether Chinese walls would work. My hon. Friend the Member for Dewsbury (Mr. Whitfield) is firm in his view that Chinese walls will not work. He is supported by the report in yesterday's edition of *The Times*, in the section devoted to finance and industry, in which we find that the proposed firm of Barclays de Zoete Wedd, which is a splendid amalgamation of a clearing bank, a stockbroker and a stock jobber, says that the proposals for Chinese walls are unworkable. As *The Times* said, the firm is busy getting in there to make sure that the rules are changed so that it can get the advantages of either weaker or lower Chinese walls.

I do not know whether all this is going to work out, but plainly the Government must be taking a bit of a risk. After all, they authorised the initial move — the deal that pulled the crucial few bricks out of the dam on 27 July 1983. The Government are desperately trying to reassure everybody that that initial move, which was refused by previous Secretaries of State, is wise. Let us hope that the risk comes off. There will be great reorganisations in the City. Perhaps the new rules will work. Perhaps the new rules for some form of self-regulation within a statutory framework will work. Let us hope that they do.

Those institutions will have severe problems. Let us take for a moment this tripartite body Barclays de Zoete Wedd. Everybody knows the nature of the clearing banks. They are largely bureaucratic organisations. On the whole, they lend money and carry out their services according to bureaucratic rules that are handed down through the regional offices to the branches. There is nothing wrong with that, but they are neither entrepreneurial nor professional bodies. Anyone who deals with them knows that he is not dealing with the same sort of animal as the stockbroker who may have been advising his family for two or three generations, and who knows a good deal about his background and the risks that he wants to take.

In the same way, de Zoete and Wedd are quite different organisations. Even more different will be those organisations that are now dominated by foreign money, with different attitudes towards business and different national attitudes towards the handling of money. Those institutions will take a bit of time to settle down. Let us hope that the Government are right in saying that there will not be major scandals or problems. However, it is a risk.

There is an institution in our society that provides some independent advice to the Widow Twankey — the perhaps ignorant provincial investor. That person giving the advice is, on the whole, the much maligned provincial solicitor. That person used to have a theoretically indefensible conveyancing cartel. Understandably, that was attacked by the Government. They have been successful in that attack. It was not primarily the Government who broke the solicitor's conveyancing cartel. What happened was that there was an over-supply of solicitors, because it is relatively cheap to educate a solicitor. As a result, the cartel was breaking anyway. It has now broken. I am informed that in the past two years conveyancing costs have fallen by 30 per cent.

How could this factor of independence — the provincial solicitor—have his position further eroded? It could be severely eroded if banks and building societies were able to undertake conveyancing not only on behalf of themselves but on behalf of their clients, the customers. I do not wish to offend the manager of Barclays bank in Wolverhampton, but I shall use him as an example for the sake of argument. The manager of Barclays bank in Wolverhampton could be organising the mortgage and conveyancing for both the purchaser and the seller of the house. For instance, Lloyds bank in the Midlands also has its own estate agency, the Black Horse estate agency. There would be an inevitable and serious conflict of interest because, when solicitors do the conveyancing, they warn people about the legal problems, but they also act as an independent source of financial advice. If the work of solicitors, particularly provincial solicitors, is taken over by about 15 of those mega-institutions, an important source of independent advice will go. That is most important to the small investor.

If the mega-institutions rip off some of the other institutional investors, they will not rip them off more than about twice. The institutional investors have plenty of ways to check the quality of the advice and service that they receive but the small provincial investor does not. I invite my right hon. Friend the Secretary of State for Trade and Industry to read what I thought was a very good leader in last Monday's edition of the *Financial Times*. It dealt very well with this point.

When these mega-institutions have settled down, it is possible that different arguments will act upon my right hon. Friend's mind. Everybody knows that there was a dispute in the Cabinet about the conveyancing done by solicitors when the matter last came before the House. It is well known that my right hon. Friend the Secretary of State for Trade and Industry was on the side, as he saw it, of radical reform and more competition. He may wish to advance that case again. However, these very new institutions, with their untried system of regulation, ought to be allowed to settle down.

Although it may not be the most efficient system in the world, this independent professional advice is much valued by the small investor. The 7,500 principally provincial firms of solicitors act as a wonderful counter-balance to these large and untried mega-organisations. If we make the mistake of undermining the centres of independence represented by this large number of solicitors, I believe that we shall reap a terrible harvest if the City becomes infected with serious fraud. By the decision that they announced on 27 July 1983, the Tory Administration started all these changes and did not anticipate all that would happen. It would be very much in the Tory tradition to go slow on this issue and to make sure that we get it right before we put in train yet further changes.

8.21 pm

Mr. Stuart Holland (Vauxhall): I apologise to the House for the fact that I shall be unable to be present throughout the debate, although I understand that my position is shared by some hon. Members.

There are possibly two good recommendations in the White Paper. I would not put it higher than that. Paragraph 10.9 says:

"an insurance broker entitled to commission from an insurance company for a particular policy should disclose that payment".

Paragraph 10.11 says:

"it should be made clear to the purchaser in every case that the agent is not holding himself out as offering impartial advice"

when he is representing a company. Such provisions are useful.

However, I share the views of the hon. Member for Wolverhampton, South-West (Mr. Budgen) who drew to the attention of the House the difficulties and problems posed by financial conglomerates in whose hands there has been a vast concentration of financial power during the past 150 years. I believe that at the time when Ricardo was a Member of Parliament there were 350 independent retail banks. There are now four major banks which account for about 85 per cent. of all business. The attention of the House has been drawn to the difficulties and conflicts of interest which would arise if they were to handle conveyancing for both buyers and sellers in individual transactions.

I believe that the White Paper is inadequate. The Secretary of State could have done better if he had acted in association with his right hon. Friend the Chancellor of the Exchequer. If we address ourselves to the wider implications of a framework for investor protection, it will involve a securities and exchange commission. I note that a claim is made in paragraph 5.2 on page 13 of the White Paper that:

"The main advantages of a system of self-regulation within a statutory framework are as follows:

i. it offers the best possibility of combining adequate investor protection with a competitive and innovative market."

The American market is hardly regarded as uncompetitive or as one which is not innovative. Risk capital in the United States is more readily available than it is in this country. That is not only because of the dynamism of the large internal market; it relates also to the financial institutions in the United States. Those institutions are subject to a Securities and Exchange Commission which has far more specific powers than the Government's proposals. They amount not only to a statutory framework but to the equivalent of what we call statutory powers. I believe that my hon. Friend will be dealing with this issue, upon which he has my support.

On the concentration of financial power, it is not simply a matter of what is happening between big and small financial institutions. The recent figures from UNCTAD show that 200 service companies — these are mainly financial service companies — account for one third of the world's gross domestic product. We are referring to financial institutions which are literally global in reach, just as the London stock market, the London insurance market and Lloyd's are global in reach. We should be operating not only within a framework of national or Community legislation but within a wider international framework within which the basic issues can be addressed and where savings — whether they be unit trusts or pensions—can be translated into investment, rather than simply providing a framework whereby money is made from more money on the speculative assumption that the growth of output and productivity in the world economy or in the British economy will ensure that those investments are safely based.

When these matters come back in the form of specific legislative proposals, I believe that it should be possible for there to be not only protection in the case of pension funds for individuals but a protection that is wider than the bland reference to caveat emptor or to the buyer protecting himself or herself. The Government should make it possible for local authorities or for trade unions to invest either the whole or a proportion of their pension funds in this country so as to create jobs here. One has to consider the spreading of risk. It would not be a sound financial investment for employees to invest only in their own companies, even if those companies enjoyed the stability of Imperial Chemical Industries or the General Electric Company. At metropolitan authority level it is not only wise but a very sound investment in one's own future to ensure that a proportion of the savings from one's earnings are invested in the regeneration of industry in some of our inner city areas. The Government have not dealt with this issue. I lament the fact that the Government's provisions make it extremely difficult for local authorities to ensure the investment of pension funds in their own enterprise boards or in the promotion of industrial activities which could regenerate inner city areas.

I support the remarks of the right hon. Member for Taunton (Sir E. du Cann) who regretted that household insurance is not dealt with in the White Paper. There have been reports of major commercial insurance companies red-lining inner city areas where burglary and theft rates are higher than the national average. That is a matter of grave concern. Giant financial conglomerates, as the hon. Member for Wolverhampton, South-West described them, can spread their risks across the country as a whole. If there is any justification for the domination of the market by companies such as Commercial Union, Royal Exchange, and so on, it should be that by spreading the risks they also spread the cost to themselves rather than imposing higher rates on people living in inner city areas. Many people in areas such as mine simply cannot meet the ever-increasing rates for reinsurance.

Some leading insurance companies are also delaying payment of claims in inner city areas for considerable periods. I have been told that a person putting his foot through a garage roof in Surrey can expect to receive a cheque probably within 48 hours and certainly within a week without any inspector calling whereas claims from residents in inner city areas are subjected to evaluations, re-evaluations, delays and procrastination. Caveat emptor may be very well, but the buyer is in a very unequal situation vis-a-vis the major insurance companies. Buyers cannot bargain with the companies about the terms on which the service is to be provided—I understand that one leading company has simply decided to reduce if not fail to renew certain types of inner city insurance—but the companies are bargaining about the terms and the times within which the service will be provided.

Finally, on pension funds and investment, I urge the Government to bear in mind the effect of the liberalisation of exchange controls, to which they so casually and even flippantly refer at the beginning of the documnent as "a boon". Paragraph 2.6 states:

"The Government have taken action to improve the climate for enterprise. Price controls have been ended. Controls over dividends, foreign exchange transactions and lending on hire purchase have been dismantled."

In fact, since the controls on foreign exchange were ended £50 billion has left this country for investment abroad in the industrial modernisation of our competitors. That is some 10 times the amount of investment in British manufacturing industry in the same period. The White Paper is sub-titled

"A new framework for investor protection."

But the the ultimate framework for investor protection is a framework which protects our own investments by investing our own funds in our own industry and economy. If the Government do not address themselves to that, and if they cannot ensure that the financial institutions are really accountable to people in this country, they will pay more than a financial penalty when they come to the polls.

8.33 pm

Mr. Jeremy Hanley (Richmond and Barnes): I congratulate my right hon. Friend the Secretary of State and his colleagues and also Professor Gower not just on the White Paper but on the excellent work behind it. The debate has been calm without any of the heat or games of musical chairs that occurred yesterday. Too often, the heat generated fails to serve the nation as we claim to serve it. Today's debate, however, has been almost as calm as some people regard company law. Some even regard it as boring. I disagree with that view, but I have to declare an interest as a company lawyer. The debate has also been a far cry from what Professor Clive Schmitthoff described as the panic-stricken Parliament which, early in the history of company law, repealed the South Sea Bubble legislation.

The White Paper brings up to date our recognition of the sophistication of the modern city, its institutions and its new products as well as an appreciation of the dangers for the unwary or inexperienced investor. The Government have a duty in this area. They have done more perhaps than any other Government in history to promote individual investment, bringing millions of people into share ownership. Those holding investments for the first time may wonder what it is all about. One thinks of the people who perhaps fell prey to some of the clauses in the British Telecom prospectus because they did not read it carefully enough. Having offered people that temptation to invest, the Government must now lead and guide them in the ways of investment and of the City. There is nothing frightening about the City or the world of investment except ignorance. In that respect the White Paper does a great service, especially to new shareholders.

In today's world there is a greater interest in the world of investment and financial matters. Television programmes have never been better. The "Money Programme" has reached new highs of late because more people watch and criticise programmes of that kind and the television companies want to reach a wider audience. *The Times* Portfolio, too, has brought many people into daily contact with the Stock Exchange share list. Not having won a penny so far, I wonder about its usefulness in my area and I certainly have no interest to declare in that respect.

The White Paper hits the nail right on the head when it states:

"Regulation cannot eliminate risk. Profits and risk run together. Investment . . . entails taking deliberately considered risks"

but that we need

"to reduce the scope for losses resulting from fraud, or from the concealment of risk."

In that context, I welcome the requirement for increased publicity in many areas, especially in relation to the independence of advice, and particularly with regard to commissions. The hon. Member for Vauxhall (Mr. Holland) is absolutely right. We need to know about the independence of advice to assess whether it is tainted by the prospect of commission. It does not matter if an adviser receives a commission, so long as it is both disclosed in percentage terms and quantified in amount. That is a strong and very welcome provision in the White Paper.

Professor Gower, in his excellent and most readable book on modern company law, reminds us that publicity is the most potent safeguard against fraud. For the benefit of my colleagues in the alliance, I should point out that I believe that that observation was originally made by Gladstone. Nevertheless, it rings well in Professor Gower's book. Publicity is indeed the most potent safeguard against fraud. That is why the phrase "open and above board" means so much, especially for those who trust in self-regulation.

The main question, however, must be whether the White Paper has got it right. As a chartered accountant specialising in company law, I am often accused of wanting ever more company law. I am indeed a member of a small and passionate band of people who believe that a copy of the new consolidated Companies Act should be placed in every hotel bedroom, if only to encourage sleep. That is one of my little quirks. I believe that there is a need for guidance, not for too much legislation. Too much legislation leads to eradication of legislation through boredom and ignorance. If there is too much law people ignore it, and if it is too difficult and costly to ensure that the law is enforced people turn away from it.

The White Paper provides for a statutory framework within which professional self-regulatory bodies will work. I believe that that is the right balance. It keeps the law to a minimum. I mentioned earlier that Parliament's first venture into company law was in 1696, against the abuses of stockbroking. That law was brought in because it was desperately needed. Law has been created as it has been required and not always in panic, as in the case of the South Sea Bubble. The process can go too far, but I believe that the White Paper creates the balance and the trust that is needed in self-regulatory bodies. I believe that that trust is well placed. I should declare an interest as a member of three self-regulatory bodies. All three happen to be exempted by these provisions. I am grateful to my right hon. Friend for that.

Self-regulation has stood the test of time. However, coupled with the trust that self-regulation has to command, there must be a rigorous enforcement of the regulations and a powerful and public back-up by the Government in the form of actions for personal compensation or even criminal behaviour.

There must be no quiet, gentlemanly deals when the regulations are breached. There must be full public exposure of those who break the responsibilities of trust which they have undertaken, and who lower the standing

[Mr. Jeremy Hanley]

of their colleagues and damage the public's faith in them. The exempted bodies, too, if they breach the trust that we put in them, should be accountable.

Law is needed to give guidance to those seeking to invest, those who actually invest and those who seek to live off the proceeds of investment. Some people want more and tighter legislation. Some believe that the Stock Exchange is no more than a glorified betting shop, with better clothes and better accents. They are wrong, because they do not understand the benefits that derive from betting shops. Without on-course and off-course betting we would not have the bloodstock industry which is one of our great export earners. Without the Stock Exchange, there would be no encouragement for the private investment that is vital for a healthy economy.

Mr. Beaumont-Dark: It is late at night, and my hon. Friend may be tired, if not somewhat temperamental. However, is he suggesting that the Stock Exchange is no more than a glorified betting shop? If so, as a chartered accountant, he should go back to his textbooks.

Mr. Hanley: It may be late, but I do not feel temperamental. Perhaps my hon. Friend is tired and that is why he did not quite hear what I said. I said that some people feel that there is little difference between the two institutions. I denied that suggestion vehemently. Without a healthy Stock Exchange, and healthy brokers and jobbers working within it, there would be a tremendous failure of private investment. We need private investment. We need a healthy and well-regulated Stock Exchange. I believe that the White Paper will create it.

I welcome many parts of the White Paper. I welcome the freeing of unit trust restrictions, separate clients' accounts for money and the disclosure of commissions. I do not share the fears about the two bodies, the Securities and Investments Board and the Marketing of Investments Board, which some hon. Members have expressed. In his excellent speech, my hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) outlined the problems of the two bodies. I believe, however, that setting up those two bodies will be the best way to get the regulatory process off the ground. The White Paper clearly allows for the two bodies to become one if the demand and the need are there. That admirable flexibility is a trait of the White Paper.

I have a few regrets. I am sorry that cold calling has not been banned. I believe that a cooling-off period is the best way of dealing with cold calling in matters such as hire purchase credit transactions, where the person at home can assess the value and the cost of the product, and the total liability. It is difficult to assess long-term undated investment contracts and I therefore think that cold calling in that sphere should be banned.

Unsolicited telephone dealings should also be banned. These are not mentioned in the White Paper. Telephone calls by those seeking to sell financial services are an intrusion in private life from which more and more people are suffering. At best, the practice is an annoyance; at worst, it is a personal threat.

I also regret the lack of wider lay representation within the regulatory framework. I regret the lack of an independent body to deal with complaints by investors. There should be, perhaps, an independent ombudsman or observer to deal with the many complaints that are bound to arise over the years. Many complaints from members of the public will not be the result of misdealing. The losses will be the result, not of deliberate fraud, but merely of the pitfalls of investment. The news that the investor has simply had bad luck might be better received if it came from an independent adviser rather than from someone directly involved in the investment business. There is no guaranteed profit in investment.

Despite those few regrets, I welcome the White Paper and the legislation that will flow from it. The legislation will be modest, but its importance will be great.

8.46 pm

Mr. Charles Wardle (Bexhill and Battle): I should declare a somewhat tenuous past interest. Many years ago I was a junior employee in the corporate finance department of a major merchant bank. Years later, I emerged as one of its smaller customers. The latter experience was considerably more enjoyable.

I welcome the White Paper as an imaginative and constructive initiative that will serve the City well if it aspires to continue as one of the world's foremost financial centres.

Like other hon. Members, I wish to talk about Chinese walls. Earlier in this Parliament, when my right hon. Friend was able to tell us that the council of the Stock Exchange had come to terms with the desire of the Director General of Fair Trading for fundamental reforms in the operation of the stock market, it was inevitable that the pace of change in the City would quicken. Minimum commissions would have to go, and dual capacity would become a fact of life; the number of mergers that crossed specialist City lines would increase and the foreign finance houses would rethink their strategy for the London market. There have already been many signs that the City is on the move.

Against that background, it was essential that there should be a thorough review of the changing structure of financial services and of the need to protect the private investor, the investment institution and the corporate trust market. In a state of rapid change, the City needs to demonstrate that a practical and effective regulation exists that has the confidence of its own practitioners, domestic and foreign, of all its customers and, of course, of Parliament.

The White Paper does much to point the way to an appropriate system of regulation. The Government's welcome intention to introduce legislation fits in well with the many other steps that they have taken since 1979 to improve the climate of enterprise and competition in this country. The White Paper has special credibility because it recognises the growing use of new technology in the City and the emergence of new market mechanisms such as the unlisted securities market and futures trading.

The day of the financial conglomerate, or financial supermarket, has arrived, bringing with it dual capacity. We must strike a careful balance between the dangers of over-regulation and those of leaving every investor vulnerable to market abuses.

One area of the White Paper requires further amplification. The White Paper touches only fleetingly on the core of one of the City's principal bases—merchant banking. I am thinking especially of the inter-relationship between the huge sums quoted in invested securities and the advice given by merchant banks to corporate customers whose securities are at least in part the object of that huge

investment — in other words, Chinese walls. It is surprising that there is no attempt in the White Paper to highlight the modus operandi of the merchant banks. I do not think that the merchant banks are mentioned at all. The leading merchant banks, especially the acceptance houses, run billions of pounds worth of investors' money under their own management in the form of pension funds, unit trusts and private accounts. They also provide corporate financial advice, and many of them have active banking departments putting together commercial credits. They therefore fish with three or more lines in the same pond.

The new conglomerates will have even more lines in the pond. Some people in the City ask what would be the reaction of an investment institution — say a pension fund—if it was approached by the department of such a conglomerate which makes the price in, for example, ICI, and is persuaded by that department to take a line of 1 million shares, only to hear the next day that the same conglomerate's corporate finance section is announcing a rights issue for ICI. We shall see what happens—it is bound to happen sooner or later.

It is said that some 50 investment managers in the City now run 65 per cent. of all of the funds under management, and many of them are attached to major merchant banks. No doubt they are expert and responsible, but we cannot escape the fact that, Chinese walls or not, they come under the same parent company umbrella as the City's leading corporate finance practitioners. Although not every merchant bank with a large investment department is necessarily prominent in corporate finance, the converse is true. No merchant bank which takes a leading role in corporate finance does so without its own large investment department, and the placing power that such a department brings. For all the arm's-length arrangements which merchant banks might honourably devise, the influence that they can exert as lead underwriters is in direct proportion to their unquestioned ability to take a large piece of the underwriting in any market exercise. That is not necessarily a bad thing as we need the investment muscle of the large City underwritings — the recent example of British Telecom springs to mind.

Bearing in mind the fact that the price of a share on an offer for sale, or the price at which a rights issue is pitched, or the exit price of a share in a takeover offer—which is of real interest to every investor in those shares, small or large — is fixed by the corporate finance advisers in merchant banks which, very likely, have large equity positions of their own in the company concerned, it cannot be right to set aside the possible conflict of interest.

The White Paper acknowledges that problem implicitly in paragraph 7.4, and it is right that the subject has been given greater emphasis in today's debate. The White Paper also refers to the regularising of offer documents. I understand that, at the moment, there is no requirement on a merchant bank adviser to state in the notes to an offer document what number of shares that bank's investment department holds in the company which is the subject of that offer document, unless it holds more than 15 per cent. Nor is there any requirement, when fixing a merchant bank's fee for a corporate finance transaction, to throw any light on the bank's equity interest, directly or indirectly, in that client company.

I know that corporate finance fees are subject to their own magic formula. I suspect that it is simply a matter of what the market will bear. It boils down to the ability of that merchant bank to get an underwriting under way. That comes back to its placing power and therefore to its investment department. So much for Chinese walls. It should be remembered that all those fees are of at least indirect interest to every shareholder in the company concerned. My fear is that, unless forthcoming legislation probes more deeply into the potential conflict of interest between corporate finance advice and investment management in the same organisation, there will inevitably be circumstances in which the ordinary investor is given a raw deal by what amounts to the City's own brand of collectivism. That will lead to demands for an end to self-regulation, and the end of imposition of an SEC-style operation. That would be a retrograde step.

I should like to direct a question to my hon. Friend the Minister concerning paragraph 13.9 of the White Paper, which is about section 209 of the Companies Act 1948. The White Paper says:

> "The objective is to ensure that the 90 per cent. majority whose assent to a take-over enables the minority's shares to be acquired is genuinely independent of the bidder".

As a principle, that makes a great deal of sense, but I should like to give an example. If a company acquires up to 14·9 per cent. of another company in the stock market and, acting in concert with other parties, builds up a stake of 29·9 per cent. and sits on it, when it bids for the offeree company, it will be bidding only for the outstanding 70·1 per cent. of that company as it has effectively previously taken the other 30 per cent. out of the trading arena for some time. If the proposed change means that the company must then bid for the 90 per cent. of the remaining 70 per cent.—another 63 per cent.—that will bring the acquired total to 93 per cent. of the company before section 209 can come into play.

If that is the right interpretation, my right hon. Friend is making an excellent proposal. However, I draw his attention to the subsequent interests of minority shareholders if they should wish to draw attention to affairs in the company by requisitioning an extraordinary general meeting. I understand that the Companies Act now requires that an extraordinary general meeting can be called only if 10 per cent. of the shareholders want it. If, as a result of changes in section 209, there will be an outstanding balance or minority of just 7 per cent. of the shareholders, does my hon. Friend think it right that they also should have the right to requisition an extraordinary general meeting if they want to highlight various aspects of the company's operations?

I hope that my hon. Friend the Minister has borne with me during that rather convoluted question. I look forward to his answer. Like other hon. Members, I hope that he will think more carefully about Chinese walls.

8.55 pm

Mr. Anthony Beaumont-Dark (Birmingham, Selly Oak): I feel humble and grateful for being allowed, as the only stockbroker to have been in the House throughout this long day, to say a word on this financial paper which so affects the Stock Exchange. I am sure that it is proper that those who have discussed the matter first shall be the last to be considered.

Changes are obviously necessary and we are living in a time of change. Lloyd's has been changed, as have estate agents, building societies and banks. Even solicitors are being asked to change. Needless to say, the sole group with a great interest and which affects the country and has not been asked to change is barristers. They are not being

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asked to change their habits, which are so expensive and which afflict and affect the country, because the House, and that other House along the corridor, is bulging with barristers. Perhaps they will be harried into a new world in due course, along with stockbrokers, solicitors and accountants. The sooner they are, the better, because it is there that the change is most needed if those people who seek justice are not first to court financial ruin in protecting their reputations or their businesses.

With the Government hurrying along because of promises rashly given about the future of the City and modern technology and communications now at the speed of light in a worldwide sense, it is right that the City of London, which in my view has always accepted change in the sense that it has usually led that change—and it is still the centre with the greatest name for integrity and inventiveness—is willing to join in the changes of the world. If the City of London does not compete, it will undoubtedly die, and, happily, it is in no mood for that.

We should be aware of some of the implications of the White Paper which the City as a whole and certainly I think has much to commend it. It is not a matter of the City being worried that commission rates will be changed. It is of course right in today's world that people should be able to challenge and to deal with a broker or an agent of their choice so that they can negotiate commission. I hope that when a Bill is presented there will be discussions with the Stock Exchange and the City in general of what is best for the people. This means the small investor. The big investors throughout history, like all big men, whether they be barons or landlords, have always been able to take care of themselves. When people like David Hopkinson of M & G, one of the greatest originators of the unit trust industry, and Cholmeley Messer of Save and Prosper—two great companies that have stood astride the growth of the unit trust business and for its small investors—say that they doubt whether any of the proposed changes, including the reconstitution of the Stock Exchange, are in the interests of the private investor, at our peril do we ignore the warning.

It is not just self-interest. If to be self-interested is to be at fault, the House would be ever silent and in darkness, for all hon. Members are in Parliament to comment upon one interest or another. The great interest that all hon. Members are here to debate is that of the people at large.

One matter that worries the Stock Exchange and the City is that the Government, in their anxiety to rush into the new world, are showing a complete lack of willingness to support the Stock Exchange against the fragmentation of the central market. They have refused, I think regrettably, to make sure that, when the change-over takes place, it happens in an orderly manner. I believe that it will be disastrous to the future stability of the market if the Secretary of State for Trade and Industry continues to stand on one side and does not allow an orderly transition to ensure a true stability in the market.

I believe that we are now entering a period of a framework that is made for the thundering herds of finance. It is not made for the small flocks. It is made for the great conglomerates and those who in my view will become a kind of supermarket of the financial world.

In the debate in January, I commented that, although one welcomes change, the worst outcome is that power might be concentrated in the end in a few great hands. We have now built up in the country a system of four great banks. As we are now proceeding, I believe that we are likely to end up with four great constitutions which will stand astride the financial world, and that people will be able to deal only through their grace and favour.

We are now entering a period of dual capacity. It cannot be right for a man to be able to act as an agent and a principal, because when times become difficult I do not see how integrity will survive that.

We can talk of Chinese walls, Hadrian's wall or any other walls. That can be done when markets rise, because everyone makes profits and everyone is happy, just like a children's party where everyone gets a prize. But markets will fall again. The whole basis of life is an ebb and flow of prosperity and division. When they fall 100 or 150 points, what price then our Chinese walls? They will be looked upon as walls of glass, because people are willing to believe only what is in their own best interests. If it applies to politicians, why not to those with their own financial interests?

I prophesy that dual capacity will cause more trouble and heartaches, and that my betters who have paid ridiculously fancy prices for City firms and stockbrokers, when we have nothing to sell but our expertise and reputation, will find that they have paid too much for too little and that it will take them too long to recoup their losses.

Those who have sold will have to justify the prices which people have paid. That is how integrity will be endangered. How will the small investor be protected under such a system? The big man will be fine, because his feet will be firmly planted on the ground. But if the investment world is to mean anything, it should mean something for the small and average investor.

If a dual capacity firm is suddenly willing to sell shares, then, as with a man who protests his honesty, one should quickly hide the silver. Instead of a willingness to sell something, why not keep it to pass on to their clients? That can only lead to mistrust.

Many people believe that dual capacity is a great danger to the integrity of the City. They should wait until the next bad market and see how things stand then. It is all very well to be asked to keep to rules, but such rules should be made not of string but of steel wire. If the City is to retain its integrity, it must prove that such integrity is soundly based, as it has been up to now.

The passing of stock from one internal pocket to another must be unacceptable unless deals are declared there and then, from whom they are sold and for whom they are purchased. It is not that the City of London fears changes in commission, rather that one must be able to prove one's integrity. At present, one man is a dealer or agent and another is a principal. Now that all these conglomerates will come in, we must be much more careful that the rules are more solid and visible.

It now seems that the Government securities market will be part of this blancmange which we shall try to pin to a wall. In America, four firms have gone to the wall trying to give the so-called Government a so-called better deal. They thought that they had gone bust for $58 million, and were therefore bought in. In fact, the sum turned out to be $540 million, and they are still counting. Small movements of money make vast differences in profits. Hon. Members should think on that.

In the end, hon. Members are responsible to the people who elected them. When we start to create precedents it

is like an earthquake causing cracks into which men can disappear. If we create the precedent of giving an outside body, however quasi-governmental it may be, the right to disagree with the House about an appointment, we will make a great mistake.

This is not personal. The present Governor of the Bank of England and I are friends and, I hope, will remain friends. I am concerned about the principle. Principals know no friends bar those that they represent. However much good may be in the proposed legislation, there should be a provision in it about consultation. There should not be a provision whereby the House gives to an outside body the right to say that unless it agrees the Government may not appoint.

Parliament is paramount. No man who is not elected should have the right to say nay to the House. Let us stick by that. Whatever else may be wrong with the proposals —and there is much right in them—what cannot be right is to surrender one ounce of power. Once Parliament makes one exception to the rule, another Parliament may say that, because the pass has already been sold, it can be done again and again. Outside bodies may consult as much as they wish but in the end only Parliament can consent.

9.11 pm

Mr. Bryan Gould (Dagenham): The debate has revealed a perhaps surprising degree of consensus about the White Paper. Although, as I hope to demonstrate, that does not preclude significant differences of emphasis and perhaps different conclusions, it is possible to give a guarded welcome to the White Paper, and I add my voice to those who have already done so. I believe that that is possible because both the Government and the City have moved substantially over the last year or two towards the position which I and my hon. Friends, and some other hon. Members, have held for some time.

The starting point for the debate, as I think was recognised by the hon. Member for Beaconsfield (Mr. Smith), was the concern about the level of fraud in the City. That concern prompted the invitation to Professor Gower to write his report. The concern was directed not only at the level of City fraud but at the consequences that it had on investor confidence in the City. It also raised major question marks over the satisfactory nature or otherwise of the supervision that was exercised in the City. We have seen one institution after another damaged. Lloyd's was one example. Perhaps the most recent example was the Bank of England as a result of the Johnson Matthey affair.

The Government may be in the process of grappling with these problems. Certainly they are trying to ensure that frauds are brought to the light of day and that the transgressors are properly dealt with and brought to court, but so far the record has been extremely discouraging. The Roskill committee may produce remedies for the admitted difficulties of bringing complicated matters to court for jury trial. The fraud investigation group may be more successful in obtaining evidence of fraud. I think that the Government Front Bench is at one with me—certainly replies to me suggest this—but in the meantime grave damage is still being done to the reputation of the City through the consistent failure to bring to court those who have clearly committed criminal offences of substantial dimensions.

I hope that I shall be forgiven for making the political point that many on the Labour Benches will contrast that ineffectiveness with the zeal—the excessive zeal, one could say—with which the Oxford police rounded up some of the most defenceless and vulnerable people in society to prosecute them for trivial social security frauds.

Given that we recognise the need for dealing with City fraud, we support both the Gower report and the White Paper in their attempt to provide a statutory framework for all those carrying out investment business.

Another major factor underlies what is happening in the City and should illuminate what is in the White Paper, and on this point I offer a more robust voice than has been heard so far today. Ever since Professor Gower was asked to write his report, a frantic degree of change has set in in the City. That degree of change can, for convenience sake, be said to have begun when the Secretary of State's predecessor did his deal with the chairman of the Stock Exchange.

I think that I have the support of the hon. Member for Wolverhampton, South-West (Mr. Budgen) in saying that that deal, when it was done, was seen as a means of buying time, of preserving the status quo, so that the institutions, in particular the Stock Exchange, could phase in what by then were recognised as inevitable changes. Nobody quite foresaw the speed with which the changes would suddenly materialise once it became clear that the keystone in the arch, the minimum commission, would be removed at a foreseeable and specific date.

Mr. Beaumont-Dark: Hear, hear.

Mr. Gould: I gather that the hon. Member for Birmingham, Selly Oak (Mr. Beaumont-Dark) is also claiming prescience in this matter. As soon as that change was foreseen, it became clear that single capacity would go, that the rules against outside purchasers would go and that an immense rush for change would take place.

We are speaking, not of something in prospect, but of events which have taken place and are occurring now. I obtained from the Stock Exchange today a list of over 50 major members who have been subject to purchase from outside the Stock Exchange. Thus, it has already happened on a major scale, with outside purchasers buying jobbers or purchasers and, in some cases, both.

That impetus to change has been reinforced by the tremendous new activity of foreign institutions in the City of London. That, in turn, was produced by the removal of exchange controls in 1979. Whatever its merits or demerits, that factor alone has created a wide open capital market in London, and that is now just one part—one time-zoned part, as it were—of an international market.

In addition, we have had the technological changes to which hon. Members have referred. They have meant that, through electronic communications, information can be transmitted in seconds around the world. The result has been a huge change, which has not necessarily yet been grasped, even by those who are most directly affected by it.

We now have the prospect—positions have already been taken up in anticipation of what is to come—and even the certainty that the City of London will never be the same again. It will be dominated by huge international financial conglomerates which will do everything. As I say, they have already bought jobbers and brokers, they are themselves in the business of offering investment management and advice and they offer the whole range of financial services. As the hon. Member for Bexhill and

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Battle (Mr. Wardle) made clear, the possibilities for conflicts of interest within those conglomerates are immense, and I shall return to that point.

In addition to that element of change, as hon. Members have pointed out, all sorts of new business is being developed at a rapid pace in the City.

The hon. Member for Chichester (Mr. Nelson) paid particular attention to the futures markets. Even this week, the Baltic Exchange introduced a new futures market in international freight futures. There are prospects of futures markets in diamonds, ecu's and all sorts of things. In addition, there are new developments which are less welcome. Some attention is being paid to what are called boiler-room operations, operating out of centres such as Amsterdam, where hyped over-the-counter deals are being offered to British investors who, unless they are extremely careful, will be taken for a ride. There is little in the White Paper to suggest that we have got to grips with that problem, although it is a different one.

The nature of bodies such as the Stock Exchange will change fundamentally, both internally—I look forward with some interest to the outcome of the substantial battle to be resolved on 4 June—and in relation to other institutions and other operators in the market. That is because some major operators, if one is to take at face value what the Stock Exchange says, will be excluded—the major Japanese institutions, for example. Others will choose to be outside the Stock Exchange. We have already seen Robert Fleming making a market in electric shares and the Stock Exchange looking to the Department of Trade and Industry for some support in that matter.

Mr. Beaumont-Dark: The Department told it to get lost.

Mr. Gould: That shows that we are in a new ball game. If that is true of the Stock Exchange, how much more true is it of other potentially self-regulating organisations which are not as well-established as the Stock Exchange; for example, the National Association of Security Dealers and Investment Managers? I say that not to denigrate NASDIM but simply as a matter of fact. If the Stock Exchange is to be rocked to its foundations in this way, how will NASDIM and self-regulatory organisations yet to be established fare in the face of the massive changes?

I do not believe that the Government, the White Paper, or even some elements in the City, have grasped the scale, the pace or the unpredictability of the change that is taking place. The old safeguards have gone. There is no point in looking back, as I suspect the hon. Member for Stratford-on-Avon (Mr. Howarth) was tempted to do, to the old clubby atmosphere, the old institutional safeguards and the old self-regulation, which passed, to the satisfaction of some, as adequate protection.

In a vast open international market, dominated by major institutions, all of which are competing fiercely with one another, with no loyalty to any interest other than their commercial interest, that old system is far less appropriate. In those circumstances, as the hon. Member for Selly Oak pointed out, the small private investor will simply be squeezed out.

To some extent, the City has not recognised that this new situation will change the whole nature of the business which the City institutions will be doing. In the past, the City offered expertise in a particular sector, different bits of information, continuing relations with clients, bits of gossip put out here and there; in other words, the ability to provide personalised, specialised advice to particular people in particular circumstances. That is no longer to be what the City should offer. If that is what it does offer, it will be swept away. What will now be at a premium in the City is speed, efficiency, the power of the institution, price competitiveness and the comprehensiveness of the services. All these are quite different from anything that the City has so far contemplated or seen itself as offering to its clients.

In those circumstances, the investor will no longer rely on his knowledge of the person with whom he is dealing, the relationship that he has built up or the assurances that he is given. What he needs above all, if he and his interests are to be protected and if his confidence is to be maintained, is to be able to identify legally enforceable rules, and the institutions and mechanisms that enforce those rules. That, therefore, requires the maximum amount of disclosure and transparency and the greatest possible separation of interests.

We are talking about increased competition, but, as my right hon. and learned Friend the Member for Monklands, East (Mr. Smith) said, that is not to be regarded as an alternative to regulation. To some degree, the Governor of the Bank of England has featured in this debate, and he recently suggested that he saw competition as meeting the tasks which regulation might fulfil. I simply do not accept that. In the new situation which I have attempted to describe there is an even greater need for regulation.

In that highly competitive situation, the small investor in particular will need such protection. Self-denying ordinances, in-house guidelines and Chinese walls will not be enough. I have often asked about the origin of the term "Chinese wall". I have never been given a satisfactory answer, but it conjures up a picture of one of those self-standing partitions or silkscreens through which one cannot see but can hear everything. I rather doubt that that is adequate.

I have an example which illustrates what we may be faced with and how the City does not yet grasp what will be required of it. I tabled some questions concerning the allegation that members of the team at Kleinwort, Benson who handled the BT share issue had themselves dealt in those shares. I was eventually given an answer in which it was conceded that that had, indeed, happened. The Minister's explanation was that those involved were in a different position from civil servants. Some of the financial journalists said that, because of the limitation on the number of shares to be allotted, the most that any individual could make was a few hundred pounds, but that was an inadequate response.

We are concerned with a matter of principle and with a prime example of the sort of conflict of interest that will bedevil the City in future unless adequate steps are taken. I cannot accept the argument that a few hundred pounds is only a small amount and does not really matter. In future, Kleinwort, Benson, for example, may not be operating within those constraints when dealing with another share issue, and there may well be the real possibility of substantial sums of money being made. But that is not the real point. The point is that we have a City institution offering financial advice and expertise to a major client for a fee, while at the same time dealing in

the market. That sort of thing gives rise to great unease and to justified scepticism about the extent to which self-regulation in the City will do the job required of it.

There is now a clear and pressing requirement for the utmost simplicity, clarity and directness. The White Paper has simply missed an opportunity. It is remarkable that it has gone as far as it has done. Assuming that there will be one board rather than two, I suspect that the White Paper sets up what ultimately looks like a statutory commission. In some ways it is a rather clever device for propitiating the City. Perhaps I am not doing the Secretary of State any favours by blowing his cover, but I think that that is what he is up to. Ultimately, even the cosmetics which may be involved get in the way of that overwhelming requirement for the maximum simplicity, directness and clarity.

To judge from the proposals in the White Paper, it is clear that to some degree we are offered, as my right hon. and learned Friend the Member for Monklands, East said, a hybrid structure and a muddled compromise. Almost every hon. Member who has spoken, and almost every institution in the City, has condemned the proposal for two boards. With one or two exceptions, people agree about dropping that idea in favour of one board, but even then we are left with a remarkably complex structure.

I should like to reinforce some of the telling points made by the hon. Member for Stratford-on-Avon. Let us consider the situation of an insurance company which also manages pension funds. It may well be required to obtain authorisation from the Securities and Investments Board or the Marketing of Investments Board. It will be under the supervision of the insurance division of the Department of Trade and Industry. It will have to be authorised in some respects by the self-regulatory organisation—whatever it will be—which will regulate that part of the industry. The company may wish to obtain direct authorisation from the one or two boards which will then exist. On top of that, there will be the appeal tribunal, the Office of Fair Trading, the EEC and all the other institutions and rule-making bodies to which the hon. Member for Stratford-on-Avon referred. That is far too muddled, complicated and messy. It is certainly not what is required in the maelstrom of change with which we shall be confronted.

We entirely agree with the point made by the hon. Member for Selly Oak about the veto power of the Governor of the Bank of England. The hon. Gentleman referred to powers of appointment, especially in relation to the MIB. This illustrates yet another objection to the Bank of England's involvement in this matter. As some hon. Members have said, the Bank of England is hardly appropriate as a supervisor in any capacity. It is a major client of the City. It is already involved as an interested party. The Bank of England can hardly be expected to exercise major supervisory functions.

Hon. Members have referred to the number of lay or independent members of the board. I hope that the Secretary of State will read the debate and note that we hope that investors and consumers — not just professional practitioners — will be represented on the SIB. Appointments to that board have not yet been announced.

I believe that Professor Gower would wish to highlight another weakness in the structure proposed in the White Paper. The delegated powers which will be exercised by the boards will not, in turn, be available to the SROs. The control exercised over individual firms and practitioners will be extremely diffuse and indirect. That is an aspect which we shall want to examine carefully when the legislation comes forward.

When we see the detail of the legislation, we shall consider its scope, including the types of investments that will be covered. A rather curious recommendation in the White Paper would allow unrestricted unit trusts to be sold in certain circumstances to clients on a "know-your-customer" basis. That is an extremely dangerous provision, because of the element of subjectivity involved. Much will depend on the detail of what is meant by "operating as a business". That is of considerable interest to the trustees of pension funds and to accountants, as I am sure the hon. Member for Richmond and Barnes (Mr Hanley) would confirm.

How tight will the disclosure rules be? We already know that major problems arise from within the Stock Exchange. Reference has been made to Barclays de Zoete Wedd and Barclays' objections to the Stock Exchange's suggestions. This morning I telephoned Barclays and asked whether I could see a copy of its paper. To my surprise, I was told that, although the paper was widely reported in the newspapers, it was confidential and I could not see it. That hardly augurs well for the type of disclosure that one will expect from City institutions.

There are disputes about which insurance brokers should be required to disclose information about their commissions and what information should be disclosed. We shall need to see the details, but I alert the House to the fact that we start by supporting the right hon. Member for Taunton (Sir E. du Cann) in looking to equivalence of treatment. Strong arguments against that would need to be made before we would wish to displace that principle.

Aspects of the City often cause us great concern. The Opposition are often suspicious — this suspicion goes wider than this side of the House—that too often City institutions are more concerned with churning money rather than ensuring that that money is put in places where it will serve the national interest.

We in the Labour party are also extremely concerned that the internationalisation of the City will make it much more difficult to look to the City as an instrument which will serve the policy of a national Government. *[Interruption.]* Yes, of a Socialist Government, by all means. A Socialist Government—elected, as it will be, after the next election—will be a national Government.

We also believe that the City, as an influence on macro-economic policy, often exercises a malign influence. It is not the City's fault. Its preponderance as an element in policy making gives it an unfortunate influence on the direction of that policy.

The Opposition want to see a City which prospers, which is efficient, and which is effective. If there is business to be done — and clearly there is a growing volume of business—let it be done in London. That is our position. We wish to see the City, in its own interests, functioning as effectively as it can. Therefore, in the interests of the investor—that is, of investor protection — and of the City itself, it is vital that we get an adequate structure in place. We believe that that requires us, in the end, to look very clearly and firmly at a statutory commission.

I believe that the Secretary of State will regret that he did not take the opportunity of going directly for what I think everybody concedes is the ultimate answer to the problem. It is inevitable that there will be City scandals

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over the next couple of years. Even on purely political grounds, I think that the Secretary of State will rue the fact that he failed to take the opportunity. Given that it is inevitable that we shall move to a statutory commission, it means that it will be left to the next Labour Government to put it in place.

9.36 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Alex Fletcher): I am grateful to the hon. Member for Dagenham (Mr. Gould) for the guarded welcome that he has given the White Paper. I am not sure whether he takes a radical or a conservative view of the changes that are taking place in the City. I listened carefully to the hon. Gentleman. He was a bit happy on the one hand and a bit unhappy on the other, but it was cautious support for the White Paper. I shall deal later with his suggestion that he has blown our cover on the question of Securities and Exchange Commissions.

The right hon. and learned Member for Monklands, East (Mr. Smith), in his reply to my right hon. Friend the Secretary of State for Trade and Industry, said that he found unanimity on a number of matters and agreed with the framework of law that the White Paper is proposing. We welcome that. He mentioned particularly the fit and proper test, the question of licensing or authorisation of firms trading in financial services, the conduct of business rules, compensation for investors, and matters of that kind.

The right hon. and learned Gentleman and my right hon. Friend set the debate off on the right tone. It is clearly a matter of importance to the country and the economy as a whole, and I am glad that the House, in debating the White Paper, has taken the matter seriously and not in a particularly partisan way.

I was asked about the dematerialisation of shares—getting rid of the physical documentation. The White Paper, when it refers to this, talks about new technology developed by the Stock Exchange, code-named BETA. I could not say precisely what the letters stand for, but it has to do with the electronic transfer of stocks and shares. It will require changes in company law and in the Stock Transfer Act 1963. It will certainly provide a more efficient method that will suit many—if not most—people dealing in securities.

The right hon. and learned Gentleman referred to an important point in terms of investor protection, using the expression "beaming in" of advertisements or invitations from other countries into the United Kingdom. He will recollect from the White Paper that it will be an offence to advertise in this country, in any shape or form in any publication produced in this country or any radio broadcast in this country, financial services that are not authorised—in other words, that do not come under the investor protection provisions that the White Paper outlines.

The right hon. and learned Gentleman was the first to ask, "Why not have a commission?" Contrary to his remarks, I should like to say that the decision against the commission was based not on United States experience, but on our desire to build on our own strengths and the strengths of the existing institutions in this country. The United Kingdom generally has a good reputation on self-regulation, as my right hon. Friend the Secretary of State said, but the present system is not comprehensive. There are gaps. Some financial products are not included at the moment—for example, futures contracts. Hence the proposal for a new system, based on our own experience—but it will be comprehensive. The United States' experience is quite different, as is their constitution, their need for federal agencies to cover the whole of the United States, their legal system and, indeed, their experience of self-regulation and investor protection.

We are delighted to have the support of my right hon. Friend the Member for Taunton (Sir E. du Cann) for the White Paper. He was concerned about weaknesses in dealing with international fraud. That is a serious problem. It requires more and better international co-operation than at present. When my right hon. Friend the Secretary of State and I travel abroad and discuss these matters, we are conscious that Governments and agencies in other countries are seeking better co-operation with ourselves and trying to make sure that information about those who escape to other jurisdictions or those who think they can get insider information in California and phone a broker in Switzerland, who might place the order in London, can be passed from one jurisdiction to another.

Coming back to domestic matters, my right hon. Friend the Member for Taunton made a plea on behalf of the insurance brokers, I think in part for the protection of the word "broker", which is part of the Insurance Brokers Registration Council legislation. He also made a strong plea for the inclusion of non-life insurance to which my right hon. Friend the Secretary of State responded. We are concerned with this area but non-life insurance is not defined as an investment in the White Paper. In so far as irregularities with regard to non-life insurance may arise now and in the future, I suggest to my right hon. Friend that that market is not entirely in the hands of intermediaries. At the end of the day the insurance companies themselves underwrite the business. They control or have the capacity to control the market. They can lay down, in a form of self-regulation, and in co-operation with the IBRC and the British Insurance Brokers Association, rules of conduct copying as much of the White Paper as they please, but doing so on a voluntary, self-regulatory basis, remembering that the companies themselves do the underwriting.

If any broker in this country were to break rules that were agreed on a comprehensive basis by IBRC and by the companies, they would refuse to do business with him. That would bring him, if not exactly into line with the proposals in the White Paper, close to what we are trying to achieve for investments. Perhaps my right hon. Friend and others in the insurance business will consider such an approach.

Sir Edward du Cann: I am grateful to my hon. Friend for responding at such length to that point. The matter gives many people in the profession great anxiety. Will my hon. Friend be good enough to listen to further argument on it in due course? There is plenty of time before the Bill is drafted.

Mr. Fletcher: I am happy to say that not only will my right hon. Friend the Secretary of State and I listen to argument but that the Marketing of Investments Board organising committee will. It is considering such matters and has as one of its members the chairman of BIBA, Mr. Alexander, who is very experienced in all those matters.

My right hon. Friend referred to tied agents. We are aware of the difficulties. We do not wish to be unfair as

between tied agents and independent intermediaries on disclosure, but if there appears to be unfairness we shall consider the matter. For accountants, lawyers and others there will be a different kind of authorisation, but they will not be exempt from disclosure.

The hon. Member for Stockton, South (Mr. Wrigglesworth) wants a statutory commission but, despite my request, he was reluctant to press the case. I find that people want to "sloganise" about a statutory commission but nobody will say why there should be such a commission. It seemed to me that the hon. Member was talking about the commission in just the same way as he might talk about the alliance. Nobody presses its case and it remains two separate bodies.

Mr. Tebbit: We shall have better liaison.

Mr. Fletcher: My hon. Friend the Member for Beaconsfield (Mr. Smith) also referred to the existence of two bodies. The Marketing of Investments Board and the Securities and Investments Board, whatever marriage may take place in the future, will live together in the same premises and will share a common staff and common services. The chairman of the one will be a member of the other in order to ensure that there is a considerable degree of integration.

My hon. Friend also asked whether a draft Bill could be considered in a Special Standing Committee. The difficulty is the constraint upon time, but there has at least been consultation on the Gower report and the White Paper. This debate forms another method of consultation. During the preparation of the Bill we shall be more than willing to listen to ideas and suggestions. I wish that such a Bill could be discussed before it comes before the House, but one has to be realistic about the constraints upon time, in particular when we are dealing with such a large and significant Bill.

The hon. Member for Yeovil (Mr. Ashdown) suggested that the Government were uncertain about whether there should be self-regulation or a commission. Perhaps I should explain how the Government arrived at the proposed structure. I know that it will be of particular interest to my very alert Friend the Member for Birmingham, Selly Oak (Mr. Beaumont-Dark). The hon. Member for Dagenham might also be interested in this, in view of the fact that he thought he had blown our cover.

As to how the structure came into existence, in response to a request from my right hon. Friend the Secretary of State for Trade and Industry the financial sector considered the matter and expressed willingness to adopt self-regulation. However, it, like the Government, realised that self-regulation must be comprehensive, that it must cover the whole market from one end of the country to the other. For it to be made compulsory for traders statutory backing is required.

These boards are private sector bodies. Those proposing the Securities and Investments Board, though not the Marketing of Investments Board, asked the Governor of the Bank of England to appoint its members. This, as a private sector body with its own constitution, it was perfectly entitled to do. However, when it came to giving statutory backing to these private sector bodies, my right hon. Friend naturally and correctly said that a number of accountability matters must be considered before giving statutory backing. He did not believe it to be right to delegate statutory powers to a private sector body over which he had no powers of appointment. Therefore, rather than that the Governor should intervene in the actions of my right hon. Friend, the reverse is the case. My right hon. Friend is intervening by using his parliamentary powers to appoint the members of the board of a private sector body. Therefore, it is not the Governor who is referred to in the White Paper but the Secretary of State.

Mr. Ashdown: The Minister should clear up the point whether a single board, if it should come into existence, will be a de facto commission. When he was questioned by the hon. Member for Stockton, South (Mr. Wrigglesworth) about his position, he seemed to suggest that he took the view, which was supported by many of his own Back Benchers, that that was the case. He cannot argue against the commission and then agree that it might de facto come about by means of a single board.

Mr. Fletcher: I went into that explanation because it was being suggested that I somehow supported the idea of a commission, which I certainly do not. I was pressing the hon. Member for Stockton, South to make the case for a commission, but he either could not or would not do so. That aspect of the debate, however, will doubtless continue.

My hon. Friend the Member for Chichester (Mr. Nelson), in an excellent speech, rightly stressed the importance of futures markets. He will know that the new self-regulatory Association of Futures Brokers and Dealers is preparing to operate in that area.

My hon. Friend the Member for Chichester and others mentioned the takeover panel. We are anxious to take advice on that. The panel is working extremely well and we have asked it to consider how it envisages its future, whether it can best work on its present self-regulating basis or whether in some respects it should come into the statutory framework that is being designed. It is a very delicate question and we are most anxious to get it right.

My hon. Friend the Member for Chichester also, I believe, referred to golden parachutes. That aspect is covered in paragraphs 13.9 and 13.10 of the White Paper.

My hon. Friend the Member for Dewsbury (Mr. Whitfield) was concerned about specialist brokers. I believe that there is a future for small, specialist firms and that many people, not least private investors, will still wish to deal with the local firms or individuals they know best. As for the larger firms, I assure my hon. Friend that no matter how big the dealers or the markets they will have to conform with the legislation.

My hon. Friend the Member for Dorset, North (Mr. Baker) asked about the cost of the board. The answer to that is that we do not know. The organising committees are working this out. The boards will certainly not be cheap, because they have a very important job to do, but as the market will also be paying for them I am sure that they will keep their costs reasonable.

My hon. Friend the Member for Stratford-on-Avon (Mr. Howarth) opened up the debate on Chinese walls in some detail. Happily, he began in a very constructive way by supporting the idea. He believes that they can and do work, whereas my hon Friend the Member for Bexhill and Battle (Mr. Wardle) is more sceptical. My hon Friend the Member for Bexhill and Battle asked a long question about the Companies Act to which I should like to reply in writing to ensure that I get it exactly right.

My hon Friend the Member for Wolverhampton, South-West (Mr. Budgen) rounded up that part of the debate

[Mr. Fletcher]

about Chinese walls by making it clear that he was against them, which did not surprise me in the least. He also took the opportunity to defend the solicitors' monopoly and solicitors' rights in a number of ways. If any lobby is represented really well by my hon. Friend, it is the legal lobby, as we are all very much aware.

We are not saying that there will be no serious problems or malpractices, whatever system of self-regulation is adopted, but we believe that the boards will protect the investors, especially private investors, by means of compensation and that they will be able to move quickly —more quickly in our view than a commission—in clamping down on fraud and malpractice.

I was grateful to my hon. Friend the Member for Richmond and Barnes (Mr. Hanley) for his expert support for the proposals in the White Paper.

My hon. Friend the Member for Selly Oak was kind enough to say that the White Paper had been well received. I am not surprised, however, that some people in the City and elsewhere—I refer not to my hon. Friend but to those to whom he referred—are not entirely enthusiastic about it. It would be an odd document if no one even uttered any words of caution about how the legislation may work.

My hon. Friend the Member for Selly Oak said that the Government were rushing the City into a new world. We have given the City three years in which to prepare for the changes that are taking place. The City and the chairman of the Stock Exchange assure us that they expect to be able to meet that programme of change and, indeed, to beat it by at least two or three months. That being so, my hon. Friend may have been somewhat too conservative about the ability of his own profession to meet these requirements.

Mr. Beaumont-Dark: It is always comforting to hear Ministers talking in that way. However, the City is not encouraged if, when it asks for help in making sure that everything is orderly, the Government seem reluctant to stop the fragmentation that is doing so much damage. The Government love competition more than anything else —so do we all—but does not my hon. Friend agree that the fragmentation will be damaging?

Mr. Fletcher: It could be, but I do not believe that it will be. I accept my hon. Friend's point. What matters is that, until the new legislation is in place, the Stock Exchange should provide the main safeguards for the investors. Clearly, we would expect that the vast bulk of securities trading will continue to be done through the Stock Exchange. There is a small amount of off-market trading. That must not threaten the orderliness of change and the safeguards for investors.

Mr. Beaumont-Dark: It does.

Mr. Fletcher: At the moment it does not threaten the changes that are taking place.

Mr. Gould: Will the hon. Gentleman give way?

Mr. Fletcher: My hon. Friend asked me a question. We do not answer hypothetical questions, but we do not think that what he fears will happen.

The hon. Member for Dagenham expressed the view that the small private investor was being squeezed out. He misses the main achievement of our policies.

Competition is a spur to change. Competition under a comprehensive system of investor protection is in the interests of the small private investor. It provides the proper investment climate. We are moving away from the time when only a tiny proportion of the population had the opportunity to buy or sell shares or to come into contact with stockbrokers. Already a number of large retail organisations, as well as banks and other institutions, are preparing to provide financial services from one end of the country to the other so that people will be able to buy shares and financial services in a way not envisaged a short time ago. We welcome this development as an aspect of wider share ownership and a way of making people more aware of how wealth is created, where jobs come from and what makes the economy tick.

It is because of the deregulation or revolution—whatever one chooses to call it—that is currently taking place in financial services that we think the financial services industry itself will benefit, that investors will benefit, and that the United Kingdom will take its true place beside New York and Tokyo as one of the premier financial and investment centres of the world.

Mr. Tim Sainsbury (Hove): I beg to ask leave to withdraw the motion.

Motion, by leave, withdrawn.

INSURANCE (FEES) BILL

Not amended (in the Standing Committee), considered; reported, without amendment.

Motion made, and Question, That the Bill be now read the Third time, *put forthwith pursuant to Standing Order No. 58 (Third Reading) and agreed to.*

Bill accordingly read the Third time, and passed.

South Trafford District Hospital

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Sainsbury.]*

9.59 pm

Sir Fergus Montgomery (Altrincham and Sale): In all the years that I have served in this House, this is the most convenient time at which I have had an Adjournment debate. My previous Adjournment debates have taken place in the middle of the night and I have had to apologise to the Minister who replied for keeping him out of bed.

I have a sad story to tell about a hospital and a series of broken promises and delays. This is not the first Adjournment debate that I have had on the subject. I made the case for the south Trafford district hospital on 30 June 1980. My hon. Friend the Member for Ealing, Acton (Sir G. Young) was then the Minister responsible. He said that a decision on the new hospital would be reached with all possible speed.

One year later, almost to the day, just to keep the Ministry on its toes and to remind it of the happy occasion, I went to see my hon. Friend the Member for Reading, East (Sir G. Vaughan), who was then a Minister in the Department of Health and Social Security. He agreed to consider proposals for the new hospital which he was about to receive. In October 1981, the scheme was accepted by the Department and the regional health authority. Approval in principle was sent to the Department in July 1982 and a deadline of December 1982 was set for a response. In November, the Department replied that further work was required on the document and the regional health authority agreed to purchase the site. However, the Department and the Treasury could not agree without any firm scheme being included in the capital programme.

In April 1983, at the formal review of capital schemes, the regional health authority could not guarantee a place in the programme and its previous acceptance of a start in 1987-88 was not confirmed. In October 1983 we seemed to get some cheering news. We were told that the hospital had provisionally been put in the programme for the 1988 financial year and that the Treasury had approved the purchase of the site. Many of my constituents believed that at last the new hospital, which had been promised for so long, would come into being. There was an element of mystery at that stage because the regional health authority did not act as the regional team of officers appeared to have doubts about whether the new hospital would ever materialise. That was when outline regional strategy was being prepared by the regional health authority and alternative schemes, which would be less expensive in capital terms, were being considered. At the beginning of 1984, the regional officers began to suggest that the new hospital should be reappraised. That appraisal used only capital costs as the basis for considering alternative options and what became known as the Wythenshawe option was first put forward.

In September 1984 we were told that the appraisal showed that, on the criterion of capital costs, a development at Wythenshawe was cheaper than building a new hospital in south Trafford. The Trafford health authority felt that other considerations should be taken into account, such as accessibility, convenience for patients and many other non-financial criteria. It also thought that the capital costs of proceeding with the Wythenshawe development had been disguised to show the proposal in a more advantageous light. It is clear that Trafford health authority was not exactly jumping with joy.

In November 1984 the regional health authority agreed to reconsider the scheme and promised a full option appraisal by February 1985. As a result, it was discovered that there was little cost difference between the two main options, the new hospital in south Trafford and the Wythenshawe option, when all the non-financial benefits, capital and revenue costs were fully taken into account. Despite this, the regional health authority accepted that the appraisal was marginally in favour of the Wythenshawe option, and decided that it should proceed.

I believe that the views of the population of south Trafford do not seem to have been taken much into account by the regional health authority. We have been waiting for years for a new district hospital that would provide, among other things, services for the elderly and for mental illness, services which are desperately needed in the south Trafford area.

Trafford community health council has over the years supported the plans for a new hospital. It has tackled successive Secretaries of State in seeking a decision on the new hospital because it knew that the new hospital was central to the strategy for the area. Despite all the exhortations to come to a speedy conclusion, little progress has been made.

As I have mentioned, the regional health authority decided on a full option appraisal. These options went to the community health council on 14 January with a request for comments by the end of January, in other words, in just over two weeks. I was told that a medical staff member who attended a recent public meeting in Sale, a man who is a consultant with the Sale and Brooklands hospital, announced publicly that consultants were asked for their opinions on 19 February, six days before the regional health authority took the decision. I feel that the regional health authority could well ask itself whether its record on consultation was satisfactory.

Prior to the meeting of the regional health authority, Trafford community health council presented a resolution asking it to defer a final decision until it had had an opportunity to discuss the situation with the chairman and members of the regional health authority. This request was rejected on the ground that further delay was considered inadvisable. Considering the delays that have stretched over the years, I should have thought that a request for a delay of a few weeks was not asking too much. A project that has dragged on for years could not be deferred for a short time in order to hear and assess the views of the residents of south Trafford.

Because of the concern of the local people, the community health council decided that it would hold a public meeting on 20 March. I am told that the meeting was well attended. It is unfortunate that nobody from the regional health authority was present to put the authority's point of view. If somebody attends and puts forward a point of view, even though many people in the audience may not necessarily agree with it, at least the point of view will be heard.

In fairness, I think that there may have been some misunderstanding. I am told that the chairman of the community health council and a deputation are to meet the chairman of the regional health authority on Friday 26 April to put their view and that of the local residents to him.

[Sir Fergus Montgomery]

As a result of the public meeting, the community health council is anxious to have some answers to what it regards as vital questions. First, it wants to know whether the proposals will meet the needs of the people in south Trafford. The community health council has done a great deal of homework. I am told that inpatient activity under the revised intentions shows an increased work load of approximately 15 per cent. While the provision of additional ward accommodation is covered under capital proposals, it is not clear whether support facilities—catering, pathology, radiology, physiotherapy and so on—would be capable of coping with the additional work load without extra capital input. The proposals presume no extra capital requirement.

There is a further complication because of the situation that has developed in the south Manchester health authority which has, I think the American expression would be, an overspend situation. There is a great deal of publicity in our local newspapers about the cutting of services in the South Manchester health authoriy area. Two decisions—one local, the other regional—have coincided. The vital question is whether the capital intended for south Trafford will merely be absorbed.

There is also the question of acceptability to the people of south Trafford. This is tremendously important. They must be consulted on things which are of great importance to them, such as hospital provision. In all fairness, I do not think that the appraisal took account of acceptability to the general public because of

"the difficulties of obtaining any firm founded statement of views in the time available".

The people of my area certainly know the answer now. Public opinion, the community health council and the Trafford borough council have all come out strongly in favour of a new district hospital. The Wythenshawe option has very few friends in my constituency.

Do these proposals meet the needs of south Trafford? It seems that the proposals for mental illness provision have again been referred back to the joint working group. This is of enormous concern to the community health council, not only on the grounds of service provision but also because it could affect the basis of the financial considerations of the appraisal.

That brings me to the $64,000 question in respect of which I hope my hon. Friend the Under-Secretary can give some illumination. The people of my constituency desperately want to know whether the Wythenshawe option has been definitely decided. If that is the case, is there any appeal? There is a desperate need to know exactly what has happened over hospital provision in the south Trafford area.

Linked with this are the futures of certain small hospitals in the area, over which there are question marks, particularly the sale of Brooklands war memorial hospital. That hospital was built by public subscription and has a tremendous record of service to the people of the area. There are strong local feelings about it. In fact, I have received more letters on keeping the Brooklands war memorial hospital open than on any other hospital in the area. Many people have spoken with enormous sincerity about the tremendous care that their relatives received in that hospital. They feel that if it were to close, it would be an extremely black day for the area.

I hope that my hon. Friend the Minister will be able to say that no final decision has been reached and that the voices of the local people will be heard before a decision is finally made.

10.12 pm

The Parliamentary Under-Secretary of State for Health and Social Security (Mr. John Patten): I can begin by reassuring my hon. Friend the Member for Altrincham and Sale (Sir F. Montgomery) that no final decision has been taken, certainly none which has been formally notified to myself and my right hon. and learned Friend the Minister for Health.

My hon. Friend and his constituents must of course have their say, and that must be listened to. Just as it is critically important that hospital closures are looked at properly and closure decisions taken only when they are of benefit to patients, so, too, with the approval of new hospital building programmes. Heaven knows they are expensive enough and take long enough to complete. Once begun, we are locked in for a considerable time. We in the centre are determined that decisions shall not be taken until the voice of everyone has been fully and reasonably heard and every conceivable option looked at.

Once a new integrated district authority hospital has been built, and once the first foundation stone is laid, the die is inexorably cast in terms of service development, not just for 10 or 20 years, but for probably half a century, so long is the lead time, so massive the capital investment and so substantial the impact on the pattern of patient services in the area. I fully recognise that this is a momentous decision for the people in my hon. Friend's area.

No one could have been more assiduous than my hon. Friend over the years in bringing the needs of south Trafford to the attention of successive Ministers of Health. I heard what my hon. Friend had to say about an Adjournement debate with the then Minister, my hon. Friend the Member for Ealing, Acton (Sir G. Young). He and I between us have dealt with an adequate number of Adjournment debates on this and similar issues over the last three or four years. I am only sorry that the decision which my hon. Friend the Member for Altrincham and Sale wanted on a previous occasion is still in the air.

It is very difficult for my right hon. and learned Friend and me in the Elephant and Castle, as the men in Whitehall, the faceless people who are not known in Trafford and who do not know Trafford, to take decisions about major capital building programmes in the region. Those decisions have to be taken locally, within a regional framework, by people who understand the local community, who know what makes the north-west tick and who understand the needs of the people. While we have a legitimate and proper interest—if we did not show that the Public Accounts Committee would be after us very quickly—we could not logically be expected to decide exactly where new hospitals are to go. If we took upon ourselves that unlikely role, I am sure that my hon. Friend the Member for Altrincham and Sale and others of my hon. Friends would want to know why on earth the men from Whitehall were making decisions when they did not understand local conditions.

There is a slight problem in that my hon. Friend rightly brings the issue to the high court of Parliament, where matters are finally decided, and to the Department of Health and Social Security, where the actual decisions are taken, but we cannot, except in a residual way, act as more

than a benevolent long-stop until such a row breaks out that no local decision can be taken because the people in the region cannot agree. In the end, hospitals have to go somewhere. In the end, the location pleases some constituents because they have a hospital in their immediate area, and it does not please other constituents because they do not have a hospital in their area. There is no way in which we can put a large integrated district general hospital every five or 10 miles across the land. We could not afford to do so and, indeed, we do not need so many. Those are the difficulties in which we find ourselves when we listen to the proper appeal that is made on behalf of the constituents of my hon. Friend.

I told the House at the outset that no proposals by the North Western regional health authority had yet been submitted to Ministers for consideration. The matter is still in the formative stages locally, though Trafford district health authority has shown a clear preference among the options open to it for dealing with the health problems in the south of the district. My hon. Friend will be aware of that. However, that preference is subject to certain conditions which have been referred to the regional health authority for investigation.

The members of the regional health authority and the district health authority will be keenly interested in what my hon. Friend has said this evening. They will read what is reported in the local newspapers and, perhaps more importantly, in the pages of *Hansard*. As a demonstration of their determination to take a balanced view, Sir John Page, the admirable chairman of the regional health authority, whom we are pleased to see fully back to health after his recent illness, has offered to receive a local delegation. My right hon. and learned Friend the Minister for Health has also been approached by my hon. Friend the Member for Altrincham and Sale on the issue and I understand that he will hold a meeting with representatives of Trafford community health council in the near future to discuss the issue further.

It does not need me to tell the House, and particularly my hon. Friend, about the nature of Trafford. It is a well populated area with a major general hospital in the north of the district and with the southern part of the district cut off by the river Mersey, which makes communications between north and south difficult. The local community in the south are served by a number of small hospitals for minor acute and geriatric services, and by Wythenshawe hospital in south Manchester for major services. Therefore, the task facing the district health authority is to rationalise services in the south of the district and to make them more cohesive.

Changes in the NHS—rationalisation, and, from time to time, the closure of old buildings, some of them worn out and inappropriate for modern clinical uses—do not mean cuts. They simply mean that things are changing. Throughout the country the NHS is changing, with the biggest building programme that the service has seen since 1948, with more than £1 billion worth of major hospital schemes being designed, planned and built.

The Government are striving hard, with hard-earned taxpayers' money, to make up the damaging and slashing cuts on the NHS that occurred between 1976 and 1979, when the IMF sent in its men to bail out the British Government. Cuts made over three or four years in the NHS represent a huge chunk out of the building programme. We are just catching up. We are running hard to make up the lost ground of those disastrous years of the last Labour Administration.

That is the national picture. The picture in Trafford is also far from gloomy. The local newspapers, if they care to report this debate and anything that I say, might note that at present Trafford residents have more money spent per person on their health services than the people of any other district in the north-western region. The residents of Trafford find it easier to obtain inpatient hospital beds than do most others in the region, including many living in teaching hospital districts, and Trafford does not have a teaching hospital.

We are trying in the north-west to do what we can for the Trafford district, while moving historically deprived districts such as Blackpool and Bolton, both of which I have visited in the last year, closer to the level of quality and service that Trafford enjoys. This year we are spending an extra £8 million on the health service in the north-west. That is a cash growth of about 11 per cent., and the North-Western regional health authority's capital allocation is again this year the second highest in the country.

While, therefore, my hon. Friend is rightly pressing us for action and decisions, and while his constituents wish to have the hospital provision that he has represented to us, both wishes must be set against the considerable success story that can be told about the NHS in the Trafford district, just as it can be told of other districts — Watford, Abingdon, Oxford and any other randomly chosen constituencies to which one might refer.

A challenge faces the planners in Trafford and in the region. How can the excellent local health service which Trafford already enjoys be enhanced in a way that releases resources to improve the lot of deprived districts as well? They must ask themselves whether it is right to ignore the fact that patients seem to prefer to go to Wythenshawe hospital. I shall give way to my hon. Friend if he feels that I do not have that right. I do not know the area and I have reported the position as I am advised.

Sir Fergus Montgomery: It is not the reaction that I have been getting. Wythenshawe is not the easiest place to get to from south Trafford. It is easy if one has a car, but many people do not. Nor is there the best of bus services on that route. The Wythenshawe option has been extremely unpopular in the area.

Mr. Patten: I stand corrected by my hon. Friend and I am glad that he intervened to make that point.

There are two options. One is the Wythenshawe option, and the other is to build a new hospital in south Trafford. The Wythenshawe option involves further developing that hospital to provide district hospital services for south Trafford. Over the past 15 years, Wythenshawe hospital has been developed as one of the three teaching hospitals associated with the University of Manchester.

My hon. Friend said that the Wythenshawe option was meeting with considerable local opposition, and I hear and believe what he says. On the other hand, I have been advised that some local people regard this as not much more than a stop-gap measure, even if it should go ahead. It is preferred by the district health authority, subject to satisfactory arrangements being made for the mentally ill patients in south Trafford. It has said that, should the Wythenshawe option be adopted, management should be

[Mr. Patten]

transferred from south Manchester, with its unfortunate cash problems, to the Trafford health authority, and the regional health authority has to consider all these points when it looks long and hard at these problems.

It is difficult for us to decide from the centre. My hon. Friend the Member for Altrincham and Sale can see that it is difficult for me and for my right hon. and learned Friend the Minister for Health, before we have concrete proposals before us, to attempt to adjudicate on problems which have to be sorted out locally. I emphasise that representations can still be made to Sir John Page, the chairman of the regional health authority, about the totality of services to the people of south Trafford. Those representations should still be being made, and I was pleased to hear from my hon. Friend that in only two days' time one further meeting is to take place between local representatives and the regional chairman.

This debate has been valuable because I have been able to learn more about the problems of the district. I listened carefully to the points that my hon. Friend made. I and my right hon. and learned Friend will be able to consider these options when they are put to us if they are put to us in the form in which my hon. Friend has suggested that they will be.

If my hon. Friend and his colleagues and constituents of all and no political parties, the community health council, the borough and everybody else feel that consultation has not been carried out as well as it should have been, I take that seriously. In running a modern health service, the people whom we are trying to satisfy are not politicians, Ministers, trade unionists or the people who work in the NHS, but the people who consume the products of the NHS—the patients. My hon. Friend's constituents are the consumers of the products that we are labouring hard to improve.

If my hon. Friend feels on reflection after tonight and the meeting on Friday that there has been something seriously wrong with the consultation process, I happily give him the undertaking that I shall discuss the reopening of the consultation process with the regional chairman so that everybody feels that their views have been taken into account.

We also need a decision soon. This has been the subject of meetings and Adjournment debates, with more meetings to come. We need a proper decision, taken against the background of full and proper consultation, as soon as possible. I shall be giving that message firmly to the regional health authority.

Question put and agreed to.

Adjourned accordingly at twenty-eight minutes past Ten o'clock.

House of Commons

Thursday 25 April 1985

The House met at half-past Two o'clock

The Clerk at the Table informed the House of the unavoidable absence, through illness, of MR. SPEAKER *from this day's sitting.*

Whereupon MR. HAROLD WALKER, THE CHAIRMAN OF WAYS AND MEANS, *proceeded to the Table and, after Prayers, took the Chair, as* DEPUTY SPEAKER, *pursuant to the Standing Order.*

PRIVATE BUSINESS

LLOYDS BANK MERGER BILL

Lords amendments agreed to.

NATIONAL BANK OF NEW ZEALAND LIMITED BILL

Lords amendments agreed to.

Mr. Deputy Speaker: As the other four Bills on the Order Paper are the subject of blocking motions, with the leave of the House I shall deal with them together.

FELIXSTOWE DOCK AND RAILWAY BILL *(By Order)*

GREATER LONDON COUNCIL (GENERAL POWERS) BILL *(By Order)*

LINCOLN CITY COUNCIL BILL *(By Order)*

YORKSHIRE WATER AUTHORITY BILL *(By Order)*

Orders for Second Reading read.

To be read a Second time upon Thursday 2 May.

Oral Answers to Questions

NATIONAL FINANCE

Life Assurance Policies

1. **Mr. Hirst** asked the Chancellor of the Exchequer if he has received representations recently from the Life Offices Association, and the Associated Scottish Life Offices, about the eligibility of life assurance policies for tax relief; and if he will make a statement.

The Chief Secretary to the Treasury (Mr. Peter Rees): Representations have been received on this question. The Government have been advised that eligibility for relief depends on whether an enforceable contract had been established before 14 March 1984.

Mr. Hirst: I am grateful to my right hon. and learned Friend for his reply. Is he aware that there is concern in a number of life offices at the attitude that the Inland Revenue appears to be taking in seeking to disallow tax relief on policies which had been transacted with life companies before the midnight deadline on 13 March 1984? Does he agree that much of that flurry of new business was occasioned by an unfortunate and improper leak by a Treasury official? Can he assure me that the Inland Revenue will adopt a trusting and fair approach towards tax relief on these policies?

Mr. Rees: I understand the concern expressed by my hon. Friend, but it is not for me to speculate about the reasons for what he described as this "flurry of new business." The Inland Revenue is charged with the duty of enforcing the law as this House, with the upper House, enacts it, and is bound by the provisions of the last Finance Act. If there are cases where the facts may be a little in doubt and my hon. Friend feels that it would be helpful for the matter to be ventilated, no doubt he will write to me giving details.

Personal Taxation

2. **Mr. Chapman** asked the Chancellor of the Exchequer if he will make a statement about the total tax liability and national insurance contributions payments of those people earning less than half the average wage.

Mr. Peter Rees: As a result of the changes announced in the Budget, employees earning less than half of average earnings will pay about £270 million less in employees' national insurance contributions in a full year and about £400 million less in income tax.

Mr. Chapman: I appreciate and welcome the significant reduction in tax liability for those on modest means, which works at about 15 per cent. less tax liability for somebody earning only £80 per week. However, will my right hon. and learned Friend use his good offices to ensure that in future Budgets priority is given to the unification of income tax and national insurance contributions, particularly since national insurance contributions are no longer really based upon the contributory principle, so that those of modest means are given the most help?

Mr. Rees: I am sure that the House is indebted to my hon. Friend for his calculations, which demonstrate the lengths to which my right hon. Friend went in his Budget to assist those on modest incomes. The amalgamation of national insurance contributions with income tax is a wider question and raises a whole range of issues. I am bound to reassert that we attach importance to the insurance principle. However, there may well be administrative advantages to be gained from the idea which my hon. Friend has trailed, and the Government will no doubt look at it. There will be ample opportunity to consider the matter after the computerisation of schedule E and cases 1 and 2 of schedule D and the Green Paper on transferable personal allowances.

Mr. Pike: If the Government have sincere intentions to help those on modest and low incomes, how do they justify the reduction of 23 per cent. in income tax for those on the top rate band in 1979? Would it not be better for the Government to take more positive action? What they have done is still insignificant for those on modest and low incomes.

Mr. Rees: I do not know how the hon. Gentleman defines modesty, but I should have thought that taking 800,000 people out of tax, which my right hon. Friend the Chancellor managed to achieve in the last Budget, was a significant achievement.

Mrs. Virginia Bottomley: Does my right hon. and learned Friend agree that raising tax thresholds, reducing national insurance contributions for the lower paid and maintaining child benefit are the best ways to protect the lower paid and reduce the poverty trap?

Mr. Rees: My hon. Friend proposes a beguiling mix. Perhaps this is not the approprate moment to go into the details, but I am sure that my hon. Friend and I find common ground in thinking that the raising of tax thresholds will make a great contribution to the cause which she and I have at heart.

Dr. McDonald: Is the right hon. and learned Gentleman aware that whatever relief the changes in the national insurance contributions offer to some of the low-paid, because they are ill-thought out they encourage employers to hold wages down and create three new poverty traps at £60, £90 and £130?

Mr. Rees: As I have said, the major contribution to the alleviation of the poverty trap will be taking a range of people out of tax altogether. Indeed, 10,000 people who were on means-tested benefits will be taken out of tax, and that is a positive contribution. None the less, as the hon. Lady points out, to the extent that one moves up, one shifts the problem, but I hope that over a period, as we have carried through a sustained policy of raising tax thresholds, we shall make a considerable contribution to the problem, the solution of which she and I have at heart.

3. **Mr. Ashdown** asked the Chancellor of the Exchequer if he is satisfied with the efficiency of personal income tax work in Inland Revenue tax offices; and if he will make a statement.

The Minister of State, Treasury (Mr. Barney Hayhoe): I refer the hon. Gentleman to the answer that I gave to my hon. Friend the Member for Dorset, North (Mr. Baker) on 24 January 1985.

Mr. Ashdown: Is the Minister aware that many are now concerned that the work in the district tax offices will largely fall apart before computerisation is brought into effect? Does he accept that delays in replying to letters are now measured in months and that hundreds of thousands of people are paying the wrong tax because of delays in end-of-year PAYE reviews? Is the national state of work in the tax offices better or worse than this time last year, and how might things stand in six months time?

Mr. Hayhoe: The number of letters that are outstanding nationally is some 4·8 million. I should quickly emphasise that only about one in four of those are communications from the general public. I know that the hon. Gentleman has been particularly worried about the position in Yeovil, but he will know that there have been substantial improvements there in the past six months. The number of letters that had been outstanding for more than 14 days was then 11,000, and that has now been reduced to 7,500, despite a rather virulent infectious virus in the Yeovil tax office.

Mr. Alexander: Is there not an alarming trend for income tax personnel to leave their jobs, often to work in the private sector for accountants, where they show people how to pay less tax? Has my hon. Friend any plans for increasing their job satisfaction, apart from introducing commission incentives, which I assure my hon. Friend would be repugnant to almost everyone in Britain?

Mr. Hayhoe: I well understand my hon. Friend's final point. I have seen the rather alarmist headlines in the newspapers about the alleged brain drain of Inland Revenue tax inspectors, but the challenge, opportunities and rewards of the private sector have always been an attraction to tax inspectors, and the number of those who have been leaving the Civil Service in recent months is not all that much greater in percentage terms than in the past. Nevertheless, that trend is of concern and separate discussions are taking place between my officials and the Association of Inspectors of Taxes and I hope that some helpful movements will appear from those discussions.

Johnson Matthey Banking

4. **Mr. Campbell-Savours** asked the Chancellor of the Exchequer when he expects to receive the report into the affairs of Johnson Matthey Banking.

6. **Mr. Skinner** asked the Chancellor of the Exchequer what recent discussions he has had with banks and other institutions regarding the Johnson Matthey Bankers rescue; and if he will make a statement.

The Economic Secretary to the Treasury (Mr. Ian Stewart): My right hon. Friend expects to receive the results of the review of banking supervision at about the end of next month.

Mr. Campbell-Savours: Is it not clear that, despite official bank monitoring, this bank made some stupid loans, often completely unsecured, which are now having to be covered by the indemnity guarantee arrangements? As it has been proven that a relationship existed between some of those who were lending and some of the borrowers, which must have had some bearing on the terms of which the borrowings were made, why has not the City fraud squad been brought in to carry out a full and detailed investigation so that justice in this case can be seen to be done? The public demand that justice is done in this matter.

Mr. Stewart: It is clear that Johnson Matthey Bankers indulged in some extremely unwise and imprudent lending. I am advised that investigations to date do not suggest that the collapse was due to fraud.

Mr. Skinner: Is it not time that we had a law that applied to everybody, not one for City crooks who operate in the casino economy and another for the rest of the population? Is it not a fact that this bank not only engaged in lending money to people who were organising lavish parties in the City and trips abroad, but that its activities have resulted in the taxpayer having to pay at least £75 million to bail it out? Does the hon. Gentleman agree that the report on the subject, which has been sat on since February, should be revealed to the public at large so that every taxpayer who has had to help bail out this uneconomic unit, Johnson Matthey Bankers, has an opportunity to see all the sordid details involved in the case? Is he aware that Mrs. Thatcher—[HON. MEMBERS: "Order."]—the Prime Minister has had a letter from me for a month asking for the report to be published but has refused to answer it? It is time that the Government came clean—[HON. MEMBERS: "Too long."]—about all their friends in the City.

Mr. Stewart: I am afraid that I cannot respond to the hon. Gentleman's correspondence with other members of the Government. As for the various points that he raised in his supplementary question——

Mr. Skinner: We are talking about £75 million.

Mr. Stewart: As for his general questions——

Mr. Skinner: The whole thing stinks.

Hon. Members: Say that outside.

Mr. Stewart: I must advise the hon. Gentleman——

Mr. Skinner: I will say it outside.

Mr. Deputy Speaker: Order. The hon. Member for Bolsover (Mr. Skinner) asked a supplementary question and should be prepared to listen to the answer. I am trying to hear what the Minister has to say. Mr. Stewart.

Mr. Stewart: The hon. Member for Bolsover (Mr. Skinner) misunderstands the position in relation to the taxpayers' money, to which he referred frequently during his supplementary question. The decision to rescue Johnson Matthey was made by the Bank of England, and voted money has not been involved in that. There is an agreement for an indemnity between the Bank of England and the commercial banks. The report to which he referred was commissioned by the Governor of the Bank of England, who has felt that it should not be published because it contains commercially confidential information.

Mr. Meadowcroft: On what criteria does the Minister support bailing out banking in this way and according preferential treatment to its errors? On what criteria does he support the cover-up of the report, which details the reason why public money needs to be spent in this way?

Mr. Stewart: I have already answered the question about public money. That is a decision for the Bank of England. The Governor made it clear at the time that Johnson Matthey Bankers was saved from liquidation because of the potential impact on the gold market. It is not for me to make a judgment about decisions which the Governor might make in hypothetical circumstances about other institutions. In this case, that was the basis on which the Governor made his decision.

Mr. Blair: Do not the public have a right to know exactly what took place in relation to Johnson Matthey, so that they can pass judgment on the Bank of England's decision to bail the bank out? In saying that public money is not involved, the Minister is making a wholly artificial distinction between the funds of the Bank of England and taxpayers' money. In answer to the question of my hon. Friend the Member for Workington (Mr. Campbell-Savours), the Minister has just accepted that Johnson Matthey engaged in imprudent banking practice. When are we to be told the details of that imprudent banking practice?

Mr. Stewart: I am not drawing an artificial distinction about public money. On the question of information about what is happening, investigations are still under way. I cannot yet say what information can be made available or in what way.

In announcing to the House in December the establishment of the review of banking supervision my right hon. Friend made it plain that he would report on it to the House as early as possible, and would report on any prospective changes in legislation.

Falkland Islands

5. **Mr. Dalyell** asked the Chancellor of the Exchequer how much has been paid out of the Contingency Fund for expenditure related to the Falklands.

Mr. Peter Rees: Since 1982-83, £13 million; all of which has been repaid.

Mr. Dalyell: Which fund pays for the catapulting escalation of the cost of the airport from £215 million to £360 million, according to *The Sunday Times*, or £430 million, according to the *Sunday Post*? What does the Treasury think about that?

Mr. Rees: The Treasury always regrets escalation of costs. The charge will be borne by the Ministry of Defence.

Mr. Stokes: Is my right hon. and learned Friend aware that honour demanded that we should repossess the Falkland Islands, and that the cost was secondary? The hon. Member for Linlithgow (Mr. Dalyell) seems quite incapable of understanding that point.

Mr. Rees: I accept my hon. Friend's proposition about honour. As Chief Secretary to the Treasury, I cannot be entirely indifferent to questions of cost, but I believe that on this occasion the money was well spent.

Mr. Willie W. Hamilton: Is the right hon. and learned Gentleman satisfied that we are getting value for money in spending hundreds of millions of pounds on 1,200 folk 8,000 miles away?

Mr. Rees: I am, and the Government's judgment on the matter has been endorsed many times by the House.

Inflation

7. **Mr. Andrew MacKay** asked the Chancellor of the Exchequer if he will make a statement about the current level of inflation.

The Chancellor of the Exchequer (Mr. Nigel Lawson): Over the 12 months to March 1985, the retail prices index increased by 6·1 per cent.

Mr. MacKay: Will my right hon. Friend confirm that that figure does not take into account the latest increase in mortgage rates? Does he agree that that increase was premature and misguided, bearing in mind the way in which interest rates elsewhere have fallen since then?

Mr. Lawson: My hon. Friend is right to say that the most recent increase in the mortgage rate does not come into effect until — I believe — 1 May and that it is therefore not included in those figures. As I made clear at the time of the Budget, we expect inflation to be above 6 per cent. for the next few months before falling to 5 per cent. by the end of the year and below 5 per cent. next year.

Decisions taken by building societies on interest rates are a matter for them.

Mr. Wainwright: As to the Chancellor's financial strategy against inflation, does he find appropriate the present combination of the money growth rate and the exchange rate, or in what direction would he wish to see it adjusted?

Mr. Lawson: I do not have it in my power to determine the exchange rate, as the hon. Gentleman will be aware, but I have some influence over the level of interest rates. As he is a distinguished member of the Treasury and Civil Service Select Committee, the hon. Gentleman is aware that the Government's policy is, taking exchange rates and interest rates into account, to maintain a steady downward pressure on inflation.

Mr. Squire: Will my right hon. Friend confirm that the growth rate in the economy this year is among the highest, if not the highest, in Western Europe? Does he regard that as coincidental and commensurate with our existing rate of inflation?

Mr. Lawson: My hon. Friend is right. The reduction in inflation has assisted the steady growth which we have secured for nearly four years. We have had four years of steady growth at 2·5 per cent. and expect 3·5 per cent. growth in the current year. That is likely to be the highest rate of growth in the European Community and, to judge from the first quarter figures in the United States, it might be higher than growth in the United States as well.

Mr. Fatchett: When does the Chancellor expect to achieve the Prime Minister's forecast of inflation? When will it be down to the Prime Minister's figure?

Mr. Lawson: In due course.

Mr. Powley: Although we all agree that it is important to maintain and, if possible, reduce the present level of inflation, does my right hon. Friend agree that it is just as important to compare our rate of inflation with the rates of our competitors and ensure that our level of inflation is below theirs, thus putting our industry and commerce in a better competitive position so that we may improve our exports?

Mr. Lawson: My hon. Friend is right. It is essential, for many reasons, to get inflation falling steadily and to get it as low as possible. One of those reasons is the rate of inflation experienced by our competitors. It is interesting to compare our rate of inflation now with the average rate of 15·4 per cent. a year throughout the lifetime of the Labour Government.

Mr. Haynes: The Chancellor says that he has no power over exchange rates, but he has power over inflation. When will he fulfil some of the promises which he keeps making when he travels the country — *[Interruption.]* Why do Tory Members not keep quiet? Is the right hon. Gentleman aware that industry cannot plan for the future with inflation bobbing up and down as it is? The right hon. Gentleman may laugh, but the levels of inflation show that he is the worst Chancellor that the country has ever had.

Mr. Lawson *rose*——

Mr. Haynes: I have not finished yet. When will he retire to the plush area of Blaby and insignificance so that we may have somebody in his post who knows what to do?

Mr. Lawson: I am most grateful for the plug that the hon. Gentleman has given my constituency. Blaby is indeed a place well worth visiting and I hope that he will do so. As for the rate of inflation, during the period that I have been Chancellor it has been a good deal lower than for a long time, including under a Labour Government when it was 15·4 per cent. on average and never for one month reached its present level.

Mr. Kenneth Carlisle: Does my right hon. Friend agree that increased productivity helps to keep inflation down? In that respect, does he agree that, since 1980, our productivity has increased by 3 per cent. a year—a far better performance than during the 1970s? Does he agree also that it is important to maintain that improvement for the fight against inflation?

Mr. Lawson: The growth in productivity, especially in manufacturing industry, is extremely welcome and it has a major impact on the country's competitiveness. That is important. On the whole, the economy is doing extremely well. There are two areas of great concern and they are not unconnected. One is the level of unemployment, about which I and all of my hon. and right hon. Friends are anxious — there are measures in the Budget designed to help with that—and the other is the level of real wage increases and wage costs per unit of output, on which we are not doing as well as our competitors.

Mr. Terry Davis: Is there any level of unemployment that is not unacceptable in the pursuit of the target of 3 per cent. inflation?

Mr. Lawson: It is a matter not of what level of unemployment is acceptable or unacceptable, but of what measures are best calculated to bring down the rate of unemployment. This is a problem not just for the United Kingdom but for the whole of western Europe. I am confident that the policies that we are pursuing are best calculated for that purpose.

North Sea Oil and Gas

8. **Mr. Flannery** asked the Chancellor of the Exchequer what was the revenue from *(a)* North sea oil and *(b)* North sea gas in 1979, 1980, 1981, 1982, 1983 and 1984 respectively.

Mr. Hayhoe: Total tax take from North sea oil and gas production was £1·4 billion in 1979 and rose to £10·3 billion in 1984. I shall arrange for a table showing the figure for each year to be printed in the *Official Report*.

Mr. Flannery: We have just listened to waffle from the Chancellor. Is it not unbelievable that this massive bonus to the Exchequer, which no other country in Europe has had, has been frittered away on unemployment benefit instead of being put to use to rebuild our economy? Is it not unbelievable also that the Government carry on trying to pretend that it is not their monetarist policies that first led us into, and then kept us in, the great difficulty in which we now find ourselves? Why do they not admit that having had this bonus they have failed to use it properly, that there is a downward slide and that there is only one way out of that—another Government?

Mr. Hayhoe: I am sorry that the hon. Gentleman should talk such arrant rubbish. That can be proved by looking, for example, at our overseas assets. During the time that oil revenues have been coming in we have reduced our borrowings overseas and built up our assets, in the term of this Government, from £12½ billion to £75 billion. Those are profit-bringing assets, and will bring income to this country for many years and generations ahead.

Mr. John Mark Taylor: Does my hon. Friend agree that there is a danger in overdependence on the revenue from one particular finite source? Would not the taxation policies of the Opposition lead to greater danger?

Mr. Hayhoe: I agree wholeheartedly with my hon. Friend.

Following are the figures:

Total tax take from North Sea oil and gas production

	£ billion
1979	1·4
1980	3·3
1981	5·9
1982	7·0
1983	8·8
1984	10·3

Income Tax (Self-assessment)

9. **Mr. Nicholas Baker** asked the Chancellor of the Exchequer if he has any plans to introduce self-assessment for income tax payers; and if he will make a statement.

Mr. Hayhoe: Self-assessment will be among the matters to be discussed in the Green Paper on the reform of personal taxation, along with other possible long-term developments.

Mr. Baker: Is my hon. Friend aware that where there is a proper audit system, as in the United States of America, the system of self-assessment works very well? Is he also aware that the two main advantages are, first, that delays are reduced and, secondly, that administrative and staff costs for the Revenue can be dramatically reduced? Will he examine such a system most carefully?

Mr. Hayhoe: This question will form part of the Green Paper and I hope that there will be widespread public debate on it. Such a system would have some of the effects to which my hon. Friend has referred. He may have seen what Mr. Roscoe Eggar, the Commissioner of the Internal Revenue Service in the United States, was saying towards the end of last year, when he was arguing that a change to something more like the British system would mean that tax payers would be spared 97 million hours in return preparation and untold amounts in preparation fees. There is a down side, in that extra administrative burdens on individuals would flow from a system of self-assessment. I agree with my hon. Friend that it requires careful consideration to get the overall balance right.

Mr. Barron: Is it not more likely that self-assessment will lead to a growth in the number of accountants in high streets, and is that not a form of privatisation?

Mr. Hayhoe: Self-assessment in the United States has led to a considerable amount of professional advice being sought by the individual taxpayer.

Sir William Clark: Does my hon. Friend agree that as it is essential to have a public debate on the forthcoming Green Paper, it would be a good idea to set up a Select Committee to look into this question and take evidence in public?

Mr. Hayhoe: I am sure that my right hon. Friend the Leader of the House has heard that suggestion. That would be a matter for him rather than for me.

Mr. Meadowcroft: Does the Minister agree that there is an equal case for the Secretary of State for Social Services to introduce self-assessment for those receiving supplementary benefit if self-assessment for PAYE taxpayers is introduced?

Mr. Hayhoe: That will not figure in the proposed Green Paper on personal taxation.

Budget (Job Creation)

10. **Mr. Eggar** asked the Chancellor of the Exchequer how many more people he expects will be employed by the end of 1986 as a result of the changes in national insurance contributions announced in his recent Budget.

Mr. Lawson: I expect the changes in national insurance contributions, which will take effect from October, to lead to a significant increase in jobs over the following two years.

Mr. Eggar: Has my right hon. Friend noted that independent forecasters have shown that the changes will bring about an increase in employment by as much as 350,000? Should not this change be widely welcomed by all those who are determined to reduce the unemployment statistics?

Mr. Lawson: I am grateful to my hon. Friend for the welcome that he has given to these measures. I believe that they have been widely welcomed by both sides of the House, except for a small minority who seek to make party political capital out of them. There have been a number of outside estimates — some of 150,000, some of 160,000 and some higher. Those increases are in addition to the employment created by the expansion of the community programme, which was announced in the Budget, and the proposed development of the youth training scheme. The changes will reduce unemployment over the same period by between 150,000 and 200,000. I am sure that all hon. Members will be pleased to know that during the past two years the number of people in work has risen by well over 600,000. Nothing like that has occurred in any other European country.

Mr. Wrigglesworth: Does the Chancellor accept the assessment by Sir John Hoskyns, the Prime Minister's former adviser, that the way in which the Chancellor has introduced these changes will lead to a loss of 10,000 jobs in senior levels of industry?

Mr. Lawson: I shall not sign up on any figure at all. It is clear that, taking the whole of the national insurance contribution changes into account, the net effect will be a significant increase in employment. I am sure that the whole House will welcome that.

Mr. Terry Davis: When will we get real figures for employment based on a count, instead of the Chancellor's estimates?

Mr. Lawson: The figures that are published are the best estimates that the Government are capable of making. Many of my hon. Friends believe that the figures exaggerate the position. Many of them believe that some people in what is known as the black economy are in work but are drawing unemployment benefit and are therefore included in the figures. Nevertheless, we go by the normal published figures.

Public Sector Borrowing Requirement

11. **Mr. Yeo** asked the Chancellor of the Exchequer when he expects the final outturn figures for the public sector borrowing requirement for 1984-85 to be available.

Mr. Peter Rees: The provisional estimate of the PSBR for 1984-85 of £10·1 billion — equivalent to 3·1 per cent. of GDP—was published on 18 April.

Mr. Yeo: Can my right hon. and learned Friend confirm that no less than one quarter of the public sector borrowing requirement last year was attributable to the effect of the Scargill coal strike? Does he agree that without that effect interest rates would be substantially lower, thus considerably benefiting all mortgage payers?

Mr. Rees: My hon. Friend is correct to draw attention to this dimension of our national affairs. The latest and best estimate of the cost of the coal strike is £2·75 billion. That has certainly had an effect on interest rates.

Interest Rates

13. **Mr. Latham** asked the Chancellor of the Exchequer what proposals he has for reducing the level of interest rates.

Mr. Lawson: The Government's policy is to maintain monetary conditions that will bring inflation down. Short-term interest rates will be held at the level needed to achieve this. However, my hon. Friend will have noted that in the five weeks since the Budget base rates have fallen by 1½ per cent.

Mr. Latham: Will my right hon. Friend confirm that although short-term interest rates will obviously have been affected by the extraordinary fluctuations in the exchange rates during the past few days and weeks, it is still the Government's general objective, in the interests of industry and employment, to reduce interest rates as much as possible as market conditions permit?

Mr. Lawson: My hon. Friend is correct. That is one of the reasons why we have consistently followed a policy of having a low public sector borrowing requirement. This year's PSBR is predicted to be as low as 2 per cent. of GDP. I am sure my hon. Friend will agree that any reduction in interest rates must be consistent with what is necessary to maintain downward pressure on inflation.

Mr. Robert Sheldon: Will the Chancellor of the Exchequer take note of the fact that when the pound is low interest rates rise rapidly to a high level, but that when the pound is high they do not come down anything like as rapidly? What can he do to rectify that asymmetry?

Mr. Lawson: There has been a rise in the sterling exchange rate since the Budget, but, as I pointed out a moment ago, in the five weeks since the Budget there has been a fall in short-term bank base rates of 1½ per cent.

Mr. Gerald Howarth: Does my right hon. Friend agree that the proposals now being trailed by the Labour party in advance of next week's council elections — issuing blank cheques left, left and left — will undoubtedly have the effect of increasing interest rates enormously as a result of the impact that they will have on the public sector borrowing requirement, and that therefore these hollow and spurious promises are a disincentive to employment?

Mr. Flannery: Of course the right hon. Gentleman agrees.

Mr. Lawson: Of course I agree with that, as the hon. Member for Sheffield, Hillsborough (Mr. Flannery) said with his usual prescience. It is well known throughout the country that the Labour party is the party of inflation. As if that were not bad enough, inflation invariably means higher interest rates.

Mr. Blair: Is the Chancellor aware that his answers on exchange rate and interest rate policy have all the clarity of a riddle from the delphic oracle? Is he aware, as all parts of industry are saying to him, that what is punishing is the level of interest rates combined with uncertainty and instability in our exchange rate policy? Is it not time that we listened to those in industry who are trying to succeed, rather than to those in government who have patently failed?

Mr. Lawson: The great thing is that there is certainty about the Government's policies. That is what the Opposition do not like. For six years we have consistently stuck to the policies which we said in 1979 we would bring into force. They have succeeded in bringing down inflation and in us having the highest level of output, the highest level of productivity, the highest living standards and the highest level of investment ever.

Medium-term Financial Strategy

14. **Mr. Gould** asked the Chancellor of the Exchequer when he next expects to meet the Governor of the Bank of England to discuss medium-term financial strategy.

Mr. Lawson: The Governor and I regularly discuss financial developments in the context of the medium-term financial strategy.

Mr. Gould: Is it not now clear that, according to that medium-term financial strategy, the only way to stop inflation rising, as it is now doing, is to maintain monetary and fiscal policy at its currently damaging and tight level, and that the price of that is ever-increasing unemployment? Is the Chancellor, for that reason, prepared to seek an escape from the dilemma created by his policies?

Mr. Lawson: There is every intention of maintaining strict monetary and financial discipline. That has secured a reduction in inflation to the lowest level since the 1960s and the longest period of sustained economic growth since the oil-price explosion of 1973. As for the correctness of those policies, I do not have time to give an economic lecture now, but the hon. Member may be interested to read the recent communiqué issued after the OECD ministerial meeting in Paris a few days ago, which gave unequivocal endorsement from the whole of the industrialised world to policies of the kind which we in this country and many other countries are pursuing. The Labour party alone is out of step.

Mr. Forman: In discussions with the Governor of the Bank of England, has my right hon. Friend considered the possibility of keeping to a constant public debt-output ratio, so as to make more room for tax cuts in the near future?

Mr. Lawson: The debt-income ratio is one of the matters which we consider carefully. One cannot regard it as a unique indicator of the appropriate PSBR. It is one of the factors that we take into account.

VAT (Charities)

15. **Mr. Meadowcroft** asked the Chancellor of the Exchequer what representations he has had in relation to the impact on the publications of charitable organisations of value added tax on advertisements.

Mr. Hayhoe: The answer is none, Sir.

Mr. Meadowcroft: Is the Minister aware that the initial survey by the Charities Act Reform Group suggests that, on the basis of last year's advertising, the cost to charities will be £1·2 million? That may not be a significant sum for the Government, but it is a hugely significant sum for charities. Will he therefore reconsider exempting charities from VAT with regard to advertising in journals?

Mr. Hayhoe: There is not a charge of around £1 million in connection with the question which the hon. Gentleman asked, because he was talking about the impact of value added tax on the publications of charitable organisations—that is, things like church magazines and year books for charities. Anyway, such year books were taxed before the Budget. I rather suspect that the hon. Gentleman got his question all wrong.

Mr. Stern: In the context of my right hon. Friend's recent Budget, is my hon. Friend the Minister aware that, as against the costs which some charities will suffer as a result of the imposition of VAT on advertising, many, albeit often different, charities will greatly benefit from the increased relief to be given for charitable covenants?

Mr. Hayhoe: My hon. Friend is right. On the wider question, extending VAT to newspaper and magazine advertising will mean that charity advertising will attract tax of about £1 million, but the help given to charities in the other measures which my right hon. Friend introduced in his Budget will certainly substantially exceed that amount.

PRIME MINISTER

Engagements

Q1. **Mr. Winnick** asked the Prime Minister if she will list her official engagements for 25 April.

The Prime Minister (Mrs. Margaret Thatcher): This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in the House I shall be having further meetings later today.

Mr. Winnick: Is it not time that the right hon. Lady came off the fence and said that the British Government will be represented in Moscow for the celebrations there of the 40th anniversary of the end of the war? While she is about it, will she tell the United States President that for him to visit a cemetery in Germany where SS mass murderers are buried is deeply insulting and offensive to the memory of their victims, and is no less insulting and offensive to all those who fought in the last war to destroy Nazi tyranny?

The Prime Minister: We shall probably be represented in Moscow by Her Majesty's ambassador. With regard to the hon. Gentleman's comments about the German cemetery, I am not responsible for the actions of the United States, but I have considerable sympathy with what the hon. Gentleman has said.

Mr. Ian Lloyd: My right hon. Friend will recall that in his much discussed speech on the strategic defence initiative the Foreign Secretary disinterred the significant maxim that political decisions should not be pre-empted by the onward march of technology. Since, when we look back over the past 25 years, we find that so many major decisions, not least on the problem of unemployment, have been pre-empted by technological or scientific advance, which has been underestimated, has not my right hon. and learned Friend the Foreign Secretary made an unanswerable case for the installation of an office of technology assessment here to serve this Parliament in exactly the same way as such an institution serves the Congress of the United States?

The Prime Minister: I did not read my right hon. and learned Friend's speech in quite that way, but I am not sure that such an office would advance our cause very much. My hon. Friend is absolutely right—one cannot stop the march of technology. We have to use it, adapt it and indeed embrace it if we are to keep in the forefront of industry and in the forefront of events.

Mr. Kinnock: Will the Prime Minister tell us precisely why she decided that this morning's Cabinet meeting should not even discuss the proposals by the Secretary of State for Health and Social Services to end the state earnings related pension scheme, to get rid of family income supplement, not to uprate child benefit and to make many other changes which amount to a retrograde step for poor people and, indeed, for many people on average incomes?

The Prime Minister: I am sure the right hon. Gentleman will agree that it would be better not to reach conclusions before discussions have taken place, which is what he seems to have done.

Mr. Kinnock: I agree that it is always wise to be cautious in these matters, but, as this review has been taking place for 13 months, is it not the case that next week's county council elections have far more to do with the delay than anything else? If the Prime Minister—as the official statement says—is tying up a few loose ends, around which necks will she tie them?

The Prime Minister: Unlike the Opposition, we discuss before we reach conclusions. Unlike the Opposition, on social security matters we like the details to be worked out before they are made public.

Mr. Maclean: What message will my right hon. Friend give to the ratepayers and electors of Cumbria, where, during the past four years, a Labour-controlled council has squandered its reserves and is threathening a rate increase next year of 70 per cent. to finance its profligate spending?

The Prime Minister: As my hon. Friend knows, Conservative county councils have put up their rates by far less than have Labour county councils, and that is a good message for next Thursday.

Mr. Wrigglesworth: Is the Prime Minister aware that the Transport and General Workers Union is the largest union in the country and that its general secretary is one of the most influential people around? As the Leader of the Opposition is a member of that union and is sponsored in the House——

Mr. Deputy Speaker: Order. We are disscussing the Prime Minister's official engagements for today. Perhaps the hon. Gentleman will direct his question to that matter.

Mr. Wrigglesworth: As the national executive committee of the TGWU is today considering whether a re-run of the ballot will be held, will the Prime Minister, during the course of her day, encourage the Leader of the Opposition to break his craven silence on this matter, which is reminiscent of his silence on the miners' dispute, and join us in hoping that the TGWU——

Mr. Deputy Speaker: Order. I hope that hon. Members will address themselves to matters for which the Prime Minister is responsible.

Mr. Wrigglesworth: I am asking the Prime Minister whether she will today join us in welcoming a re-ballot for the general secretaryship of the TGWU, and asking that it should be run under independent supervision. Does the right hon. Lady agree with that?

The Prime Minister: I am not responsible for many of the things that the hon. Gentleman mentioned. The excellent changes in ballot rules, with which I am sure he will agree, come into force this October, under legislation passed by this Government.

Q2. **Dr. McDonald** asked the Prime Minister if she will list her official engagements for Thursday 25 April.

The Prime Minister: I refer the hon. Lady to the reply that I gave some moments ago.

Dr. McDonald: How can the Prime Minister expect the service sector to provide jobs when Lord Weinstock has said that there will be nothing for the service sector to service, given that the right hon. Lady's sado-monetarist economic policies have cut manufacturing investment by one-third and output by 9 per cent. since 1979, and created a trade deficit in manufactured goods of more than £3 billion last year? When will she listen to those with more experience in successful business than herself and change her policies?

The Prime Minister: In fact, as distinct from opinion, manufacturing employment has been falling since 1966. Indeed, the shift from manufacturing to service employment has already taken place and is entirely compatible with an expanding economy.

As Lord Weinstock is very well aware, it is possible to have a flourishing manufacturing sector even though it employs fewer people. Indeed, he has occasion to know that the General Electric Company's profits were £670 million last year, despite 15,000 redundancies during the past three years.

There will inevitably be fewer people employed by the current amount of manufacturing. We need a flourishing manufacturing sector, but that is not related specifically to the number or people employed in it, as Lord Weinstock is very well aware.

Mr. Ralph Howell: Is my right hon. Friend aware that, despite all the efforts that the Government have made, the poverty trap and the unemployment trap are worse than ever, now embracing nearly half the working population? Will she assure the House that the social security review and subsequent measures will be combined with a taxation review to create an overall co-ordinated system whereby nobody who pays tax receives benefit, and vice versa, to try to ensure that everybody is better off working than not working?

The Prime Minister: I have great sympathy with my hon. Friend's objective that everyone should be better off when working than when not working and receiving supplementary benefit. He will be well aware that that was the purpose of the Budget brought in by my right hon. Friend the Chancellor of the Exchequer, which will raise threshholds by twice the amount warranted by the inflation rate, and reduce the rate of national insurance contributions, particularly for the lower paid.

Mr. Donald Stewart: What action does the Prime Minister intend to take following the criticism in the annual report by the Civil Service Commission of the recruitment of highly paid managers from private industry at a time when the service is rent by dissatisfaction over low pay?

The Prime Minister: The detailed information in the Civil Service annual report shows a reasonably satisfactory picture overall, although there are specific areas of difficulty. That experience is, of course, often shared by other employers. I understand that the 4·9 per cent. pay offer has been accepted by one of the Civil Service unions.

Q3. **Mr. Yeo** asked the Prime Minister if she will list her official engagements for 25 April.

The Prime Minister: I refer my hon. Friend to the reply that I gave some moments ago.

Mr. Yeo: Is my right hon. Friend aware of the widespread concern about the long-term cost of the state earnings related pension scheme? As this scheme brings virtually no benefit to workers on two thirds or less of average earnings, does my right hon. Friend agree that if the Government are to succeed in their aim of ensuring that the social security budget is used to help those in real need the best thing that the Government can do is to terminate the scheme and apply the savings to increase the basic state pension?

The Prime Minister: As my hon. Friend is aware, there are problems with any scheme which is run on a pay-as-you-go basis under which the contributions now are used for benefits given now, although many people think that they are accumulated for benefits to be provided later. I shall, of course, take my hon. Friend's views into account when the matter is discussed.

Mr. Ron Lewis: Will the Prime Minister today recall her early upbringing, her Sunday school days and her father's insistence that the fourth commandment should be honoured? Is she, as the Head of the Government, going to besmirch her father's memory by bringing in legislation that will help to consign the sanctity of the Sabbath day to the scrapheap?

The Prime Minister: I congratulate the hon. Member on the ingenuity of his question. That is a matter for the House. The report will be brought before the House for debate and the several matters, including the jobs which would be created by Sunday opening, will be taken into account. I hope that the hon. Gentleman might even think that that is a relevant factor to be taken into account.

Mr. Cormack: May we take it from the Prime Minister's last reply that there will definitely be a free vote when the Government introduce legislation on Sunday trading?

The Prime Minister: That we shall decide nearer the time, but I hope that my hon. Friend will consider the report and all its consequences very carefully.

Mr. James Hamilton: The Prime Minister continually boasts about the success of her monetarist policies. Is she aware that redundancies in two more factories in my constituency have been revealed to me this week? Bearing in mind that revaluation in Scotland and the fact that the increases in rates will cause further closures and redundancies, will she tell the House what she intends to do about the situation, before she tells the Tory party conference in Perth?

The Prime Minister: With regard to further redundancies, especially in manufacturing industry, the hon. Gentleman will be aware that we can continue to increase production with fewer people employed. That is one of the problems of a technological revolution. As for the rate burden, the hon. Gentleman will be aware that part of the increase is due to the very high spending of Labour councils, which are much higher spenders than Conservative councils.

Business of the House

3.30 pm

Mr. Neil Kinnock (Islwyn): Will the Leader of the House state the business for next week?

The Lord Privy Seal and Leader of the House of Commons (Mr. John Biffen): Yes, Sir. The business for next week will be as follows:

MONDAY 29 APRIL—Second Reading of the Finance Bill.

TUESDAY 30 APRIL—Second Reading of the Insolvency Bill *(Lords)*.

Consideration of Lords Amendment to the Films Bill.

Consideration of Lords Amendments to the Town and Country Planning (Compensation) Bill.

Remaining stages of the Industrial Development Bill *(Lords)*.

WEDNESDAY 1 MAY—Until about Seven o'clock a debate on a motion to take note of the 25th Report from the Committee of Public Accounts in Session 1983-84 on financial assistance to De Lorean Cars Ltd. and of the Northern Ireland Department of finance and personnel memoranda on that report.

Second Reading of the Coal Industry Bill.

THURSDAY 2 MAY—Remaining stages of the Law Reform (Miscellaneous Provisions) (Scotland) Bill.

FRIDAY 3 MAY—Private Members' Bills.

Mr. Kinnock: I am grateful to the right hon. Gentleman.

The so-called star wars initiative will clearly be mentioned in the foreign affairs debate later today, but does the right hon. Gentleman accept that we still need a full-scale debate in Government time on that specific subject, which is of direct interest both to this country and to our allies?

Will the right hon. Gentleman also continue to bear in mind the need for debates in prime time on the report of the Commission for Racial Equality on race relations in Britain and on the threatened closure of one third of Britain's skillcentres?

Does the right hon. Gentleman agree that the tragic death of Welsh medical student Phillip Jones, who contracted aplastic anaemia after taking part in drug experiments, emphasises the need for legislation in that area? Do the Government intend to take urgent action and to bring appropriate proposals for legislative change before the House?

Finally, will the right hon. Gentleman arrange for a debate on the televising of the proceedings of this House as quickly as possible, so that I and many other right hon. and hon. Members will have the chance to vote for the televising of our proceedings as soon as possible?

Mr. Biffen: On the last point, I appreciate that the televising of our proceedings is a matter of general interest in the House and should be the subject of further debate and decision. That would clearly need to be related to the current experiment in another place, and we shall be in touch through the usual channels.

On the tragic death to which the right hon. Gentleman referred in relation to medical experimentation, I shall inquire of my right hon. Friend the Secretary of State for Social Services and be in touch in due course.

I note the interest in debates on racial equality and on skillcentres and I suggest that we may be in touch through the usual channels on that.

On the right hon. Gentleman's first point, the subject that he described in shorthand terms as the star wars initiative will certainly be relevant to today's foreign affairs debate, as was made clear in exchanges last week. I recognise his interest in a full-scale debate on the matter, but that will have to be considered through the usual channels.

Mr. Greg Knight (Derby, North): In view of the unnecessary, disruptive and somewhat Luddite action taken by several of its employees, can we have an early debate on the future of the Post Office? Does my right hon. Friend agree that, where a monopoly exists, it needs continual justification, and that the House should therefore have the opportunity to decide whether some organisation or organisations would better serve the interest of the public in carrying out our postal deliveries?

Mr. Biffen: My hon. Friend raises a very important point. Obviously, he will have noted from this afternoon's business statement that no provision has been made for a debate upon the topic of the Post Office. However, I shall draw the attention of my right hon. Friend the Secretary of State for Trade and Industry to the issue that has been raised.

Mr. J. Enoch Powell (South Down): Is the Leader of the House aware that it is most unreasonable to propose for the business on Wednesday a debate on De Lorean Cars Ltd. when there has been no consultation upon that suggestion with any Northern Ireland Members, and when the Province is concerned in a local election?

Mr. Biffen: I very much regret that the discussions that I would have wished do not appear to have taken place —through misunderstanding, I have no doubt. I am sure that the right hon. Gentleman will agree that the issues raised by that topic go far wider the the Province itself. None the less, I shall be in touch with the right hon. Gentleman.

Mr. Michael Latham (Rutland and Melton): Will it be next week or the week after that my right hon. Friend will be able to enlarge upon the previous semi-assurances that he gave, that the House would debate the multi-fibre arrangement before Ministers announce their negotiating position on the matter?

Mr. Biffen: I cannot be as specific as my hon. Friend would wish, but I should like to underline my anxiety that there should be a debate on the multi-fibre arrangement.

Mr. Max Madden (Bradford, West): The Leader of the House will be aware of the mounting concern in Yorkshire and other textile areas on the subject that has just been raised by the hon. Member for Rutland and Melton (Mr. Latham). In view of that concern, can the Leader of the House be more specific than he has been and give a definite undertaking that there will be a debate on the multi-fibre arrangement at the earliest opportunity?

Mr. Biffen: Certainly, it is my concern that there should be a debate. It is just that I cannot be specific in terms of the time scale that was mentioned.

Mr. Roger Sims (Chislehurst): In view of the importance of the report of the Select Committee on Home Affairs on Vietnamese refugees in Hong Kong, and the

implications that it has for the Hong Kong people and Government, for the British Government's immigration policy and, most important of all, for the refugees themselves, will my right hon. Friend give us a promise that at some stage we shall have a debate on that report?

Mr. Biffen: I shall certainly consider the point that has been raised by my hon. Friend. I do not want to give an encouraging reply now that I shall disavow later. However, that is also a topic that will fall within the ambit of this afternoon's debate.

Mr. Jack Ashley (Stoke-on-Trent, South): When the Leader of the House contacts the Secretary of State for Social Services about the Leader of the Opposition's question on drug trials, will he tell him that the drug company should play no part in those trials, that they should be completely independent, and that volunteers have the right to full information about the drugs in question and all the risks involved?

Mr. Biffen: I shall certainly draw the attention of my right hon. Friend the Secretary of State for Social Services to the point concerning drug companies that has been made by the right hon. Gentleman.

Mr. Jonathan Aitken (Thanet, South): Further to the Leader of the Opposition's question about a debate on the televising of Parliament, will my right hon. Friend resist his announced intention of discussing the matter through the usual channels, particularly because it has been well known for many years that the Opposition Chief Whip has been doing his utmost to prevent that eventuality? Will my right hon. Friend keep the Front-Bench fixers out of this and let the will of the House of Commons speak for itself, as we all know that there is a majority for televising now?

Mr. Biffen: I think that the will of the House will be expressed ultimately, and it will do so with total lack of inhibition. I am surprised that my hon. Friend should ever entertain the thought otherwise.

Mr. Donald Stewart (Western Isles): Will the Leader of the House arrange time for a debate on the report of the Services Committee on overcrowding and the lack of facilities for hon. Members and staff?

Mr. Biffen: I shall bear in mind the right hon. Gentleman's request. I cannot give an immediate undertaking, but I know that he has raised an issue which is of real importance to all hon. Members.

Mr. Ian Wrigglesworth (Stockton, South): In view of the increasing damage which is being done to the education of pupils throughout the United Kingdom by the teachers' dispute and the increasing inconvenience to their parents, will the right hon. Gentleman arrange for an early debate to take place upon the dispute? Will he also arrange an opportunity to discuss the deplorable strike of schoolchildren which is taking place today?

Mr. Biffen: I agree with the hon. Gentleman that the schoolchildren's strike is a most bizarre and deplorable episode. He will see from the business that has been announced that no provision has been made for a debate on the subject, but I shall draw the attention of my right hon. Friend the Secretary of State for Education and Science to the point that has just been raised.

Mr. Gary Waller (Keighley): So that the debate on the multi-fibre arrangement can be meaningful, is my right hon. Friend able to make a commitment that the Government will not reach a decision on the matter until the debate has taken place so that the views expressed during the debate can be taken into account?

Mr. Biffen: I cannot make that commitment, but I accept at once the importance of the timing of the debate relative to the negotiating position that is struck within the European Community.

Mr. John Maxton (Glasgow, Cathcart): Is the Leader of the House aware that yesterday's meeting of the Select Committee on Scotland to discuss with the Convention of Scottish Local Authorities the very important issue of rating and public expenditure began 20 minutes late because not one single Conservative Member of Parliament was present to make a quorum? Will he, as the Leader of the House and the senior Conservative Member in terms of the management of the House, ensure that a letter of apology is sent to the convention? More importantly, will he look at the membership of the Select Committee and ensure that it properly reflects the political make-up of Scotland rather than the political make-up of this House?

Mr. Biffen: Proceedings in Committees are not, I think, matters for which I answer each Thursday afternoon. However, the wider point about the composition of the committee is a matter of long-standing controversy, and I do not believe that anything I say this afternoon will resolve it.

Mr. Bowen Wells (Hertford and Stortford): Will my right hon. Friend send a message today to the Ministers who are responsible for negotiating the multi-fibre arrangement that they should no longer delay a debate upon the matter in the House because, if they do, they will be conducting negotiations upon which the House has had no opportunity to express its opinion? The House is becoming very impatient, and I hope that my right hon. Friend and the Ministers will make it possible for us to have a debate next week.

Mr. Biffen: I note at once, and sympathise with, the proposition that the House should have a debate before the ministerial negotiating position is finally resolved.

Mr. Willie W. Hamilton (Fife, Central): Has the Leader of the House seen the headline in today's edition of *The Standard*, "Cabinet in Shambles"? Since it is a Conservative newspaper, it is no doubt an accurate assessment of what happened this morning in Cabinet. As the argument appears to be between the Chancellor of the Exchequer, who wants the social security bill to be slashed by £4,000 million, and the Secretary of State for Social Services, who wants to settle for a cut of £1,000 million, would it not be appropriate for those Ministers to come to the House next week and make a statement defending their posture? In the meantime, will the Leader of the House say which side he falls on?

Mr. Biffen: The hon. Gentleman and the Tory press make a natural partnership. This matter was dealt with this afternoon in a most authoritative fashion by my right hon. Friend the Prime Minister. I do not feel, therefore, that it would be appropriate for me to add one word to what she said.

Mr. Tony Marlow (Northampton, North): In the light of the report in today's edition of the *Daily Express* that

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the puffed up poseurs of the European Assembly are about to grant themselves immunity from arrest, could my right hon. Friend say clearly and unambiguously that it will not happen here?

Mr. Biffen: I have not had the advantage of communing with the *Daily Express*, so I am in no position to make an authoritative retort. I would not have thought that it came in any sense within my sphere of responsibility, but it sounds to be an excellent story.

Mr. David Alton (Liverpool, Mossley Hill): What has the Leader of the House to say to those 4,000 young people who have been led out of Liverpool schools this afternoon by a Member of this House, causing chaos and anarchy in many of the schools in Merseyside and resulting in a great deal of unrest and unnecessary disturbance? Does the right hon. Gentleman think that there is a need for a debate on this important issue and the associated issue of the youth training scheme, about which many young people feel strongly?

Mr. Biffen: The hon. Gentleman will acknowledge that that point was raised by his Social Democratic Friend the Member for Stockton, South (Mr. Wrigglesworth). I cannot add much more in reply to him to the response that I gave to his hon. Friend.

Mr. John Stokes (Halesowen and Stourbridge): Will my right hon. Friend do his best to ensure that our Polish allies, for whom we originally went to war and who played, among other things, such a distinguished part in the battle of Britain, are not excluded or forgotten during the commemorative service on 8 May? Are we to have a further statement on that subject?

Mr. Biffen: I shall certainly refer to the relevant Ministers the point that my hon. Friend raises, which I know evokes a powerful echo elsewhere in the Chamber.

Mr. Richard Caborn (Sheffield, Central): Will the Leader of the House consider the article on the front page of *Labour Weekly*, which says clearly that the Comptroller and Auditor General, Gordon Downey, has clearly accused the Government of increasing rates in authorities around the country by £3,000 million? Will he have a word with the Secretary of State for the Environment who has written to me this afternoon, taking 12 days to do so, denying my local authority a meeting with him, not to negotiate but to discuss the real problems that Sheffield is having because of the Government's rate-capping measures and the problems that that inner city now has, with over 50 per cent. unemployment? I hope that he will prevail upon the Secretary of State to have a meeting, or at least to have the matter discussed in the House of Commons, because it is extremely important, particularly to those rate-capped authorities.

Mr. Biffen: I do not think that it is my role to be marriage broker between the editor of *Labour Weekly* and my right hon. Friend the Secretary of State for the Environment, but I shall draw my right hon. Friend's attention to the points which have just been raised, having the relevance that I know they do to Sheffield.

Sir John Farr (Harborough): In relation to the need to renew the multi-fibre arrangement for knitwear and textiles, can my right hon. Friend assure the House that he is aware that not only will the matter be debated in the EEC by the Council of Ministers next week or the week after, but also that the MFA under which we at present operate will shortly come to an end? Will he tell the House that we will have a debate on this matter so that opinion on both sides of the House can be sounded before our Ministers go to Brussels or wherever?

Mr. Biffen: My hon. Friend makes in his own way the point that has been made several times this afternoon, the force of which I fully recognise — that the House of Commons should have a chance to debate the multi-fibre arrangement before Ministers take up a negotiating position.

Mr. Barry Sheerman (Huddersfield): Is the Leader of the House aware that it just is not good enough to tell hon. Members that we shall have a debate on the multi-fibre arrangement after the Government have made a decision on renewals? Is he aware that the Government have already lost 1·8 million jobs in Britain since 1979 and that another 300,000 will be lost if they close down the textile and clothing industries?

Mr. Biffen: The textile industry has gained considerable strength in Britain by the way in which it has been able to obtain joint action across the Floor of the House. The hon. Gentleman's remarks are highly contentious and misleading and they misrepresent what I said. That so, I still recognise the importance of the point that he was trying to make.

Mr. Nigel Forman (Carshalton and Wallington): In view of the considerable importance of decisions in education policy, particularly in relation to measures to deal with unemployment, can my right hon. Friend offer us the prospect of an early debate on the Government's excellent White Paper entitled "Better Schools"?

Mr. Biffen: Certainly not in the immediate future, but I shall bear in mind my hon. Friend's point on the importance of that subject.

Mr. Roland Boyes (Houghton and Washington): Is the right hon. Gentleman aware that, while we may differ on the causes, hon. Members on both sides of the House condemn football hooliganism? Many of my hon. Friends believe that it is Right-wing inspired activity based on unemployment, deprivation and hopelessness. Nevertheless, will he join me in condemning the building of electric fences at Chelsea or any other football stadium? Is he aware that that must be the ultimate condemnation of the failure of the Government's law and order policy? Will he, in this less than busy period, find time for a debate on this subject?

Mr. Biffen: That is exactly the type of debate which has much to commend it for the Adjournment. I suggest, therefore, that the hon. Gentleman might care to try his luck in that direction——

Several Hon. Members *rose*——

Mr. Deputy Speaker (Mr. Harold Walker): Order. I shall try to call all those hon. Members who have been rising up till now. Mr. Galley.

Mr. Roy Galley (Halifax): My right hon. Friend in arranging the business of the House is always sensitive to the needs of the varying nations that make up the United Kingdom. We seem to spend a considerable time dealing

with matters relating to Scotland, Wales and Ulster. Will he accept the claims of other parts of the country which regard themselves as nations within the nation — particularly Yorkshire, the premier region of the nation —and arrange a debate in the near future on Yorkshire matters?

Mr. Biffen: It just adds unnecessarily to the contentions of this place if one seeks to assert that Yorkshire is a nation rather than a proud and sometimes successful cricketing county. I am afraid that I can offer no prospect in the immediate future of a debate on regional policy or on Yorkshire in particular, but I shall bear in mind the point that my hon. Friend so eloquently makes.

Mr. Clive Soley (Hammersmith): In view of the growing disquiet in all parts of the House about the level of hon. Members' expenses and about the employment and conditions of research assistants, will the Leader of the House accept that it is far too long to wait another three years for a debate on the subject? Will he arrange one urgently?

Mr. Biffen: I will bear in mind the point that the hon. Gentleman makes.

Mr. John Browne (Winchester): In view of the report of the Select Committee on Social Services on community care for mentally ill and mentally handicapped adults, and the large number of signatories to early-day motion 515, please may we have an urgent debate on the subject?

[That this House, noting the widespread interest in the issue of care for the mentally ill and mentally handicapped in the community following the publication of the report of the Social Services Committee on this matter, calls for an early debate on the recommendations and implications of this report.]

Mr. Biffen: No provision has been made for such a debate in the business that has just been announced. Fairly soon we shall be in the phase of parliamentary life which is dominated by the Committee stage of the Finance Bill, which is taken on the Floor of the House, so I am afraid that I cannot be optimistic about the prospects for such a debate.

Mr. Martin Flannery (Sheffield, Hillsborough): The right hon. Gentleman may recall that I recently asked him to use his influence with the Prime Minister and the Secretary of State for Education and Science to show them that the industrial action which the teachers are now taking is qualitatively far more intense than any similar action taken by them on any previous occasion, and that it will be prolonged. Will he ask them to arrange a debate on this important issue so that some new money can be put on the table, separate from any reassessment or restructuring— [HON. MEMBERS: "Why?"] — so that the immediate wage increase which they need urgently can be given to them? The other issues can then be discussed after that.

Mr. Biffen: The hon. Gentleman has elaborated points of policy which he will not expect me to underline and support from this Dispatch Box. I shall refer his request for a debate to the relevant Ministers.

Mr. Teddy Taylor (Southend, East): In view of the disclosure this week that more than 165,000 tonnes of food, including substantial quantities of high quality beef at 40p per pound, are being sent to the Warsaw pact countries, and in view of the further disclosure that British Ministers do not have a right of veto over the sale of food at even lower prices, does my right hon. Friend agree that we must have a debate soon on the vast amount of British taxpayers' money that is being used to prop up the economies of the Warsaw pact countries?

Mr. Biffen: My hon. Friend makes that request on the afternoon of a foreign affairs debate. I shall, of course, make the point to the Ministers concerned that perhaps Community subjects should be considered separately from the more general approach to foreign affairs. However, I cannot be optimistic about an early debate, in view of all the other demands that are being made on the time of the House.

Mr. Dennis Skinner (Bolsover): Does the Leader of the House recall that during a previous business question time I urged him to call on the Chancellor of the Exchequer or the Prime Minister to explain from the Dispatch Box why, in the rescue of Johnson Matthey Bankers, the Government expended £75 million of taxpayers' money and gave tax reliefs to depositors who were taking part in the rescue in the sense that they were offsetting the bad debts of the company? The right hon. Gentleman told me that he would pass my message on, but there has been no response so far either from the Chancellor or the Prime Minister.

We thought that the Leader of the House had some clout in the Cabinet. Today we witnessed the spectacle of the fifth ranking Treasury Minister, the Economic Secretary to the Treasury, at Question Time refusing to give an assurance that the report on the matter would be published, although the fraud squad was involved, money was expended and the taxpayers had to bail out the bank in question. Are the Government embarrassed by the charge that they have nationalised a bank, that they have handed tax reliefs to depositors and that, despite squalid dealings in the City, they are not prepared to face the music in the House in the way they should?

Mr. Biffen: I gather that the hon. Member for Bolsover (Mr. Skinner) is not entirely happy with Treasury Ministers' answers. I will refer his discontent to them.

Mr. Ian Lloyd (Havant): Is there any reason why the new format agreed by the Services Committee for the presentation of Prime Minister's questions has not already been applied? Every publication of the Order Paper costs the House and the country £1,000. Will the new format be applied as quickly as possible, preferably next week?

Mr. Biffen: I think that my hon. Friend served with me on the Committee that considered the matter; I will look into it.

Mr. Michael Meadowcroft (Leeds, West): May I press the right hon. Gentleman further on the question of a debate on the strategic defence initiative? Given the expressed views of Mr. Richard Perle and General Bernard Rogers, and the apparent differences of emphasis between the Prime Minister and the Foreign Secretary, is it not unsatisfactory to suggest that that subject could be raised in the course of a general foreign affairs debate? Is it not important that there should be a separate debate in Government time, as quickly as possible, on that crucial defence matter?

Mr. Biffen: The hon. Gentleman may recollect that last week the question was asked whether or not that topic would be relevant to today's debate. It was confirmed that

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it would be. If he feels strongly about the subject, and is lucky enough to catch your eye, Mr. Deputy Speaker, I hope that he will make his speech during the debate. A request has been made for a separate debate but that must be a matter for discussion through the usual channels.

Mr. Harry Greenway (Ealing, North): Bearing in mind the grave state of education in many British prisons and its importance in the rehabilitation of prisoners, may we have an early debate on prison education, preferably within the context of revised and renewed prison rules that would strengthen the position of education.

Mr. Biffen: I appreciate the importance of that topic, but I can see no likelihood of an early debate in Government time. My hon. Friend may like to take such chances and opportunities as he has as a private Member.

Mr. Laurie Pavitt (Brent, South): As the Leader of the House is aware, the Prime Minister has received the recommendations of the review body on nurses' and midwives' pay. Will there be a statement next week, before the elections? If not, will the right hon. Gentleman use his considerable influence within the Cabinet to ensure that there is no reneging on the implantation of the recommendations of the independent body?

Mr. Biffen: I will certainly draw the attention of the Prime Minister to the points made by the hon. Gentleman both about the timing of any announcement and about its quality.

Mr. Tony Lloyd (Stretford): In the light of the Prime Minister's flattering comments today about Lord Weinstock of the General Electric Company and in view of the fact that GEC has shed over 1,000 jobs in my constituency in the past two years, should there not be a debate upon Lord Weinstock's stewardship of the company and the future of the engineering industry as a whole?

Mr. Biffen: I have to say that there is no prospect of such a debate in Government time in the near future. As the hon. Gentleman has such a keen constituency interest in the matter, he may care to try such opportunities as are available to him as a private Member.

Mr. Tony Banks (Newham, North-West): Is the Leader of the House thinking of ways in which the House could commemorate the anniversary of VE day on 8 May, either in terms of a particular subject for debate or some other event?

Mr. Biffen: No, but I will certainly bear in mind any representations that the hon. Gentleman may make.

Mr. D. N. Campbell-Savours (Workington): Why does the Chancellor refuse to answer questions on Johnson Matthey Bankers in person? Why does he always appoint junior Treasury Ministers to do so.

Mr. Aitken: He made the first statement.

Mr. Campbell-Savours: Does the hon. Gentleman wish to make a statement?

Will the Leader of the House convey a request from hon. Members that, when we table questions, the Chancellor answers them, because there are some people in the City who want to hear what he has to say himself?

Mr. Biffen: I have no reason to believe that my right hon. Friend the Chancellor has dealt with the House in any discourteous fashion in this matter.

Budget Council

3.59 pm

The Economic Secretary to the Treasury (Mr. Ian Stewart): With permission, Mr. Deputy Speaker, I should like to report to the House on the outcome of Tuesday's Budget Council in Luxembourg.

After meeting a delegation from the European Parliament, the Council considered the proposals contained in the Commission's letter of amendment No. 3 to the 1985 preliminary draft budget.

An essential feature of the draft budget is its provision for the United Kingdom's 1984 1 billion ecu abatement on the revenue side of the budget. This will take place when the own-resources decision has been ratified by all member states.

On the expenditure side, the Council agreed an additional provision of 1·955 billion ecu for agricultural expenditure. The total figure agreed for agriculture in the 1985 budget is consistent with the Commission's price proposals for 1985.

The Council increased food aid appropriations by 26 million ecu to compensate for changes in world grain prices to ensure the fulfilment of commitments on levels of food aid made at the Dublin European Council in December. In the light of the Brussels European Council's agreement in March, provision of 70 million ecu was entered into the reserve chapter 100 for integrated Mediterranean programmes.

In response to a request from Belgium, the Council agreed in conjunction with the Commission to re-examine estimates of the VAT tax base for 1985 in each member state to verify the accuracy of the existing figures. The results will be reported to the Council in due course.

Consequent on decisions taken by the Budget Council, the total supplementary finance required in 1985 in excess of the Community's own resources is 1·981 billion ecu. This figure is nearly 1 billion ecu lower than that originally requested by the Commission. In accordance with the conclusions of the Foreign Affairs Council on 17-21 March, the Budget Council confirmed that this supplementary finance of 1·981 billion ecu would be made available in the form of non-reimbursable advances through an inter-governmental agreement. I will place a copy of the text in the Library as soon as the definitive version is available.

I made it clear that payment by the United Kingdom under the inter-governmental agreement would be dependent upon the prior approval of Parliament. This is recorded in the text of the agreement. Member states' contributions to the inter-governmental agreement will be related to their VAT rates in the Budget. Based on the estimated United Kingdom 1985 VAT share of 21·34 per cent., the United Kingdom's gross contribution will be some 423 million ecu. This will be partially offset by additional receipts and our remaining net contribution will qualify for the two thirds Fontainebleau abatement.

The Council concluded by establishing a draft budget for 1985 and sent it to the European Parliament.

The agreement provides a realistic basis for the 1985 European budget and is a satisfactory outcome for the United Kingdom. The overall figures for agricultural expenditure and for the inter-governmental agreement were lower than had been sought by other member states, and the net cost to the United Kingdom will, as a result of the Fontainebleau mechanism, be significantly less than the net cost of last year's inter-governmental agreement.

Dr. Oonagh McDonald (Thurrock): Will the hon. Gentleman admit that he did not very much want to make a statement to the House on this important issue, and that he wrote to one of my hon. Friends saying that these matters would be dealt with by written answer? Will he admit that it was only pressure from the Opposition that ensured a statement on these fundamental issues?

Does he agree that the statement conceals more than it reveals? Is it not clear, for example, that the £630 million rebate which was agreed at Fontainebleau now has strings attached, and that the British and other Parliaments will have to agree to the increase in the VAT ceiling before the rebate is paid? That rebate was not originally subject to linkage of any kind, and repeated statements by the Economic Secretary and other Ministers were made to that effect as late as January this year. Will he admit that, rather than give the anodyne statement that he has made?

As for the non-reimbursable advance of £250 million which is to be paid in 1985, will the Minister give an unconditional guarantee that we shall not have to make further payments such as that this year? When is the matter to be debated? Does he agree that that is not likely to be until the autumn and that we shall not get the rebate until the inter-governmental agreement and the agreement on the VAT ceiling is reached and that Community funds will then be running out? Will he admit that a gun will be held at the heads of Members of Parliament when debating the issue at that stage?

Will he admit that two thirds of the payment will not be returned during the year, but that it will reach us towards the end of 1986? Will he also admit that, although some will be returned, we are still paying £80 million more towards farm spending this year? That is one of the features which the statement conceals.

Is it not clear that the proportion of farm spending in this budget has increased from 67 per cent. in 1984 to 74 per cent. — yet more money going on quite wasteful farm spending — and that that makes nonsense of the claims that farm spending has come under control? Even the Commission's proposals made that clear when it proposed a 3·6 per cent. cut in cereal prices when, in view of last year's cereal harvest, it should have been 5 per cent.

Is it not clear that there is no real intention to curb or control farm spending? Does the Minister agree that the Prime Minister's abject failure at Fontainebleau to guarantee that the principles of budgetary discipline form a legal part of budgetary procedure has now proved disastrous? Does he agree that there is no hope of achieving budgetary discipline without fundamental reform of agricultural policy and that he and the Government have long ago abandoned any attempt to do that?

It is quite clear that the Economic Secretary acquiesced to increased farm spending. Does he agree that his statement is grossly misleading because he initiated cuts in the Commission's proposal for increased food aid? How does he justify that disgraceful contribution in view of the worsening famine in Ethiopia and the Sudan and the fact that 5 million people are now at risk? How can he agree to pay rich farmers more and refuse aid to the starving, for that is what he did when he proposed those cuts?

How can the Government——

Mr. Tony Marlow (Northampton, North): On a point of order, Mr. Deputy Speaker. Is it not——

Mr. Deputy Speaker (Mr. Harold Walker): Order. We have a very important debate ahead of us and many hon. Members want to take part in it.

Dr. McDonald: To conclude — how can the Government agree to a budget that contains 74 per cent. spending on agriculture and only 5 per cent. each on the regional and social funds, when there are 15 million unemployed in the European Community as a whole, of whom two fifths are under the age of 25, and of whom one fifth of the overall total are found in the United Kingdom? How can the Economic Secretary justify his acquiescence in such a budget?

Mr. Stewart: I find it difficult to agree with anything that the hon. Lady said in that lengthy question. The Opposition requested an oral statement and I was glad to agree to make it. The suggestion that the British delegation had initiated the so-called cut in food aid is completely wide of the mark. The proposal for the inclusion of such a figure in the agreement of the Budget Council was made on the recommendation of the Presidency, and I was perfectly willing to support the proposal put forward to all member states.

The hon. Lady suggested that part of my statement concealed the real implications of the agreement of the Budget Council, because I had somehow agreed to new strings being attached to the 1 billion ecu rebate for the United Kingdom. That is not the case. It was made clear at Fontainebleau that the arrangements for the United Kingdom abatements would follow the introduction of the new own-resources decision in the Community and that is the position as it remains. All that was discussed and settled at the Budget Council was the mechanics by which this would happen in relation to the draft 1985 budget.

The hon. Lady then spoke about further payments in 1985 under the inter-governmental agreement. A number of member states proposed that the amount in the agreement should be left open-ended, but I made it plain that the United Kingdom could not accept any such proposal and that the Commission would have to find other savings if it found itself in need of money at the end of the year.

The hon. Lady also asked about time for a debate. I remind her that the Budget Council that I attended on Tuesday was the first reading only, and there are several further stages, both in the European Parliament and the Council, before the budget can be adopted. No doubt these matters will be debated when the questions are settled.

She asked about the return of the two thirds Fontainebleau abatement in respect of this year's IGA. It was agreed at Fontainebleau, and it is the only practical method of operating this, that the abatement should affect the VAT payments for the United Kingdom in the following year, so the abatement will apply in 1986.

The hon. Lady concluded by suggesting that the Government had failed in their attempts to introduce new systems of control and discipline in the finances of the Community. I entirely reject that assertion. The need for further expenditure this year is due to the excesses of the past and not to anything that has been decided on the 1985 budget, in respect of which the budget discipline arrangements did not apply.

The hon. Lady says that a fundamental reform is needed. That is what we achieved, and I would have thought that she would support us in what we have done.

Mr. Terence Higgins (Worthing): What argument is there for any increase in agricultural expenditure when we already have such obscene surpluses in the Common Market? What effect will this proposal have on protectionist pressures in the United States?

Mr. Stewart: On the second part of the question, the composition of the agreement on price fixing in the Agriculture Council was the most relevant part for competition with the United States. I shall have to ask my right hon. Friend to address his question to my right hon. Friend the Minister of Agriculture, Fisheries and Food. As to the agricultural surpluses, the difficulties that the European Community has faced during the transitional period between Fontainebleau and the introduction of new own resources, if agreed at the beginning of next year, is that there has been an accumulation of surpluses in intervention because previous price fixing was too high. Undoubtedly, that created pressure on the budget during last year and this. We have been able to maintain a tight restraint on the budgetary expenditure of those years, which has played an important part in discouraging the Commission from putting forward proposals to increase these surpluses in the future.

Mr. Russell Johnston (Inverness, Nairn and Lochaber): What is the timetable for the ratification of the own-resources decision? What is the background to the Belgian request for verification of the accuracy of the VAT tax base? Rather more specifically, which countries wanted a higher inter-governmental agreement and agricultural expenditure?

Mr. Stewart: A number of countries, including Germany, Ireland, France and others with a strong interest in agricultural expenditure, were anxious either to leave open the sum in the IGA or to insert a higher figure. The Belgian request was a technical question about the relationship between estimated figures for the national VAT base during the course of the year and the outturn, because the Belgians felt that their estimates have tended always to overstate the position. It is merely a request to the Council and the Commission to look at this as a pattern to see whether individual member states have such a continuing problem from year to year. The amount of VAT paid by each member state is always adjusted so that the actual figure in due course agrees with the amount paid.

As to the ratification of the own-resources decision, the intention is that that should be achieved before the end of the year, but the actual timing of its implementation will depend upon parliamentary and other procedures in each of the member states.

Mr. Eric Forth (Mid-Worcestershire): My hon. Friend said that the size of this request for moneys depended on the Commission's proposals for agricultural prices being adhered to. What assurance can he give us that the stance taken by the Federal Republic on cereal prices will not affect us adversely, and that we shall not be asked for yet more money later in the year? Where does my hon. Friend believe that the Commission's savings in other areas will come from, to avoid the request for yet more money later in the year?

Mr. Stewart: The implications of the German request about cereal prices are still under discussion in the adjourned Agriculture Council meeting, and it will meet again in a few days' time to take that further. I made it clear both to the Council and to the Commission that the United Kingdom expected that if there was any unexpected overrun on agricultural expenditure beyond the figures that we have been considering, they should deal with that by a number of means that would not require member states to provide more funds during 1985. One of those— *[Interruption.]* Perhaps I may answer the question. One of those would be by the opportunities for market management within the stock disposal programmes. Another would be by the allocation of underspend, which normally takes place from year to year and is evidenced in the closing months of the year. In the last resort, it may be that if there was a shortage in the last few weeks of the year, it would have to be deferred into 1986. I am not prepared to accept in the Budget Council that the figure is flexible in the light of the decisions of the Agriculture Council.

Several Hon. Members *rose*——

Mr. Deputy Speaker: Order. I have to protect the other business of the House and I intend to allow questions on this statement to run until half past 4.

Mr. Nigel Spearing (Newham, South): Is it not a fact that the treaty of Rome requires the budget for any one year to be within the own resources for that year? In view of the 2 billion ecu non-reimbursable advances under a future international agreement, are not those resources going into the funds for 1986? Does not that fact question the legality of this budget? Does not the budget risk being declared ultra vires?

Mr. Stewart: I would need to ponder the legal questions behind the hon. Gentleman's point. That point certainly does not raise any doubts about the legality of the budget. It has been the normal practice every year for certain year-end adjustments to be made. Indeed, that is the only way in which business can be done. During our discussions on the inter-governmental agreement last year, I explained on a number of occasions that it was not against the treaty for member states to contribute exceptionally finance that could be used for budgetary purposes.

Mr. Teddy Taylor (Southend, East): Is it not rather insulting to the poor that, at the same time as we are discussing reductions in supplementary benefit for poorer families, the Economic Secretary is reporting that we are agreeing to a 1 billion ecu overspend this year, to a further increase of 25 per cent. in real terms this year and to an increase in the percentage given to agriculture? Does the Economic Secretary not agree that what he has announced as Government policy makes it abundantly clear that we are kidding ourselves if we think that there is a possibility of a reform of CAP?

Mr. Stewart: No, we are not kidding ourselves about that. Both the financial and the agricultural guideline measures that have been agreed will have a profound influence. One of the reasons why Agriculture Councils have proved so difficult is that the Community has had to face up to restraint on agricultural expenditure. I do not know how my hon. Friend gets the figure of a 25 per cent. increase in real terms next year. Even if the 1·4 per cent. ceilings were introduced, it would apply only to the VAT part of the own resources of the Community. Allowing for the United Kingdom's abatement, the average will be below that.

It has been the Government's objective during these negotiations to constrain the growth of agricultural expenditure. That is the whole purpose of the budget discipline arrangements that have been agreed. The funds which have been required during the European budget years 1984 and 1985 reflect the failure and lack of a system of effective budget discipline in the past.

Mr. Tom Clarke (Monklands, West): How much thought did the Council give to the influences that led to increases in world grain prices? How certain can we be that this decision will not lead to similar problems?

Mr. Stewart: Changes in world prices can work in both directions. Increases in world prices narrow the difference in costs between world prices and Community prices, and therefore the costs of intervention disposal. These matters are under continuous review by the Commission. The Commission makes adjustments in the light of changes.

Mr. Marlow: As the Government are rightly jealous of public expenditure, what benefits will the British taxpayer obtain from the expenditure of another £240 million of his money? In the past we have bailed out extravagances. If we bail out extravagances this time, how will we stop them in future? What will be our net contribution? What procedures will be put before the House so that we have an opportunity to stop this lavish and imprudent rake's progress? When will that be done?

Mr. Stewart: I have already said that this is the first stage in the budgetary process. The proceedings were delayed from autumn last year when these matters would normally have been settled. The Government will put proposals in due course when the budget can be adopted and the United Kingdom's abatement is guaranteed. A substantial part of that extra £240 million—about half, although it may be more—comes back to this country automatically through Community policies from which British citizens and taxpayers benefit. Under the Fontainebleau agreement, we shall receive in abatement two thirds of the balance. That will mean that our net contribution in respect of the inter-governmental agreement is likely to be below £40 million. This compares with more than £50 million last year. The inter-governmental agreement total this year is about double last year's, but there will be a smaller net contribution from the United Kingdom.

Mr. Eric Deakins (Walthamstow): Will the Economic Secretary confirm that agricultural spending in the Common Market next year will be able to increase by at least 15 per cent. and will still be within the financial guideline which the Secretary of State negotiated on this country's behalf? Is it not disgraceful that, on top of the increases this year, there could be a further substantial legitimate increase next year too?

Mr. Stewart: I do not think that the hon. Gentleman's figures sound correct. To obtain a figure comparing next year's agricultural expenditure with this year's, we must wait until this year's budget is settled. We have not had a budget for next year, but it will have to conform with the agricultural guideline. Under that guideline, agricultural

[Mr. Stewart]

expenditure is related not to the increase in own resources but to the increase in the own-resources base, which will be increased by a smaller figure.

Mrs. Virginia Bottomley (Surrey, South-West): Is my hon. Friend aware that many will welcome his statement and the fact that long-standing disagreements about resources can be replaced by constructive discussion of the real purposes behind the European Community, the creation of the conditions of prosperity and employment and, above all, the maintenance of democracy and peace?

Mr. Stewart: I am most grateful to my hon. Friend for that statement. I believe that many hon. Members will welcome it. I sometimes think that the House spends too much time dwelling on the negative aspects and the problems involved in our membership of the Community and does not recognise that the Community is important to us with respect to a number of our policies.

Mr. Stuart Holland (Vauxhall): Will the hon. Gentleman confirm that the Commission originally proposed 65 million units of account to preserve the real value of food aid to Third-world countries? Will the Economic Secretary confirm that he, or one of his colleagues, pressed for the lower figure of 25 million or 26 million units of account? Will the hon. Gentleman explain what the difference means in real terms of food aid, granted that, depending on the dollar exchange rate, it could certainly amount to some 150,000 tonnes of grain which would, therefore, not be available to Third-world countries suffering from drought?

Mr. Stewart: No, I shall not confirm any of those points.

Mr. Holland: I am not surprised.

Mr. Stewart: If the hon. Gentleman wishes to make those assertions, he is perfectly entitled to do so. I have already explained that the figure put forward by the presidency was agreed by all member states, including the United Kingdom, as a realistic amount to meet the price changes that had been occurring. A number of member states, including the United Kingdom, pointed out that the price basis on which the Commission made its original request was not substantiated in any way that would enable the Council to assess its validity. When the figures were put forward, it was the consensus of member states that the figure suggested by the presidency was the proper one.

Mr. Jonathan Aitken (Thanet, South): Instead of my hon. Friend giving his critics a ticking off for concentrating on the negative aspects of the announcement, will he explain what on earth are the positive aspects of the decision to increase agricultural spending in the EC? When the Common Market is spending more than £20 million a day dumping and destroying huge surpluses, how on earth can one think that it is constructive to put still more money into increasing agricultural spending?

Mr. Stewart: Like my hon. Friend, I have the strongest aversion to providing extra money for the accumulation of agricultural surpluses in the EC. It so happens that the finance in the 1985 supplementary provision is mainly in respect of accumulated surpluses from past years. Under the existing arrangements of the Community's finances, those surpluses must be disposed of. A cost is incurred in relation to the disposals. That is a problem from the past, and we are determined that it should be reduced in the future. I do not propose to explain in terms of today's announcement about the inter-governmental agreement that any of that money is designed to encourage the increases of such unnecessary surpluses in the future.

Mr. Dennis Skinner (Bolsover): Has the Minister noticed that the leader of the SDP is not using his bully-boy tactics today to get to the Dispatch Box on this question? He was one of the people, amongst others in the SDP and the Liberal party, who clamoured to get Britain into the Common Market without a vote. We now see the result of that. Does the Minister accept that it is a rather strange philosophy for the Government, who say that Britons are not allowed to borrow money to finance jobs, somehow to lend money to the Common Market? They give it £240 million in a credit-card economy system to get back £630 million, if we are lucky. Is it not time that the Government made it plain that if those rules can apply to the Common Market and it can borrow money to survive, British manufacturers and others and the 4 million out of work in Britain should have the same opportunity so that our economy can expand and the unemployed can find work?

Mr. Stewart: I shall not attempt to respond in detail to the hon. Gentleman's comments about financial figures. I shall repeat, in case the hon. Gentleman was not listening, that the net cost of the agreement to the United Kingdom is not £240 million but less than £40 million. He might also recall that the leader of the SDP was a member of the previous Labour Government who achieved nothing in terms of the reform of the Community's financial system. It is disgraceful that the Labour party is now criticising the Government for having brought about necessary reforms in the agricultural and financial arrangements for Europe.

Mr. Bowen Wells (Hertford and Stortford): Is my hon. Friend aware of the admiration felt by many people in the House at the patient way that he and other Ministers have negotiated with our colleagues in Europe so that we are beginning to achieve some kind of discipline over expenditure? Did he examine the disbursement side of the budget, in particular in relation to food aid? Many of us are becoming worried that the Commission, although being given authority to spend, is not spending the money and delivering the food to those who need it in accordance with his wishes and those of our country?

Mr. Stewart: I thank my hon. Friend for his generous remarks. It is a matter of concern that food aid provided through the Community should not be unduly delayed. I draw his attention to the remarks that I and a number of other hon. Members made about that subject during the debate on the Court of Auditors' report. We have been successful in having the Court of Auditors' report considered at ministerial level in the Community. That is an important step towards achieving a better administrative system for the implementation of the agreed food aid.

BALLOT FOR NOTICES OF MOTIONS FOR MONDAY 13 MAY

Members successful in the ballot were:

Mr. Richard Ottaway
Mr. T. H. H. Skeet
Mr. Timothy Wood.

BILL PRESENTED

COAL INDUSTRY

Mr. Secretary Walker, supported by Mr. Secretary Younger, Mr. Secretary Edwards, Mr. Peter Rees, Mr. Alick Buchanan-Smith, Mr. David Hunt and Mr. Alastair Goodlad presented a Bill to make new provision for grants by the Secretary of State to the National Coal Board in respect of group deficites and further provision with respect to certain grants and payments by the Secretary of State under the Coal Industry Act 1977: And the same was read the First time; and ordered to be read a Second time tomorrow and to be printed. [Bill 131.]

Foreign Affairs

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Neubert.]*

4.33 pm

The Secretary of State for Foreign and Commonwealth Affairs (Sir Geoffrey Howe): When I opened the last full day's debate on foreign affairs during the debate on the Address in November, I told the House something of the work that we were doing to secure agreement in a number of important areas.

I am glad today to be able to remind the House that since then we have concluded the agreement with China on the future of Hong Kong; implemented the agreement with Spain and Gibraltar; set in place the measures to reform the European Community agreed at Fontainebleau; and continued to secure for Britain a leading part in the search for stable relations between East and West.

Those are all major achievements. Each is the fruit of careful preparation, and determined pursuit of British interests.

Mr. Robert Hughes (Aberdeen, North) *rose*——

Sir Geoffrey Howe: I shall not give way. I appreciate the hon. Gentleman's impatience, but he must allow me to develop my speech for a moment or two.

As we dealt with the many grave international problems that confront the world, we held fast to the ideals and values which this country has long cherished: peace, democracy and freedom. We have sought through dialogue and negotiation the common ground on which to build. We have not minimised the differences with countries of different ideologies and outlook, but we have sought to identify the interests that we share with others and to build on those. It is a role that this country is well equipped to play.

At the same time, we have represented British interests worldwide. The recent visit by my right hon. Friend the Prime Minister to six Asian countries, including five members of the Commonwealth, underlined the importance that we attach to our relations with Asia, and gave powerful support to Britain's commercial interests.

That is the basis upon which we are approaching the many foreign policy questions that hon. Members will wish to discuss today. I shall not try to cover every one of them myself. My hon. Friend the Minister of State will be ready to deal with further points raised during the debate.

Mr. Robert Hughes: I am grateful to the Foreign Secretary for giving way. There is an area of the world that he has not mentioned in which developments are taking place rapidly—Namibia. He may recall that the last time he made a foreign affairs speech I asked him whether he would deal with Namibia. He said that he would refer to it later. When he came to it in his speech he simply said that the issues of Namibia were complex and would have to be dealt with. In view of its importance, we need, expect and demand much more from the Foreign Secretary.

Sir Geoffrey Howe: The hon. Member should have had the patience to wait until a later stage in my speech, when I shall be ready to deal with Namibia. I encourage myself with the view that my resistance to his first intervention was entirely justified by the later exchange.

[Sir Geoffrey Howe]

As I said in November, the greatest and most important challenge facing the foreign policy-makers of the West is to find a way of establishing stable, peaceful relations with the nations of eastern Europe and the Soviet Union. I have not changed that view. Indeed, I have been strengthened in it.

As the House knows well, this is a year of important anniversaries. On 8 May, in Westminster abbey, we shall mark the conclusion of conflict in Europe and the far east. The week after, I shall join my Austrian, French, American and Soviet colleagues to celebrate the 30th anniversary of the Austrian state treaty. Later in the year we shall mark the 10th anniversary of the Helsinki agreement, and the 40th anniversary of the United Nations.

Mr. Donald Anderson (Swansea, East): Sharpeville.

Sir Geoffrey Howe: That is an anniversary that the hon. Member can celebrate for himself.

The Government approach the anniversaries that I have mentioned as an opportunity to give thanks for 40 years of peace in Europe, to recall the great work of post-war reconstruction and the reconciliation that has been achieved between the peoples of Europe.

When I visited eastern Europe a couple of weeks ago, I was vividly reminded, as must other hon. Members be who go there, just how European those countries are. At all my meetings with the Governments of eastern Europe, both sides have recognised that we belong to different alliances, but we have recognised as well that we are fellow Europeans, with similar cultural traditions and common roots.

That recognition finds expression in the Helsinki final act, and it will find it again in the follow-up meetings taking place this year at Stockholm, Ottawa and Budapest. Whatever our differences—and they are still substantial — we shall continue to emphasise those interests, traditions and values that are common to all the peoples of Europe.

We look to the future in the hope that the present unnatural division between the peoples of Europe will diminish in importance and eventually become a thing of the past.

The United Kingdom has a distinctive part to play here, because we have historic links with all the peoples concerned. In many cases, those links have been tested by the fires of war. That was why for me it was no ordinary experience to stand, as I did a couple of weeks ago, by the grave of Father Popieluszko, mindful of the large Polish community in the United Kingdom, surrounded by a large crowd shouting, "Long live Britain," and to remember that this was the same country for which we went to war in 1939. The Polish word was "Anglia", which can be translated as either "Poland" or "Britain."

In Poland, as in all my meetings in eastern Europe, I underlined the sincerity of the West's search for security at lower levels of armaments. I made plain our commitment to the negotiating process and the pursuit of genuinely balanced and verifiable agreements. Again and again I stressed that NATO is a defensive alliance. I left them in no doubt about our own concerns, but I tried to allay their misgivings about the policies of the West.

I draw two main conclusions from experience of these exchanges. The first is that it is both possible and essential, without compromising British or Western positions, to conduct regular, wide-ranging exchanges with the Governments of the Soviet Union and eastern Europe.

We have made it plain that we shall not hesitate to take firm measures where our national security is concerned. But our continued vigilance in that respect is entirely compatible with our determination to seek better relations with the Soviet Union. To be genuine and lasting, any improvement must be based on consistent and predictable action where the essentials of that relationship are concerned. I hope that a line can now be drawn under recent events and that we can devote our energies to the key international questions confronting our two countries.

My second conclusion is that if we are to be true to ourselves—and true to the spirit of Helsinki—we must make plain our concern about the inadequacy of the performance of those countries on human rights and human contacts. The human spirit cannot for ever be shackled by censorship, by frontier posts or by walls. For that reason, I made sure that in my visits to eastern Europe I met a wide range of people—and I am sure that in doing so I had the support of the whole House.

We must face the fact that the search for mutual security for East and West is bound to be a long haul. We shall need patience and tenacity, but it is the goal to which this Government are firmly committed.

A key element in the search for improved relations is arms control. This Government will remain loyal to their principles and to their allies. Our strategy is built on firm foundations: resolute commitment to the defence of British interests, if they are threatened; respect for treaty obligations; and the rigorous pursuit of security at a lower level of arms.

That is why we welcomed most warmly the resumption of the arms control negotiations at Geneva. We attach the utmost importance to those negotiations and strongly endorse their key objectives—ending the arms race on earth and preventing one in space.

In all my talks in eastern Europe I was reminded of Mr. Gorbachev's recent statement about the Soviet Union's intention to freeze deployments of intermediate nuclear weapons. In all of them I pointed out that that proposal is not new.

At the same time, I stressed the fact that the Soviet Union has now deployed 414 SS20 launchers, each with three warheads. NATO, by contrast, has deployed less than one third of that number of single-headed cruise and Pershing missiles.

On that basis, Mr. Gorbachev's proposal was essentially a restatement of previous positions. It would perpetuate the present imbalance in the Soviet Union's favour.

That is why the latest Soviet proposal falls short of what is needed. When Mr. Gorbachev was in Britain before Christmas, the Prime Minister and I made it clear to him that attempts to drive wedges between the Allies are, and will remain, futile. We made it equally clear that it was no part of our purpose to divide their alliance. Neither side looks at the other through rose-tinted spectacles, but both sides should recognise their shared interest in maintaining peace and security at lower levels of armaments. That is why we were glad to receive Mr. Gorbachev in this country and to have wide-ranging talks with him.

We must continue to encourage the Soviet Union to perceive the mutual advantage in serious and constructive negotiations: negotiations at the conference table, not at

the press conference; negotiations conducted for real, and not for show. I am sure that the whole House would want me to reaffirm that a serious, businesslike approach by the Soviet Union to the Geneva talks would be welcomed and reciprocated by the Western Alliance.

On the general question of nuclear weapons, about which I have been saying a few words, the issues are undoubtedly complex but to some extent they are already familiar. When we turn, however, to the prevention of an arms race in space—the second element at Geneva—the issues are not only complex, but present new problems. That is why we must take care to see them in the correct perspective.

One point that immediately stands out, but is often overlooked, is the extent of the wide-ranging space research programme which has been conducted over many years by the Soviet Union. In view of the considerable scale of these efforts, I find it hard to understand how the Russians can realistically argue for a unilateral ban on United States research, which is rightly designed to respond to their own.

Mr. Gavin Strang (Edinburgh, East): Of course we acknowledge that both the Soviet Union and the United States have done a great deal of work on anti-satellite weapons. However, before the Foreign Secretary leaves the so-called strategic defence initiative, surely he will acknowledge that we are talking about a massive new technological development—an escalation of the arms race quite different from the anti-satellite weapons which the Soviet Union and the United States have at present.

Sir Geoffrey Howe: That, once again, encourages me in my resistance to further interventions. Before I leave the strategic defence initiative I shall certainly have something to say about that.

It is against the background of the massive Soviet research that the Prime Minister and President Reagan agreed at Camp David last December on the four crucial points which are the foundation of Her Majesty's Government's position—first, that the United States and Western aim is not to achieve superiority but to maintain balance, taking account of Soviet developments; secondly that deployment of active defences would, in view of treaty obligations, have to be a matter for negotiation; thirdly, that the overall aim is to enhance, not undercut, deterrence; and, finally, that East-West negotiation should aim to achieve security with reduced levels of offensive systems on both sides.

It is on that understanding that we give our full support to current United States research into strategic defences. Given the long-established and comprehensive programme of Soviet research, we cannot afford to concede to them a potential monopoly in this area. Moreover, current treaty obligations specifically allow for these efforts on both sides to continue; indeed, it is difficult to see how any verifiable agreement about constraints on research could be achieved.

But, while research continues, it is clearly recognised on both sides of the Atlantic that any steps towards deployment must be a matter for the most careful consideration. The Prime Minister made that point in her historic address to the United States Congress on 20 February, when she emphasised that,

"should research on either side lead to the possible deployment of new ballistic missile defence systems, that would of course be a matter for negotiation under the ABM Treaty."

There is another crucial point to bear in mind when we consider developments in this area. This was made by President Reagan himself in the speech in April 1983 which originally launched the strategic defence initiative —that it will take many years of effort on many fronts before clear results will be achieved.

During the years when that research is taking place we shall all need to consider the impact that possible moves in the direction signposted by the concept of strategic defence might have on a number of strategic concepts. Those matters are already the subject of widespread and continuing discussion and debate on both sides of the Atlantic.

Already on a number of points a consensus is beginning to emerge. That was made clear in the important speech made by Secretary Shultz in Austin, Texas, on 28 March. I draw attention to some of his principal conclusions: first, that for years to come we shall have to continue to base deterrence on the ultimate threat of nuclear retaliation; secondly, that any contribution by defences must be orderly, predictable and stabilising in its effect; thirdly, that any future decision to deploy defences that were not permitted by treaty would have to be a matter for negotiation.

Many of these questions were considered again earlier this week at the ministerial meeting of the Western European Union, which I attended with my right hon. Friend the Secretary of State for Defence.

Mr. Bowen Wells (Hertford and Stortford): Before my right hon. and learned Friend leaves the question of star wars, can he tell us whether members of the United States Congress have had displayed to them very much more detailed information about Russian research into strategic defensive initiatives? I believe that that information is also in my right hon. and learned Friend's possession. It would help the debate in this House and in the country if he would illustrate, so that our countrymen could understand the issue, the extent to which the Russians have been engaging in that sort of research, and even in experimentation related to it.

Sir Geoffrey Howe: I am grateful to my hon. Friend for raising an important point. A publication that deals with the issue in substantial detail has been made available to the United States Congress. I think that it is also available in this country. I shall ensure that more is done to draw attention to it.

As I said, these questions were discussed at the WEU meeting. There was general agreement that the Camp David four points provide a good basis for future Western policy.

We considered also the invitation that each of the countries represented had received from the United States Government to participate in the SDI research programme. As my right hon. Friend the Prime Minister told the United States Congress on 20 February, we do indeed hope that British scientists can share in this work.

That was also the response of most, if not all, of the WEU Ministers at our meeting in Bonn. But they all attached importance as well to the need to sustain and improve the technological capacity of Europe as a whole. On that basis, Ministers agreed, in the words of Tuesday's communiqué,

"to continue their collective consideration in order to achieve as far as possible a co-ordinated reaction to the invitation of the United States."

[Sir Geoffrey Howe]

Obviously, there will be practical questions to resolve and practical arrangements to be made. Only detailed study can provide the answers. But the Government intend to respond soon, and to respond positively.

It is in exactly the same spirit that we have sought to mark out and follow a course for the future of the European Community.

Mr. Tom Clarke (Monklands, West): In the debate on the Queen's Speech, to which the right hon. and learned Gentleman referred, he said that he was looking forward to a visit to Great Britain in 1985 from Mr. Gromyko. Is that still the position?

Sir Geoffrey Howe: Yes. The dates for the visit have been under discussion for some time, but have not yet been agreed. As I told the House earlier this week, I shall be attending at Vienna on the occasion of the Austrian state treaty, together with the other Foreign Ministers that I mentioned, and there will be an opportunity to meet Mr. Gromyko.

I come now to the European Community. The last few months have confirmed our judgment that the Fontainebleau agreement did reflect and will promote an important basic change of attitude towards the Community.

The Community has achieved a lasting settlement of the budget problem. The agreement on budget discipline, finalised in Dublin last year, was a further important step in the right direction.

Last year's price fixing brought about a reduction in prices in real terms in every member state. It included an agreement on guarantee thresholds for all products in surplus. It instituted the milk quota scheme, which has led to a production cut throughout the Community. Those measures inevitably cause hardship for farmers, but we have to take the necessary steps to secure a better balance between supply and demand.

Of course, those reforms will need to be carried forward into the years ahead. That will require persistence and determination, but we are now firmly on the right road. What was once considered heresy—that prices could not be allowed to go on rising inexorably year after year—is now widely accepted in Europe as sensible orthodoxy. While the Opposition remain undecided whether or not to participate in the Community, this Government have been securing real and practical changes in Europe in line with British interests.

We should also mark another success for Europe. After years of difficult and complex negotiations, Spain and Portugal are now on course to join the Community on 1 January 1986. That achievement will consolidate and broaden the base of democracy in Europe.

Meanwhile, if the Community is to sustain and promote democracy, its policies must be seen to improve the daily lives of its citizens. We are tackling that challenge in three ways.

Mr. Nicholas Winterton (Macclesfield): Can my right hon. and learned Friend confirm that the Community is no longer a European economic community, but a political community? Perhaps at this stage it would be appropriate if he outlined the cost to this country of Spain and Portugal joining the Community. Can we afford it?

Sir Geoffrey Howe: I think that my hon. Friend will have an opportunity to raise those points during the course of the debate. He was certainly wrong on his first point, and his second point would require a long answer.

As I said, we are tackling the challenge in three ways. The first is through measures of the kind proposed by the People's Europe Committee—for example, for cheap and easy travel, common recognition of everything from professional qualifications to driving licences. We are on course to make open frontiers a reality within the Twelve.

The second is through the streamlining of the Community's institutions. Our purpose is to strengthen European unity and to improve the efficiency of our decision-making procedures, on which the Dooge Committee has just reported.

The third approach is through the new action programme drawn up by the European Council last month. That programme has put the creation of wealth and of employment, through the promotion of enterprise, at the very top of the Community's agenda.

Its specific objectives are to encourage the creation of smaller enterprises by cutting red tape—a proposal put before the Council by my right hon. Friend the Prime Minister — to increase the efficiency of the labour market; and to strengthen the Community's technological base and the competitiveness of its industry—in short to achieve a real common market by 1992.

All those policies stand for economic growth; all those policies stand for more jobs. In the promotion of all those policies, the United Kingdom is playing a positive, and indeed the leading, role.

Let me turn now to some other areas in which this country has a real interest. Like many other hon. Members, I have had the grave problems of Africa very much in mind during recent months.

We shall continue our efforts to help the Nigerian Government to grapple with the economic problems that they inherited. Our traditionally friendly relations have, of course, been strained by the Dikko affair. I have emphasised to the Nigerian Government that our approach has to be determined by legal, not political, requirements. A further difficulty is the detention of some British citizens in unsatisfactory conditions. We are continuing to press for that situation to be remedied. We attach the utmost importance to the re-establishment of good relations with Nigeria, and we believe that the Nigerian Government share our desire to get back on course.

In South Africa, the evil of apartheid has been underlined yet again by the tragic events at Uitenhage on 21 March and the escalation of civil unrest that has ensued. Those events reinforce the need for the South African Goverment to promote discussions with the black community to tackle the fundamental problems of black political rights. Without such a policy, no lasting solution can be achieved.

We have made very clear our view of the Uitenhage incident, most recently when I saw the South African ambassador this morning. We believe with equal conviction that it is right to keep up the dialogue with the South African authorities. We cannot expect to influence the South Africans if we choose to ostracise them. That is an approach which I am confident reflects the views of a wide spread of British opinion.

Despite the continuing bitterness and strife in South Africa, there have been some promising developments in recent months. Many of them were foreshadowed in

President Botha's significant speech on 25 January—for example, the suspension of forced removals, the extension of property rights to blacks in the Cape area, and the acceptance of a black township at Crossroads. Most recently we have seen action to repeal the Mixed Marriages Act.

The effect of those actions should not be exaggerated, but when seen in historical perspective they do have real significance. They suggest that a change in attitudes—a necessary precursor to political change—may be taking place.

Let no one doubt that we wish to see the major changes necessary to dismantle apartheid. But we reject policies that are calculated only to increase chaos and violence in South Africa. We must continue patiently and persistently to encourage the South African Government further down the road to reform. That is the only way to long-term peace and prosperity in the region.

Peace in the region, of course, also requires a solution to the Namibian problem. I was able to discuss this in depth earlier this year with the Heads of Government in Zimbabwe, Zambia and Kenya. The interim administation for Namibia, announced on 18 April, can be no substitute for internationally recognised independence on the basis of free and fair elections. That is what is provided for in United Nations Security Council resolution 435, to which all parties remain committed. We shall continue to press for its implementation and give our full support to the negotiations now being conducted by the United States.

I also discussed with the same African leaders the tragic famine in Africa. As the House clearly appreciated in the excellent debate four weeks ago, the Government have done much to combat this, particularly in Ethiopia, by direct relief assistance, by support for the voluntary agencies, and through the actions of the Community. In the financial year 1984-85, we committed over £100 million to drought-related aid—a fourfold increase on the previous year. But that is not a long-term solution.

Changes need to be made in the internal pricing and marketing policies of the countries affected. More resources and research should be invested in agriculture. We are ready to help in the most effective way. But a large part of the responsibility rests, as it must, with the Governments concerned.

That is true also for the relief of debt. The debt burden remains a major problem for many countries in sub-Saharan Africa. It is one that affects many other countries throughout the world. Some have made considerable progress in the adjustments that are necessary if sustained growth is to be resumed. But, once again, they cannot tackle the problems by themselves.

Mr. Stuart Holland (Vauxhall): On the question of debt, we look forward with interest to what the Foreign Secretary may later propose. On EC food aid and the cuts in such food aid programmes, I do not know whether the Foreign Secretary was in the House when his hon. Friend the Economic Secretary replied to points made from this side of the House, and said that the issue seemed to depend on the exchange rate. Will he make a statement later on whether or not there has been a cut of some 40 million ecu in the aid programme?

Sir Geoffrey Howe: I was in the House during that exchange. I do not think that it is for me in my present occuption to add to the precision of a Treasury Minister's answer. That may be dealt with by my hon. Friend the Minister of State when he is replying to the debate. He will bring to it a degree of wisdom, covering all Departments, which befits his Scottish ancestry.

The economic summit in Bonn next week will be an important opportunity for the major industrial countries to develop their co-ordinated approach to these problems. Despite the improved growth rates of the past 12 months, there are a number of uncertainties, particularly over the pace of growth of the American economy. That makes a decisive reduction in the United States budget deficit even more urgent that before. As Secretary Shultz observed in his recent speech at Princeton, the current United States deficits are simply not sustainable indefinitely. The world's largest economy is also the world's largest net importer of capital. That casts a shadow over economic recovery around the world.

However, it is not only the United States that needs to take action. There are practical steps open to each participant at the Bonn summit which would make a real difference. Certainly the United States must tackle its deficits, but we in Europe must push ahead with liberalisation by removing the many rigidities that hinder the creation of new jobs, and Japan must match the other Western economies by opening its markets and financial system in a way that it has not done so far.

Above all, we need to strengthen the will of all participants to resist protectionism. We need to preserve the benefits of the open trading system for developed and developing countries alike. A new trade round will be important in ensuring that, as far as possible, those who enjoy the benefits of full GATT membership should also share the obligations by opening their markets.

Mr. David Howell (Guildford): Does my right hon. and learned Friend accept that it is not just a question of Japan opening its markets, as he has rightly emphasised, but that, as Japan now produces one tenth of the entire output of the industrial nations, its contribution to the defence of the free world is still grotesquely inadequate? Is it not also a question of pressing the Japanese Government to realise that their co-operation in stabilising the entire world trading system involves making a substantially greater contribution to defence?

Sir Geoffrey Howe: My right hon. Friend has brought the attention of the House to a point that is obviously important. The pattern of Japanese economic activity also has an effect on the nature and spread of Japanese research and development activities. We should notice, however, that since the Williamsburg summit the Japanese Government, under the leadership of Mr. Nakasone, have been drawing their country into taking fuller responsibility for wider world questions. It is right that my right hon. Friend should emphasise that that he has still some way to go.

We shall be discussing those issues at the meeting of Commonwealth Heads of Government this autumn. That will provide a valuable opportunity to consider together the problems facing industrialised and developing countries and to do it in what has always struck me as an atmosphere of frankness and informality which it is not possible to achieve in any international gathering, except one held under the auspices of the Commonwealth.

There, too, we shall hear a report from the Commonwealth working group on Cyprus. We were, of

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course, disappointed that the meeting between President Kyprianou and Mr. Denktash in January ended without agreement. But we welcome the United Nations Secretary General's intention to bring the two sides together again. We shall maintain our support for his untiring efforts to achieve a settlement.

In the middle east, we are still no nearer a settlement of the conflict in the Gulf. We shall continue to support any initiative which offers hope for an end to that long and tragic war. Here, too, we have given our firm support to the efforts of the United Nations Secretary-General to bridge the gap between the two sides.

The House will, I am sure, share my equal concern at the continuing violence in Lebanon, particularly the cycle of retaliation and counter-retaliation in the south. If that tragic country is to regain its independence and prosperity, there must be an early and complete withdrawal of all foreign forces, in agreement with the Lebanese Government. National reconciliation must be pursued with renewed vigour. We shall continue to do all that we can to assist. In particular, we will maintain our support for UNIFIL, which can and should play a larger role in restoring peace and security.

There are more encouraging developments in the search for an Arab-Israel peace settlement. King Hussein's courageous efforts to secure a joint approach with the PLO to peace negotiations, and President Mubarak's proposals, are welcome steps.

We must make the most of this chance to move forward towards the negotiation of a lasting peace. We are glad that President Reagan has agreed that the United States should renew efforts to that end, and that Ambassador Murphy is at present in the region exploring ways of moving towards direct Arab-Israel talks. That is the right approach, as the Prime Minister and I pointed out in our talks in Washington. In the continuing series of meetings which we have had with leaders in the area, we have given, and will continue to give, every possible encouragement to this process.

Mr. Ivan Lawrence (Burton): Is it the intention of my hon. Friend the Member for Shoreham (Mr. Luce) to meet any members of the PLO while he is in Tunisia?

Sir Geoffrey Howe: There are no plans for a meeting of that kind.

Mr. Michael Latham (Rutland and Melton) *rose*——

Sir Geoffrey Howe: I must get on, if my hon. Friend will forgive me.

In central America, too, the search for peace and stability must be pursued with urgency. We share the concern of many central and Latin American states at the build up of arms and troops in Nicaragua. That is why, with our Community partners, we strongly support the Contadora initiative which offers the best prospect for a settlement. We take every opportunity to emphasise our view that the situation requires the utmost restraint on all sides. The aim must be to find practical steps to strengthen peace, democracy and development in the region.

We warmly welcomed the restoration of democracy in Brazil. The whole House will wish to join me in sending our sympathy to the Government and people of Brazil at the death of the President-elect, Mr. Tancredo Neves. We wish the new president, Mr. Sarney, well and look forward to working closely with him.

We have made plain on many occasions our support for democracy in Argentina. The development of more normal relations between Britain and Argentina is entirely consistent with our firm commitments to the Falkland Islanders. But it requires a constructive response on the part of Argentina. I regret to have to tell the House that, despite all our efforts, that has not yet been forthcoming.

Finally, the House will recall that, following the tragic events outside the Libyan People's Bureau a year ago, I instituted a full review of the Vienna convention, its operation and enforceability. I indicated then that I would welcome the views of the Select Committee on Foreign Affairs. The Select Committee reported in January, and the outcome of the Government's review was published two days ago. I know that the whole House will join me in expressing gratitude for the valuable work done by the Select Committee, under the chairmanship of my hon. Friend the Member for Stroud (Sir A. Kershaw), and I am glad to say that the Government have been able to accept all the Committee's main recommendations.

We are applying the Vienna convention more firmly. Stricter standards are being enforced—in particular, on the size of diplomatic missions, notification of new staff, use of diplomatic premises, handling of diplomatic bags, breaches of criminal law and illegal parking. Heads of diplomatic missions in London have been left in no doubt about the Government's resolve to deal with abuse of diplomatic immunity. We have made it clear that the small minority of diplomats who seriously abuse their immunity —especially for purposes connected with terrorism—are not acceptable in this country.

I have tried to set out the Government's achievements in foreign affairs and to outline our plans for the future.

Mr. John Browne (Winchester): Will my right hon. and learned Friend give way?

Sir Geoffrey Howe: I think that I must bring my remarks to a conclusion now, if my hon. Friend will forgive me.

Britain is playing a central role in developing closer links between East and West, and securing lasting peace in Europe. Britain is playing a central role in charting the next phase of the European Community. Britain is playing a full part in the search for solutions to the other major international problems. Britain has set an example by the agreements that we have secured in relation to Hong Kong and Gibraltar.

We can be proud of that record. We have reached the targets that we set ourselves last year and we have shown that this Conservative Government's policies are achieving success in upholding and promoting Britain's interests around the world.

5.12 pm

Mr. Denis Healey (Leeds, East): First, I thank the Government for arranging this debate, which comes at an exceptionally critical moment in world affairs.

The first round of the disarmament talks in Geneva has just broken up without any genuine negotiations having taken place, although I understand that there was a certain exchange of views. The prospect for a radical improvement in East-West relations opened up by Mr.

Gorbachev's assumption of leadership in Moscow remains as cloudy as ever. I am bound to say, however, that I agree with the Prime Minister, who expressed the view that she should do business with that man, and I strongly support the Foreign Secretary's reported view that the arrival of Mr. Gorbachev opens a new phase in Soviet foreign policy.

At the same time, there have been a series of meetings about the world economy in OECD and the International Monetary Fund which have failed to reach agreement on any of the fundamental issues now troubling the world —exchange rate instability, the debt crisis, protectionism and, above all, unemployment. Those economic discussions were distinguished mainly by slanging matches between the United States and Europe, in which the Chancellor of the Exchequer probably played the most prominent role.

The Foreign Secretary knows as well as I do, as an ex-Chancellor—this view is strongly shared by Mr. Schultz in the United States, who himself held similar responsibility — that if something goes wrong in the world economy it is bound to have the most far-reaching effects on international diplomacy and, indeed, security. After all, it was the slump of the 1930s that produced Hitler and the second world war. East-West relations and what is happening in the world economy should be the central issues in next week's summit meeting in Bonn, which may be the last chance to avert catastrophe in the world economy, so I shall concentrate mainly on those two issues.

The Foreign Secretary made a wide-ranging speech in which he covered everything from the nuclear holocaust until he reached his crescendo on illegal parking. Nevertheless, he rightly left some important issues— including one of the most difficult—to his hon. Friend the Minister of State. I was glad to note that there was a certain amount of traffic between the Front Bench and the civil servants' Box immediately following the handing over of that poisoned chalice. I, too, shall be asking my hon. Friend who is to wind up to deal with some of the major regional problems. I wish to comment briefly on just three of them.

In central America, the United States Administration have for some years been attempting to force a change of Government in Nicaragua by supporting terrorists who were originally followers of the deposed dictator Somoza, by covertly building a military base in neighbouring Honduras, where massive military exercises have been carried out for more than two years, by vetoing economic assistance to Nicaragua and even, as we learn from the President's latest missive to Congress, by threatening direct military action against Nicaragua if all else fails.

We are deeply ashamed that the British Government have done nothing to dissuade the United States Administration from that course but have simply echoed all the propaganda emitted by the White House. There was a further example of that at Question Time yesterday. I hope that the refusal of the United States Congress to continue support for the Contras will embolden the British Government to join the rest of Europe in pressing the United States to abandon the attempt to terrorise the Nicaraguan Government into changes of policy or indeed to overthrow that Government, and instead to put all its weight behind the Contadora process. A negotiated settlement through the Contadora process would be as much in the interests of the United States as in the interests of Nicaragua and the West as a whole. I believe that the Nicaraguan Government's latest proposals, transmitted to the United States by two visiting senators, offer at least a starting point for such a process.

I should like the Minister of State to reply to one special point. I hope that there is now no question of going ahead with plans for training troops from El Salvador in Britain. The Minister must bear in mind that the Atlacatl battalion, which was trained by the United States, has been responsible for appalling atrocities in the civil war in El Salvador. I am sure that no one in Britain would wish our country to be implicated in that way.

Mr. Andrew MacKay (Berkshire, East): As there has now been a second election in El Salvador and a moderate Government have been elected, whom we should broadly support, does the right hon. Gentleman agree that if we can help President Duarte in his fight against both extreme Right and extreme Left terrorism by training his forces that can only be in the interests of this country and of El Salvador?

Mr. Healey: I do not believe that assistance in training the El Salvador army would be in the interests of President Duarte. As I have said, the battalion trained by the United States has been responsible for the most appalling atrocities. I welcome the unexpected victory of President Duarte, but the important thing now is not to increase the military confrontation in that unhappy country and to give all possible support to attempts by the Contadora countries, especially Mexico, to achieve a peaceful settlement. There are already signs that commanders of the guerrilla forces are waiting for the opportunity to take up such negotiations.

With regard to South Africa, the Foreign Secretary was right to say that the whole world was appalled at the recent massacre at Uitenhage in which 19 people were killed without having offered any provocation and most of them were shot in the back.

The Foreign Secretary scarcely mentioned the fact that President Botha had given a slap in the face to United States and European members of the Contact Group, including Britain, by establishing a puppet Government in Namibia, contrary to United Nations resolution No. 435 and in the face of the most explicit warnings from Secretary Shultz. I hope that the Minister of State will tell us what action the Government will take in view of those offensive and damaging actions by the South African Government over Namibia.

I believe that the time has now come to exert direct economic pressure on the South African Government. The nonaligned Governments are right in saying that the best answer would be general mandatory sanctions through the United Nations. However, that is unlikely to be agreed. Therefore, we must consider what individual countries can do on their own. There is no question in my mind that the best possible action that we could take would be to follow the example set by many American banks of international standing and ban further loans and investment in South Africa until the South African Government change their policies. There are now 15 resolutions on that matter in front of the American Congress. Some are bound to be passed. I hope very much that Her Majesty's Government will, at last, join that movement.

The arguments that the Government have put so far against a ban on loans and investment in South Africa are,

[Mr. Healey]

first, that it is a mistake ever to use sanctions to achieve changes in the internal situation in another country—yet the Foreign Secretary has just taken credit for supporting the Solidarity movement in Poland. He will recall that this Government, along with the American Government and many others, imposed economic sanctions on Poland entirely and exclusively for the purpose of securing changes in the Polish internal situation.

Mr. John Carlisle (Luton, North): The right hon. Gentleman now seems to be pursuing the road of mandatory sanctions, which he has suggested before. If he is so keen on them now, why was he not when he and his party were in office? The Labour Government refused to put economic sanctions on South Africa. Why is there now this sudden change of heart?

Mr. Healey: Because the situation in South Africa has become much more serious since that time. The South African Government, since then, have violated their clear undertakings to help the process for giving independence to Namibia under article 435. This point is often ignored by Conservative Members. The development of economic pressure on South Africa is undoubtedly one of the factors that has produced changes in what has come to be called petty apartheid in recent weeks on the part of the South African Government. It was one of the objectives of the American movement in favour of banning loans and investment in South Africa and, contrary to what we were told by the Foreign Secretary, it has not produced a reaction in the opposite direction. On the other hand, it appears to have accelerated the movement towards dismantling some of the fouler aspects of apartheid.

Mr. Nicholas Winterton: I should like to refer to Namibia. In case the right hon. Gentleman has misled the House, will he confirm that Moses Katjiuonga, who happens to be the president of SWANU — an organisation that existed even before SWAPO, and a member of the multi-party conference — has clearly stated that the multi-party conference in no way undermines United Nations Security Council resolution 435, and he and his party will form only part of an interim Government who will in no way undermine the future implementation of United Nations Security Council resolution 435?

Mr. Healey: All that I can say to the hon. Gentleman is, in the immortal words of Mandy Rice-Davies, "He would say that, wouldn't he?" What else would he be expected to say? He would say that because he does not want to incur action by the United Nations against steps that are in fact undermining progress towards independence for Namibia and are in direct contradiction of the courses urged by the American Secretary of State, among others, in recent weeks.

The third regional issue to which I shall refer is the appalling tragedy of the famine that is still sweeping the whole of middle Africa from the Atlantic to the Red sea. I hope that the Minister of State will explain why, in that situation, the United Kingdom Government are cutting aid in real terms by about 3 per cent. this year and why we agreed at the Common Market meeting this week to cut the Commissioners' request of 40 million extra ecu in food aid to 26 million, and did so just at the moment when the Commission is planning another great fire sale of 380,000 tonnes of Common Market butter to the Soviet Union at only one fifth of the price that is paid by housewives in Britain. I think that the House and the country would like an answer to those questions.

I should like to make a further point in that area. Several distinguished service officers who took part in the last world war and many who are serving at this time have supported a call by the International Peace Academy to use the anniversary of VE day for a declaration by all the belligerent Governments in favour of common action against natural disasters such as began to take place in Ethiopia last year. That would be an excellent initiative. It would be difficult for any Government to refuse such an invitation. I hope that Her Majesty's Government will reconsider their rejection of that idea and that the Minister of State will be able to say something about it when he winds up.

I shall now refer to the major issues. First, I shall make a short comment on the crisis in the financial markets, which could weaken Western unity far more deeply than any efforts by the most cunning Communist. I think that the Foreign Secretary will agree that the volatility in exchange rates in the past few years, created by the colossal cloud of funds that is slopping around the international markets, is profoundly damaging to the stability of the Western economy and, indeed, its financial system.

The best estimate that I have heard of the size of those flows is between $30,000 billion and $50,000 billion last year as against only $2,000 billion to finance the whole of world trade in goods and services. Those capital flows are creating havoc on foreign exchange markets. Foreign exchanges rates are bobbing up and down like a yo-yo. We have seen dramatic examples of that with sterling in the past few weeks. Exchange rates determine the flows of trade. Those oscillations encourage protectionism in all the countries concerned. Exchange rates determine the rate of inflation. They often determine interest rates and, through interest rates, they influence growth. I hope very much that that matter will be addressed at the summit next week, because if it is not addressed this time, it is unlikely that any effective action will be taken for at least another 12 months.

Mr. Robert Jackson (Wantage): In the light of what has happened, does not the right hon. Gentleman regret the thoroughly unconstructive and negative attitude taken by the Government for whom he was Chancellor of the Exchequer towards the creation of the European monetary system?

Mr. Healey: That is an issue on which I hesitate to admit that I agree with the views of the present Government. A purely regional system cannot have more than the most marginal effect on the oscillation in world exchange rates that we have recently seen. The hon. Gentleman should know that the deutschmark, which is a member of the EMS, has been as severely affected as the pound sterling by the recent chaos on the foreign exchange markets.

The other economic matter that I must say a word about was referred to by the Foreign Secretary. It is the debt crisis. If the debt crisis explodes, it will threaten financial markets, the fragility of which has already been demonstrated by the collapse of major institutions in the

United States, Britain and Ireland. At present, Bolivia and Nicaragua are already effectively in default. Peru, which is also in effective default, may declare formal default when the Aprista Government take power in a few weeks' time. Owing to the death of Tancredo Neves, Brazil has now joined Argentina as a major debtor which is most unlikely to organise a further rescheduling in the foreseeable future. If the fall in oil prices, which most people expect, takes place this year, it could push the oil-producing debtors over the precipice. Mexico, Venezuela, Nigeria and Indonesia could join the list of countries which are in effective default.

It has been possible at least to hope for the last two years that the sticking plaster or case-by-case approach to the world debt crisis might, somehow or another, get the world through. In the light of events in recent weeks, that hope looks increasingly vain. I hope that the Minister of State will be able to assure us that this problem will be addressed more honestly and vigorously at next week's summit than it was at the meeting of the International Monetary Fund a fortnight ago or of the Organisation for Economic Co-operation and Development which preceded it.

I turn to the issue of East-West relations, to which the Foreign Secretary rightly devoted the greatest part of his speech. He and I find ourselves in uncomfortably close proximity on this issue. I find it very difficult to criticise most of what he has done in recent months. I applaud very much what he said this afternoon about the unity of eastern and western Europe. I believe that he performed a great service by his recent visit to eastern Europe, in which he combined a proper respect for human rights with a genuine desire to improve relations between Britain and the countries of eastern Europe. This was one occasion upon which the patient plodding of Sancho Panza in eastern Europe did a great deal more for Britain and the world than the charge at windmills by Donna Quixote. I know how embarrassed the Foreign Secretary is by the contrast between the patient merit he showed on his recent visit to eastern Europe and the exhibition made by one of his colleagues in another part of the world, so I shall not press that matter further.

The Foreign Secretary was right to express the view that a new range of opportunities is given to the world as a result of the change in leadership in the Soviet Union. Those of us who have closely followed these questions over recent weeks have been surprised and impressed by the speed with which Mr. Gorbachev has established his authority in the Soviet Union—by, for example, filling the vacant places in the Politburo within a month of taking office as the Soviet leader. He has also made it crystal clear that he regards it as his prime task to improve the efficiency and integrity of the Soviet internal system and particularly to improve its economic performance.

So far, his public statements on foreign policy have added very little, with one exception with which I shall deal later, to what was said by his predecessors, but nobody who has been to the Soviet Union recently can deny that if the new Soviet leadership wants to improve Soviet economic performance it will have to offer better incentives for hard work and higher skills. It will be unable to offer those better incentives if it is compelled to make even bigger increases in defence expenditure. Therefore, I believe that the House is in agreement that the economic priority which Mr. Gorbachev has set himself gives him a very strong incentive to try, through arms agreements with the West, to reduce defence spending—which, we now know, has been very much lower than it was often made out to be.

The Central Intelligence Agency has recently stated that Soviet defence spending has increased by only 2 per cent. a year since 1976 and that expenditure on equipment has not increased annually over that period. We should bear in mind the fact that total expenditure in the Soviet Union has been no higher than that in the United States, but the increase in United States expenditure over the whole period has been twice as great as that in the Soviet Union, and since President Reagan took over as leader it has been four times as great. Therefore, the Soviet Government, like the British Government, have an overwhelming reason for moving as fast as possible in order to achieve the two main objectives set jointly by America and the Soviet Union in Geneva at the Shultz-Gromyko meeting: to prevent an arms race in space and to wind down and stop the arms race on earth.

It would make a great deal of sense to start with a freeze on arms development, since there is approximate parity in strategic and intermediate weapons. The figures that were given by the Foreign Secretary were most disingenuous. He knows as well as I do that in addition to the Pershing and cruise missiles which America has recently placed in Europe, SACEUR still retains control over 400 Poseidon warheads in case of war which must be added to the intermediate forces as well as a sizeable nuclear strike force based on American carriers in the Atlantic and the Mediterranean. Here, too, there is a rough balance.

I find it very difficult to understand, as an ex-Secretary of State for Defence, why the Foreign Secretary did not welcome Mr. Gorbachev's offer of a moratorium. If he looks at the figures, he must admit that we should have been far better off if we had accepted the Brezhnev offer of a moratorium in 1979. At that time, the Russians had deployed only 50 SS20s. Now, according to NATO sources, they have deployed 280 for possible use in the European theatre. I am sorry to have to say that, as weapons, the Soviet SS20s are very much more impressive than the Pershing 2 which the Americans now find is defective, which means that they are having to slow down their deployment in Germany, and the cruise weapons which Mr. Perle—a pearl beyond price indeed—told us three years ago had very little military value and which Mr. Weingberger told us the other day the Russians are already capable of shooting down. Indeed, he said that they had shot down one of their own cruise missiles over Finland, although he had to withdraw that claim almost as soon as it was made.

Mr. George Walden (Buckingham): It seems to me that the right hon. Gentleman has just destroyed his own argument. He cannot at one and the same time say that the West should have accepted the 1979 offer yet claim that today rough parity is still being maintained after the Soviet build-up of the SS20s.

Mr. Healey: The hon. Gentleman is fairly new to the House, although I know that he has great bureaucratic experience in foreign affairs. I put the answer to this question in very great detail when we debated the deployment of cruise missiles in November 1983. The fact is that, in the totality of weapons for use in the European theatre, there has been a balance for 20 years. That includes the deployment of SS20s. However, successive

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Governments in the West have consistently refused to count in the balance the 400 Poseidon warheads that were and still allocated to SACEUR. A freeze at this moment would be more advantageous than a continued race if it meant that without it the Russians doubled the number of their missiles and that more useless cruise missiles were deployed in Western Europe, as well as more Pershing 2s, which blow up on their launch pads in peacetime.

Mr. James Lamond (Oldham, Central and Royton): Will my right hon. Friend give way?

Mr. Healey: No. [HON. MEMBERS: "Give way."] Of course I shall give way, but I do not believe in giving way every three seconds; otherwise I might prevent my hon. Friend from making the speech that he intends to make.

Mr. Lamond: It is on exactly that point that I wish to intervene.

Mr. Healey: All right, then.

Mr. Lamond: I thank my right hon. Friend for giving way. He is making an excellent speech, but may I point out that the remarks made by Mr. Gorbachev were not in the nature of an offer or a proposal; they were a unilateral statement that the Russians would not deploy any more missiles until November. He did not ask for any reciprocal agreement from the West. He will carry on with that action whether or not we take any reciprocal action, which makes the matter rather different.

Mr. Healey: I am well aware of what Mr. Gorbachev said, but the plain fact is that a six-months moratorium in itself is not over-impressive. We all know that Governments phase in the deployment of weapons in batches. It may well be that the sacrifice that the Soviet Union makes is not an impressive one if the moratorium is limited to six months.

Moreover, I must also tell my hon. Friend that Mr. Gorbachev would have impressed NATO opinion more if he had offered to withdraw those missiles which he has deployed relevant to the European theatre since the Dutch Government stated that they would not deploy any NATO weapons providing that the Soviet Union did not deploy weapons in the intervening period. I hope very much that, as a result of this interchange, Mr. Gorbachev takes my advice. One must use all diplomatic channels available.

All of us must recognise, and none more than the Foreign Secretary, that the main obstacle to progress in Geneva has been the way in which the American commitment to the strategic defence initiative has changed over recent months compared with what Mr. Gromyko was given to understand by Mr. Shultz when they first met in January.

I had the opportunity, as has been mentioned, to visit America for a day last week when I was able to talk to people on both sides of the star wars argument. The impressive thing is that everybody who has expressed a view who has served as Secretary of Defence in the United States in the past 20 years regards the strategic defence initiative as dangerous nonsense. That goes for defence Ministers of both parties, Mr. Schlesinger of the Republican party no less than Mr. McNamara and Mr. Brown of the Democratic party. Indeed, it was criticised in similar terms by President Ford, a Republican, at a recent meeting in Atlanta, Georgia.

To me and to many people in Washington, what was perhaps most impressive was that the strategic defence initiative was strongly criticised by General Scowcroft last week in the United States. I say "impressive" because General Scowcroft's report on the MX missile was accepted as the most balanced statement of the requirements for a stabilising nuclear strategy and it was accepted by President Reagan and the political opposition in the United States as well.

The real trouble is that the American Administration's position has changed in worrying ways since that initiative was first announced. In December, the national security adviser, Mr. Macfarlane, said that America would be prepared in negotiations to bargain about research as well as deployment. In January President Reagan said that America would not bargain about research but would bargain about deployment. But in recent months, Mr. Weinberger and many other American spokesmen have said that America will not bargain even about deployment if deployment appears to be feasible. That is a worrying situation, because nobody is still arguing in Washington that the United States will be able to protect is own people through the strategic defence initiative, still less that it will be able to make nuclear weapons obsolete, as President Reagan initially suggested.

The only purpose now suggested for that system, if it proves feasible, is to protect American land-based inter-continental ballistic missiles and increasingly people in Washington are beginning to worry that the Russians may justifiably fear that it is intended to protect the remaining ICBMs against a ragged response by Soviet missiles to an American first strike. That fear was expressed by General Scowcroft last week.

That type of fear is fed by remarks by the American Defence Secretary, Mr. Weinberger, who said the other day:

> "If we can get a system which is effective and which we know can render their weapons impotent, we could be back in a situation we were in, for example, when we were the only nation with a nuclear weapon."

That is the clearest declaration of the interest that at least one member of the Administration has in acquiring not only superiority but the sort of superiority which no American Administration has ever sought at any time since the war.

I hasten to add that Mr. Weinberger is not the only spokesman for the Administration. Mr. Paul Nitze, in a recent series of speeches, one of which was in London, said that the strategic defence initiative would not be worth while unless the system it produces can survive an attack, costs less than measures to defeat it and increases rather decreases stability. All those are important criteria, although most people think that they rule out the SDI programme in advance.

Yet when the Foreign Secretary repeated those points in a recent lecture, the response that he received from supporters of the SDI on both sides of the Atlantic was one that I can only describe as hysterical rage. *The Times* leader was a model of bloodshot saloon bar apoplexy. To quote its more moderate remark, it said that the Foreign Secretary's speech was

> "mealy-mouthed, muddled in conception, negative, Luddite, ill-informed and, in effect if not intention, a 'wrecking amendment' to the whole (SDI) plan".

God protect him from his friends. It is a great pity that Mr. Rupert Murdoch has reduced the once mighty Thunderer to impotent spluttering whenever it comes across on argument or view with which it disagrees.

Not satisfied with the *Times* leader Mr. Richard Perle, a middle-ranking official in the Defence Department, rushed over to London and made a speech which was extraordinarily loutish and incoherent. I find that extraordinary because I have a long acquaintance with Mr. Perle and he has always appeared to me in normal circumstances to be an intelligent and courteous man. But when the presentation of reasonable doubts is met by this hysterical response, one is justified in doubting the conviction and rationality of the supporters of star wars. Indeed, there is no doubt, in my view, that Mr. Perle was essentially attacking his colleague Mr. Nitze and using the Foreign Secretary simply as a surrogate.

Mr. Nicholas Soames (Crawley): Will the right hon. Gentleman agree that the principal problem with the SDI is that at the end of the day one cannot run what must be a political relationship using essentially only strategic technology?

Mr. Healey: If the hon. Gentleman is saying, as I suspect he is, that one cannot solve political problems through a technological fix, I agree with him. A worrying tendency in American policy for many years has been the desire to do precisely that, and it is always bound to fail.

The remarks of the Foreign Secretary awakened echoes of great sympathy throughout western Europe inside the Alliance. It is vital that those of us who have doubts about the course on which American policy appears to be set should express those doubts clearly and in public. There is no other way by which we can hope to influence the debate in Washington. It is important that if the European countries agree on this matter, they should state a concerted view because a concerted view from Europe will always be more influential in Washington than a series of different views.

I am sure that we should regard it a highly impertinent for Mr. Burt, who is a middle-rank official in the State Department, to have told the European Governments that they had no right to discuss these questions except in the presence of the United States, and I hope that the Foreign Secretary put a flea in his ear.

If Europe expresses its view firmly and collectively, we can turn the tide of argument in America. To do that, we must refrain from participating in SDI research, as the Americans peremptorily summoned us to do within 60 days of Mr. Weinberger giving the invitation.

I see no reason to believe that research into SDI will increase Europe's technological ability to compete with the United States; on the contrary. Japan has no military research in these areas but is knocking the living daylights out of American high technology all over the world, including in the United States. In the last three years, the Americans have turned a trade surplus of $10 million in high technology into a trade deficit of $5 billion. In my view, one reason for that has been their excessive devotion of research resources to military research.

Given the neurotic obsession of some in the present American Administration to prevent what they call the transfer of technology, it is unlikely that the European countries would be given any interesting areas of research into SDI, except on conditions which would, frankly, be commercially intolerable. I hope that the Government will not be seduced by the arguments of the aerospace industry, which in the United States recently described SDI as money from heaven. I hope that the British Government will resist this heavenly shower.

Mr. Anthony Nelson (Chichester): While I greatly share the sentiments that the right hon. Gentleman has expressed on that topic, is he aware that an argument propounded in favour of our participating in the research programme, even if we are opposed to eventual deployment by negotiation, is that it enables us, individually or collectively in Europe, to prevent the Americans from making a unilateral decision eventually on deployment? If we participate throughout the research up to the point at which they would either negotiate or deploy, we are more likely to have a say in that eventuality than if we opt out of it.

Mr. Healey: I have some experience of working with the Americans in these matters. I assure the hon. Gentleman that no American Administration, least of all the present one, would ever make themselves so dependent on foreign contributions in this area as to give foreigners a veto over their actions. Anyone who believes the contrary has no knowledge of the post-war history of American co-operation with its allies in defence.

I hope, therefore, that the Government will resist the temptation to join the research programme. I hope that they will also point out to the United States that, if they have now come to the view that the only real purpose of a star wars system would be to defend their ICBMs against a first strike, there are many much cheaper ways of doing that. One which the British Government, in their present mood, should support to the hilt would be to put more Trident D5s at sea, because the Trident submarines are invulnerable and I understand that their warheads are just as effective against hard targets as the warheads of ICBMs.

What has confused many people is the argument used by the Foreign Secretary that, as the Russians have engaged in research, the Americans must do the same or the Russians might suddenly break out and deploy an anti-missile system. In any case, it is said, there can be no verification of an agreement to ban research. I shall comment on that, because by examining the problem we may be led to the way through.

It is true that there is no means of verifying a ban on research, which takes place in people's minds or in laboratories. However, it is impossible to carry research in this area far without carrying out experiments which can be monitored by the Russians, by us or by anyone else. To prove that, the American Department of Defence has recently published a list of 15 major sets of experiments that it proposes to carry out as part of the SDI programme, nearly all of which could be monitored by the Soviet Union.

The Department published that list so as to argue that the tests were compatible with the anti-ballistic missile treaty, and a great argument has begun in the United States about whether they are compatible. We know that the Russians have carried out similar experiments which have been monitored by the United States, and each side has carried out experiments in anti-satellite warfare which have been monitored by the other.

Surely the answer, if we want to stop the arms race moving into outer space, is to tighten the ABM treaty—

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so that all these, currently grey, areas can become absolutely clear—and ban all experiments which are, or could be held to be, related to the future deployment of anti-missile systems. That would meet the American worry about some of the ambiguous Soviet measures, such as the construction of a phased array radar system, and it would meet Soviet worries about the Americans overtaking them.

If the Americans showed themselves ready to reach an agreement along those lines, the Russians should offer deep cuts in their intermediate range nuclear forces and in their strategic forces. Then rapid progress in Geneva would be possible, and rapid progress is necessary, too.

I have been deeply worried by talk in America of leisurely negotiations which could last for many years. During such a period, the arms race would move into areas which might soon become beyond control, in peace or war —for example, dual-capable cruise missiles which are easily hidden and systems which are so sensitive and which require to react so quickly that their use must be triggered by computers rather than by the minds of men. That is true, I fear, for most of the technologies which the Americans contemplate as contributing to the SDI.

Next week's summit meeting gives Europe a unique opportunity to make those points to the United States President and his closest advisers. On this sort of issue, the battle in Washington sways to and fro between the State Department, the White House and the Defence Department. A concerted attempt to put the issues clearly and courteously to the United States next week could have a major influence. We are only asking for the American President to return to the position that, on his behalf, Mr. Macfarlane stated in December—that America would negotiate about research on as well as deployment of the strategic defence initiative, provided that progress was being made in the other areas.

We have a unique opportunity. I hope that the British Government, who have taken the lead on this matter—I congratulate the Foreign Secretary on that—will take another great step forward. There could be no better way of celebrating VE day than to make progress on this issue.

6 pm

Mr. Julian Amery (Brighton, Pavilion): If I understood him correctly, the right hon. Member for Leeds, East (Mr. Healey) dismissed the strategic defence initiative as "dangerous rubbish". He threw a great deal of doubt on its feasibility. He may be right or he may be wrong, but any discussion of the subject must take account of two factors.

First, there is the President's apparent confidence in the feasibility of the project and his commitment to it. It is hard to believe that the President would have committed himself so far or expressed such optimism unless he had good reason to believe, and had been given good advice to the effect, that it was feasible.

Almost more impressive, however, is the obsessive anxiety displayed last year by Mr. Gromyko and since then by Mr. Gorbachev about the strategic defence initiative. The Soviets have made some study of the matter. If they thought that it was not going to work, why would they complain about the Americans spending a great deal of money on it, or if they thought that they could do it better themselves, why would they complain about the Americans trying to catch up?

The problem will not go away. It will not be possible to put the genie back into the bottle. One cannot uninvent what has been invented and taken some way. That being so, what do we do about it? Only research will show whether the programme would be cost-effective at the margin—whether the advantages that would accrue from the system would cost less than the measures which the other side would have to take to counter it.

Unlike the right hon. Gentleman, I think that we should be in on this development. We had the painful experience of the MacMahon Act, when we were cut off from all information on nuclear technology and had to relearn a great deal at great cost and effort. It would be wrong for us to put ourselves in that position in connection with this new technology. Until the reseach programme has been completed we cannot tell whether or not it will be of great importance to us.

I agree that it is right that such matters should be discussed within the Western European Union. Mr. Burt's intervention was, to say the least, undiplomatic.

I drafted the original memorandum that led to the setting up of the WEU. It stated:

"NATO is a box to keep the Soviets out of Europe. We need a box to keep the Germans in Europe."

As long as there is a Soviet threat to Europe, NATO is essential. It is vital. It is the main system through which we face that danger. As long as that threat continues to exist, NATO must be our front line and our basic alliance. However, the concept of European union would remain valid even if the threat did not exist. We have a trade and payments union in Europe. There are meetings of Heads of Government and Foreign Ministers. However, we do not yet have a proper defence system. It would be good if, within NATO, we developed a European system. The WEU, suitably amended, would seem to be the natural forum for this. It would be in no sense an alternative to NATO. It would be a means of affirming, within NATO, the European contribution. If such a development helped to bring France a little closer into the Atlantic Alliance, so much the better. Europe cannot be defended without France.

The right hon. Member for Leeds, East expressed substantial hopes about the possibilities arising from Mr. Gorbachev's arrival in office. Yes, there is something to be hoped for in that connection. However, in this context, I congratulate my right hon. and learned Friend the Foreign Secretary on his two excursions into eastern Europe. There is always a dilemma to be faced on such visits. If one simply approaches them on a state-to-state basis, there will be a feeling among the people of the country that one is supporting the regime by which they are repressed. My right hon. and learned Friend's judical combination of formal discussion and unconventional excursions exactly resolved the dilemma.

Eastern Europe is not a monolith. It is not nearly as monolothic as it was even 12 years ago. Romania has a fiercely independent foreign policy and a rigid regime. In Poland, though it is not a pluralist society, the church and Solidarity function almost publicly as an opposition. Hungary has liberal trading traditions. East Germany is permeated by West German television. Czechoslovakia is the most rigid of the countries, because it has a common frontier with NATO's arms.

In their different ways, those countries are all subject to the attractions of the West. If we on our side can play a part in transforming the Soviet empire into a Soviet commonwealth, we will be half way to where we want to go.

Of course it is right to examine the possibilities offered by the new regime in Moscow but it would not be honest of me to say that I thought that we would make rapid progress. The right hon. Gentleman thinks that the Americans are taking arms control too slowly. Arms control is at the moment in the centre of the stage. We must remember — the right hon. Gentleman was factually wrong on this point—that the Soviets enjoy a substantial superiority in conventional and nuclear weapons at present and will not surrender that superiority lightly. They will make every effort to freeze the present situation. The right hon. Gentleman suggests that we should accept the freeze proposed by the Soviet Union. The Soviets will try by negotiation and propaganda to persuade us to do so. However, we must not allow a freeze.

It was because of the dangers posed by Soviet superiority that Chancellor Schmidt demanded that we should put new weapons into Europe to make up for the absence of German nuclear weapons under German control. That is being done, and the best chance of an agreement with the Soviets is for us to continue to build up our weapon levels while working at the negotiating table. We should build up our programme, as we have said that we will, while being ready to disarm with the Russians to a level acceptable to both sides.

Will we succeed? I do not know. However, the Soviet Union knows that it cannot win an arms race against the West. The Russians will try to delay, but if they see us going ahead they will have to decide whether to do a deal while they are still in a relatively strong position. It was the deployment of Pershing and cruise that brought them back to the conference table. It would have been nice if the right hon. Member for Leeds, East had admitted that that was a great triumph of President Reagan's policy and that of other Western Governments.

There is of course a risk that, while we continue rearming, the Soviets will wish to take advantage of the window of opportunity which is still open to them. The situation is fragile—we are almost walking on eggs. I do not expect it, but I do not exclude the possibility of their attempting some adventure in Europe to take advantage of the opportunity still open to them. There are other areas which are perhaps more advantageous to them. The middle east stands out as one. The Iraq-Iran war drags on. If Iran were to collapse, what was once the Shah's progressive empire would become a vacuum and the Soviets are well placed to fill it from the Soviet Union and Afghanistan. If Iraq were to collapse, the repercussions in the whole of the middle east would be chaotic. We must watch that carefully.

There is another danger area, which I am sure my right hon. and learned Friend is watching carefully. I refer to the Horn of Africa. Despite the ghastly famine in Ethiopia and neighbouring countries, the Marxist regime of the Dergue continues to wage civil war against the Eritrean and Tigrean freedom fighters. It has had great difficulty so far but matters are now easing up for the Dergue. The new Government in Khartoum have stopped the broadcasts to Eritrea and Tigre from the Sudan, although the Mengistu Government are helping the rebels in the southern Sudan. And the southern Sudan controls the oil without which Sudanese prosperity cannot be rebuilt.

Mengistu and his Libyan friends, who have money in their purse, have considerable means of pressure on the new Sudan regime. The situation in Khartoum is still far from clear, but it is clear that the new Government have called for better relations with Libya—there has been a resumption of diplomatic relations—with Ethiopia and with the Soviet Union. It is also clear that the broadcasts against Gaddafi and the Ethiopians have been stopped. There is talk of ending co-operation with the American rapid deployment force. The Sudanese Government are dependent on the Americans for money, but Gaddafi has money too and control of the Nile waters is vital to Egypt, the leading ally of the West in the area. If anything should happen to Egypt, the moderate axis that has been built up from Cairo to Amman to Baghdad will be in danger, and with it the chances of a settlement of the Palestinian problem and peace with Israel. The stakes are high in the area and the possibility of East-West confrontation is apparent.

I am sure that my right hon. and learned Friend is aware that, whatever else happens, we should not let our hopes of a new potential in East-West relations blind us to the real dangers ahead.

6.13 pm

Mr. Norman Atkinson (Tottenham): I am sorry that we cannot vote on the Adjournment motion. To judge from what the two Front Bench spokesmen have said, in their euphoria, it looks as though there is a return to bi-partisan politics. I am sorry that they have both disappeared because I wanted to make a few remarks, especially about my right hon. Friend the Member for Leeds, East (Mr. Healey).

The cold warriors are still at it, here and in the other place. There is no evidence of a new approach to good relations between East and West in recent debates in either House. Some pleasant remarks have been made lately. The Prime Minister said that it might be possible to do business with Mr. Gorbachev, but she has not proved that she has moved from calling the Soviet Union a vile society. She called its negotiators undemocratic, unrepresentative and untrustworthy and said that there was no basis of trust. We shall have to have a lot more evidence before we believe that we are moving away from the present frigidity. I hope that that evidence comes soon.

In Mr. Nakasone in Japan, Mr. Kohl in Germany, and our Prime Minister, allied to President Reagan, we have a reactionary quartet working in unison. All four are vying with one another to prove their aggression against the Soviet Union and to find excuses to explain why current talks are not making much progress. If there is an aggregate expenditure on arms, especially nuclear arms, of £150 billion a year, there must be an enemy somewhere to justify it. To justify that expenditure to taxpayers, they must claim that an enemy is knocking at the door. I look to the resumption of talks in Geneva at the end of May as a prospect of progress, especially in conjunction with the resumption of talks on the non-proliferation treaty, which start in September. I hope that the summit later this year between President Reagan and Mr. Gorbachev will consolidate preparatory work which I hope will have been possible in Geneva. We should not be misled by the present euphoria.

[Mr. Norman Atkinson]

The West seems to be locked into anti-Soviet vigilance and the Soviets seem to be locked into anti-Western vigilance. The Foreign Secretary said that there had been no progress in Geneva and that it seemed to him that the Soviets were more concerned with propaganda than making progress. I do not know the basis for that statement or whether he has access to what has gone on at the negotiating table in Geneva. If that is his conclusion, it does not sound too good. The Foreign Secretary talked about Poland and my right hon. Friend the Member for Leeds, East rightly reminded him of Government initiatives on Poland and an alternative leadership there some years ago.

People throughout the world are looking for leadership, and it might be possible to have a moratorium on all nuclear weapons testing. That is the priority demand being made in all countries, especially Britain. Against that background we should consider what is happening at the talks. Western peace movements agree that secrecy is not on the side of peace. It is part of the arms race vocabulary and weakens the movement towards peace. Therefore, we should do everything that we can to break down the confidentiality agreed on by both sides in the current negotiations.

One of the priorities that we should attempt to achieve is an end to the secret numbers game, in Geneva particularly, but in all disarmament talks. We and the United States are particularly dependent on American information from the institute in Stockholm and from the International Institute for Strategic Studies. There are only the two sources of information. When any hon. Member uses numbers in his arguments, on what basis does he claim confidence for their accuracy? In my experience of 20 years of putting questions about the numbers of nuclear weapons held, either in warheads or in the yield that they are capable of producing, every Minister has refused consistently to confirm or deny the accuracy of the numbers. It has not been the practice of successive Governments to reveal anything about the number of these weapons.

There is no certainty anywhere. There is no open knowledge about what is being discussed at Geneva. Both the Soviet Union and the United States have agreed total confidentiality about the references put on the table. The evidence is that contradictory figures are being used, and some downright misleading figures are being used by this Government, about the possession of nuclear weapons either by Britain or the United States. The Soviet Union is not willing to divulge any of the precise figures that it is putting on the table either in Geneva or elsewhere.

I appeal to Ambassador Popov, the Soviet ambassador to London, to give a message to Gorbachev. The peace movements will be assisted by a break from these agreements about confidentiality. The Foreign Secretary and my right hon. Friend the Member for Leeds, East, like a series of successive Conservative and Labour Foreign Secretaries have refused to budge from the fixation about the confidentiality of talks. However, if we are to make a positive contribution to peace, we have to break open the door so that we know more about the papers on the table. Let the world understand what the negotiations are about.

In this country, the figures cannot be classified to keep them from the Soviet Union—they are the figures that are on the table. What is good enough to tell the Soviet Union at the negotiating table is good enough to tell the British Parliament or the United States Congress. Let us tell the world the arguments that we are using, and ask the Soviet Union to do the same. The appeal must go out from the peace movements of the world to Gorbachev to have second thoughts about perpetuating the agreement on confidentiality, which can do no good to the peace movement or to the progress for which we are hoping when the summit takes place and the serious matters are discussed.

I move on to the Labour party's attitude towards nuclear weapons, and that of particular sections of the Labour party, and to some of the ideas under serious discussion. The Labour party's position is clear. The party stands for, and I understand will fight the next election on, unilateral nuclear disarmament. That means no Polaris, no Trident, no nuclear bombers, no cruise bases, no Pershing bases, no United States bombers or submarines based in the country, and no United States bases. There is unanimity in the Labour party on that, from the Front Bench backwards. That is the clear basis on which the Labour party will campaign for acceptance. There is bound to be a tremendous shift once a Labour Government start to implement that policy in their first years.

Under those circumstances — the sheer size of the task that a Labour Government will have to face in carrying out that policy, the changes that, of necessity, there must be in the Armed Forces, particularly the Royal Navy and the Air Force—we must have the stability of a NATO understanding. Those parts of the Labour movement and the peace movement that are arguing that, simultaneous with unilateral nuclear disarmament, we must withdraw from NATO, are doing no good to the cause of peace, and to the Labour movement which is trying to pursue that policy. Those in the Labour movement who advocate coming out of NATO overnight should recognise the significance of the arguments that they are using, and the political damage that they will inflict by pursuing those arguments, in spite of the progress that has been made, and the unity between the leadership and the whole movement.

I cannot emphasise too strongly the irresponsibility of those who argue for the severing of the Atlantic relationship. They are doing no good to their cause or to our arguments about a method of bringing about the profound changes to denuclearise Britain in the way proposed by the Labour party. The solidarity, leadership and strength of the moment will be weakened if people believe that there is a short cut to establishing Scandinavian-type neutrality in Britain before we get rid of nuclear weapons.

Both my right hon. Friend the Member for Leeds, East and the Foreign Secretary referred to the strategic defence initiative. My right hon. Friend said that it is nonsense. I do not know whether that was a profound statement based on his scientific and engineering knowledge of what is happening to space mechanics. I want not only the Labour movement but Britain to take seriously what is happening in the United States and in its attempts to develop an anti-ballistic defence system. It may have profound effects and significance for all of us in Europe, particularly the Soviet Union, and on what happens at the negotiating table. We should take seriously the potential of what is being discussed and accept without qualification that such a system can be effective by 1995. There are no technological or scientific reasons why that cannot be so.

We know enough about the technology that is involved, as it is practised on earth, to know that in 10 years such a space defence system is technically feasible. Beam technology and the superb electronics of surveillance systems already exist. If the distances involved in a space defence system were limited to a mile or so, it would be possible to use the technology that is already available. Engineering firms in Britain and the United States have proved that beam technology can be used to punch holes through one-inch steel plates a mile away. The question is whether that technology can be extended to the dimensions of space. We must seriously consider the means of synchronising all these technologies to perfect our defence system.

Within 10 years, the United States and the Soviet Union could make the changes necessary to develop this space defence system. My right hon. Friend the Member for Leeds, East said that the Japanese are beating us hands down in developing this technology, but that is not true. The Japanese do not have an equivalent to the Massachusetts Institute of Technology. The technology in Japan is not in the same class as the developments in Massachusetts or other defence research institutes in the United States. A giant technological infusion is occurring, with Soviet scientists being seconded to operate here. Those scientists have an intimate knowledge of some of these technologies.

It is a matter of dimension, not of finding the technology. The success of the technology will be determined by the way in which it is extended to take account of the size of space.

Documents produced by American scientists have referred to the possibility of producing souped-up, supersonic, low trajectory missiles capable of hugging the contours of the land. Such missiles could carry sophisticated electronic navigational equipment and new forms of rocket motors and fuels. These developments would produce before too long a new generation of weapons, which will shift the emphasis towards nuclear technology.

President Reagan originally questioned some aspects of ballistic missiles. He started to say that alternative methods of nuclear defence should be investigated, but scientists were moving towards a different concept, away from Trident, Polaris or similar weapons. They were searching for alternatives.

There are tremendous advantages to be gained from talking about defence against ballistic missiles. An important change is taking place. Such a system is a disadvantage to the Soviet Union and to Europe. The creation in space of a defence system against ballistic weapons would shift the emphasis to those weapons capable of cruising close to the ground at supersonic speed. Such weapons would need to be based close to their targets, and there is no other place but Europe for such bases. Weapons with megatons equivalent to those of the proposed Trident missiles can be launched from the back of a lorry close to the Soviet border.

The Americans talk of the 80 per cent. effectiveness of an anti-ballistic missile system in space. They say that they can exclude the United States from the theatre of engagement. They can shift the business of nuclear conflict to Europe and confine the conflict to a small area. It is possible to confine the whole of a nuclear conflict to the width of Europe—to the area between Cornwall and Moscow. America can thereby think itself safe from ballistic weapons.

There is a political and military significance to star wars which is ignored and which has profound effects on Europe's defence. We should note seriously what is happening in the laboratories of the United States which are developing these ideas. These forms of technology are feasible, and we should accept some of the statements that have been made about them.

We are on the verge of making progress. I conclude as I started. The peace movement and Labour Members are looking for concrete evidence from the Government that they are serious about wanting to create a new climate in the world to bring East and West together to establish greater confidence in peace in the future and build a system that will make the next generations proud of our efforts.

6.37 pm

Sir Anthony Kershaw (Stroud): The hon. Member for Tottenham (Mr. Atkinson) is right about star wars. If it works, it will confine the battle to Europe; if it does not work, it will increase the nuclear threshold. Either way, it will make relationships between the United States and Europe difficult. But there has always been this difficulty between the United States and Europe. The Alliance has held so far. I was glad to hear what the hon. Member for Tottenham said about NATO. I hope that the Alliance will hold in the future.

My right hon. and learned Friend the Foreign and Commonwealth Secretary referred to diplomatic immunities. I welcome the Government's acceptance of the report by the Select Committee on Foreign Affairs. There is really only one difference between the Government's view and that of the Committee. The Committee thought that the Government had been a little too kind for too long to the Libyans when it was obvious that they were misbehaving. The Government may feel that that is a statement made with hindsight, and of course it is. I suppose that every dog must have its first bite. I believe that the Foreign Office should put the matter down to "experience", which is what I usually call my mistakes.

The Committee was disappointed that no mileage could be gained for the proposal to change the Vienna convention. There are two reasons. The first is the opposition to change—there are 144 other signatories—and the second and more important is that the convention only expresses customary law. Even if the convention were altered, that law would not go away. Therefore, we would not be much better off.

I agree with what the Government have said about crime. Despite the headlines in newspapers, the incidence of crime among the diplomatic corps is fairly low. The crimes are fairly petty, usually involving children whipping something off the shelves of Marks and Sparks.

But more than 100,000 parking offences a year are committed in London. That is unreasonable. Diplomatic immunity does not give a person the right to disobey the law of the country concerned. It only enables the person to avoid the penalty. We can do without those who arrogantly break our law repeatedly.

I have a question about diplomatic premises. Does the Government's answer mean that they can direct where embassies shall be located? I call attention to the plight of the two boroughs of Westminster and Kensington where nearly all the embassies are to be found. They have a tough

[Sir Anthony Kershaw]

time with parking, parties and the lack of rates from embassies. It is justifiable to ask that an embassy should be located in a reasonably convenient place.

My second question arises out of paragraph 39d(iii) of the Government's reply dealing with property. The Government apparently envisage that they could sell abandoned or empty premises. Does that mean that the Libyan embassy in St. James's square could be put on the market? It has an awful look at the moment. It looks disagreeable and unkempt. It should not be there. What about the Iranian embassy? It is a danger and about to fall into the street. Are we not entitled to sell them both and send the money to the countries involved?

I shall comment upon our relations with Russia.

Mr. Nicholas Winterton: My hon. and gallant Friend has been talking about problems of law. Is he prepared to comment on the ridiculous claim made, as it were, by European members of Parliament that they should be outside the civil law in any country within the Community? Does he support the Government's current position that that is outrageous and unacceptable?

Sir Anthony Kershaw: It is outrageous. They are claiming diplomatic immunity. There is nothing in the convention which says that Euro-MPs are diplomats. I do not think that they are. I dare say that we can counter that suggestion by calling on the book. My hon. Friend the Member for Wantage (Mr. Jackson) is a fine diplomat, but I do not believe that he should be classified as such.

I shall deal with relations with Russia. Her Majesty's Government have been right to insist on the Soviet Union keeping the rules about spies. If we were much softer, we should not obtain any more co-operation, nor would it alter its conduct.

Mr. Gorbachev's first moves on the international stage have been disappointing. His offer to freeze Soviet superiority, timed to provide the dafties with appropriate slogans at their Easter parades, was almost contemptuous in its flagrant disregard of Western interests. Plainly, he had no expectation that we would accept. It was also in disregard of the understanding that diplomacy should be conducted not by loud hailer but by agreement in private at Geneva. It reveals that Gorbachev's object at Geneva is to obtain a political advantage rather than achieve disarmament.

When Mr. Gorbachev was here and we had the pleasure and honour of meeting him, his swift reaction to human rights questions showed that the Helsinki ideals are no more likely to be realised now than they were before the change of regime. I am afraid that Mr. Gorbachev's value as an interlocutor cannot be assessed as highly as his youth and obvious intelligence seemed to warrant. The leopard has not changed its spots, nor was it reasonable of us to expect Communism to change so soon. Communism breaks; it cannot bend. Nevertheless, my right hon. and learned Friend is right to go on trying, and so long as he uses a long spoon, we wish him luck.

I wish to deal with the Foreign Office. Last year, the Select Committee on Foreign Affairs said that the cuts in our overseas services had gone far enough. Our opinion has not been listened to. Salami cuts have continued. The latest cuts have resulted in the closure of 10 posts overseas including, sadly, the embassy in Santo Domingo which has given much offence in that country and that part of the world. We were the first country to recognise Dominica in 1853 and the first major country to close its embassy. It is a sad commentary upon our relations.

Even before matters go as far as closure, the reduction to mini-missions in so many countries harms our interests. That reduction can be seen from the figures. In the past five years or so, second rank officers in the Foreign Office have been reduced by half. That implies that a mini-mission consists of a head of mission and no one else. He does the filing and the washing-up. He even looks after the car. He does almost everything and his value as a diplomat is thereby diminished. He spends so much time administering himself that he has less time for diplomatic work.

Since 1969, we have seen a 20 per cent. reduction in the manpower of the Foreign Office. Morale will suffer. Recruitment is suffering now. I fear that standards may have to be lowered.

I shall say a word about the British Council. I fear that I have bored the House about it before. It suffers, like the Foreign Office, from the cuts. Since 1979, the British Council has been cut by 20 per cent. Cuts continue every year. This year the British Council, for example, has been left to absorb £1·1 million in cuts, in addition to £600,000 of excess home costs which it must also absorb. It is a further 2 to 3 per cent. reduction in its disposable income.

In addition, delays in identifying overseas risen costs, which hang over for months, have made it impossible to plan with certainty even one year ahead. Some of the consequences are plain to see. We have had to cancel at short notice the opening of a new post in Shanghai after much preparation. We have closed nine or 10 other posts with long-term damage to our interests.

I should have less to complain about if the British Council had merely shared a misery equal to that of other Departments, but that is far from being the case. It has been cut far more than other Departments. It needs a small increase of about £2 million a year for the next two years. That would mean a 15 per cent. cut since 1969 instead of a 20 per cent. cut. That is a fairly modest claim. As with the Foreign Office, the subject of the morale of the service arises. No one wants to be part of a declining organisation or to work for a firm that loses money every year, because it will obviously go phut. A public organisation does not go bust, it merely loses heart. Its members wonder whether their work is worth it. It is the Government's responsibility to maintain the morale of those services.

I shall refer only briefly to the BBC overseas service not because I do not attach the highest importance to it but because this year, largely because of the progress in capital expenditure, the figures do not look too bad.

My final point is about overseas students. There is no doubt that the abrupt raising of fees a few years ago was a bad mistake. It offended many of our friends overseas. It has reduced the number of overseas students in this country from 91,000 to 56,000. It reduced the number of postgraduates from 19,500 to 17,000. That is a vast reduction—30 per cent. I fear that in the future we shall have fewer friends.

Today, as the House realises, I know, 24 overseas countries have leaders who were educated in Britain. That is to say, one in eight of all world leaders were educated here—12·5 per cent. of countries have British-educated leaders. As a matter of interest, France is next with 7 per cent., the United States has 6 per cent. and the USSR has 2 per cent.

Mr. Jeremy Corbyn (Islington, North): Does the hon. Gentleman agree that the increase in overseas students' fees to such astronomical levels does not just militate against students coming here to study, but means that those who come tend to be from the wealthier families? That militates badly against the poorest people from Third-world countries who are looking to receive some kind of decent technical or higher education in this country.

Sir Anthony Kershaw: The hon. Gentleman is right. I was about to make the same point, and I am grateful to him. The tendency has been that we get not such good students from richer countries and the brilliant people from the poorer countries cannot afford to take part. With our history and advantage of language, it is folly not to try to make friends for the future.

I could make a number of detailed suggestions about the arrangements for overseas students, but will not weary the House with them now. I maintain, however, that it is manifestly in our interests on political and economic grounds that we seek urgently to repair the damage which we have done to our reputation. It is badly dented and we should seek to restore it to what it was until very recently.

I know that it is maddening for my hon. Friend the Member for Edinburgh, Pentlands (Mr. Rifkind) and for the Government generally when people do what I am doing now—commending frugality in general but advocating expenditure in particular. But I firmly believe that the welfare of this country demands that our external affairs be conducted in future on a more ample basis than they have been in recent years. That will not cost much, and not to do it might cost us a great deal in the long run.

6.51 pm

Mr. Russell Johnston (Inverness, Nairn and Lochaber) *rose*——

Mr. Max Madden (Bradford, West): On a point of order, Mr. Deputy Speaker. Earlier this week, following events in which you were closely involved, it became known that the Procedure Committee was considering the amenities for third parties in the House. What arrangements have been put in hand to advise the Procedure Committee that on this important occasion no member of the Social Democratic party has sought to catch your eye from any seat in the Chamber? Could the hon. Member for Inverness, Nairn and Lochaber (Mr. Johnston) indicate whether he is speaking on behalf of the Liberal party, the SDP, or the two jointly, and whether he made any application to speak from the Dispatch Box, which is normally reserved for official spokesmen for the Opposition?

Mr. Johnston: I observe, Mr. Deputy Speaker, that you have made no attempt to respond to those questions. I am speaking on behalf of the Liberal party, with the agreement of the Social Democratic party.

Mr. Madden: And the hon. Gentleman is quite happy with his seat?

Mr. Johnston: I have been happy with it for 20 years, which is somewhat longer than the hon. Gentleman has been in the House.

I agree very much with the remarks made by the hon. Member for Stroud (Sir. A. Kershaw) about the cuts in the British Council, the introduction of fees for overseas students, and the long-term damage that has caused. In this area the Government have been profoundly negative and harmful and in many respects plain stupid. For a Government who continually pride themselves on furthering British interests and seldom stop talking about them, this is clearly an area in which they have not done what they have said they are doing.

We are having a debate which, because of numbers, is, I understand, to be extended to midnight—which I regard as a very ungodly hour at which to discuss anything. Nevertheless, I shall be here at midnight, and so will many other hon. Members.

There is a wide range of issues which are important in their own right, but perhaps not sufficiently important, except in exceptional circumstances, to lay claim to a separate debate. I believe that the strategic defence initiative merits separate treatment and that—perhaps in the sort of context that was provided by Lord Home of the Hirsel in another place on Tuesday—there should be a debate on this issue in this House. I hope that the Secretary of State will consider that carefully and discuss it with the Leader of the House. I do not propose to deal with the SDI today, but it is evidently of enormous importance, as has already been stated by a number of hon. Members. We on this bench are extremely doubtful about it. We cannot see any proven merits in it, but we have not discussed it in any great detail. It is clearly going to be hugely costly, and it is uncertain and potentially escalatory, as the hon. Member for Stroud remarked.

One should remember the suggestion of a freeze is not a policy, but simply a mechanism for improving the circumstances in which negotiations can be undertaken. Nor is it, as could be inferred from what the Foreign Secretary said, an open-ended matter. One might have looked at the possibility—suggested by the right hon. Member for Leeds, East (Mr. Healey)—of building on the proposed Gorbachev moratorium rather than simply dismissing it out of hand. Six months might be inadequate, but there could be a longer period.

It goes without saying that we feel that the coincidence of the changed leadership in the USSR and a United States President in the early part of his final term offers the best chance of real progress for many years, and that opportunity must be seized.

I hope that the Minister, in winding up, will say rather more about how the United Kingdom, by itself, or within the mechanism of the European Community, can make an effective input at Geneva, for the Foreign Secretary said little about that.

I shall deal as succinctly as possible—although my first point will take a little longer—with six issues. The others will be dealt with very briefly, so hon. Members need not get excited. I do not, in the main, make long speeches in the House.

There have been very little discussion in Britain about the Dooge report, to which the Foreign Secretary referred, and I think that its importance has been underrated. I stress that it is not, as were earlier reports—such as those of Tindemans and the three wise men—merely an advisory statement on how the Community might be reformed.

As hon. Members know, the Dooge committee was decided upon by the European Council at Fontainebleau last June, following the adoption by the European Parliament, on 14 February 1984, of the new draft treaty for European union. The members of the committee were personally chosen by the Heads of Government—the hon. Member for Edinburgh, Pentlands (Mr. Rifkind) was thus chosen by the Prime Minister—and they expressed

[Mr. Johnston]

the views of the Heads of Government. The conclusions of the report and the reservations to it are therefore the opinions not of some stray committee, but of the Heads of Government.

It is clear to me that the Prime Minister is once again taking a negative line on crucial questions. She has been joined in this by Greece and Denmark. Mr. Papandreou's reaction is not surprising, given his general attitude towards the Community. The Danish Prime Minister's reservations reflect the fact that his is a minority Government and that there is no majority in the Folketing for going towards anything, much less European union. Mr. Dooge, on behalf of Dr. Garret FritzGerald, has made an inevitable, if important, reservation about security policy.

There is no doubt, however, that the objections which have been made by the hon. Member for Pentlands on behalf of the Prime Minister are regarded as the most significant. That is why I thought that the bland, not to say disingenuous, responses made by the hon. Member for Pentlands during foreign affairs questions the other day were quite inadequate.

That is not only because of the relative importance of Great Britain, but because the Dooge committee comes out strongly in favour of British Government policies on, for example, foreign and security co-operation and the establishment of the internal market. Yet the Government and the hon. Gentleman, speaking for the Government, oppose the procedural reforms without which these policies will continue to be blocked.

I think that the Government must review their approach, for two reasons. The first is for the sake of British interests, about which, as I said, they are always talking. For the British to find themselves once again missing the bus, as Sir Anthony Eden, as he then was, did in Messina, and isolating themselves from their closest partners at a time when it is becoming increasingly obvious that it is only by making the European Community a political force that we can hope to exercise real influence on the policies of Washington and Moscow, seems to me to be quite insane.

The second is for the sake of the Community itself. British self-exclusion—as I and, I am sure, many hon. Members know—might well produce a collective sigh of relief from the other members of the Community, but in their hearts all far-sighted people know that it would be a disaster for Europe.

It must be obvious that the Ten cannot work while the veto power is maintained in its present form. That is even more obvious with the accession of Spain and Portugal. The reservation of the hon. Member for Pentlands on the powers of Parliament is indefensible if one believes in democratic parliamentary control of Community policy. Dooge proposes not taking away power from national parliaments but, rather, bringing the Council and the Commission under parliamentary control when they act on behalf of the Community.

The British Government must participate in the special conference to take decisions on European union, which will be convened following the European Council in Milan. It would be a good earnest of our intent if we indicated, at last, an intention to join the European monetary system.

We should not be in any doubt that attitudes towards this country have changed. One of the members of the European Parliament delegation which was here earlier this week told me that if the choice were to be between inaction and going on without the British, they would go on without the British. I know that that is a reluctant view, but it is a real view. When the Minister replies—after all, he served on the Dooge committee—I hope that he will respond to those questions and give us some insight into what the Foreign Secretary said to the delegation.

On central America, the Alliance believes that the vote of the House of Representatives was very welcome. It is a mistake for people to think that it is simply a matter of a House dominated by Democrats rebuffing a Republican President. Anyone who visits the United States knows that things do not operate in the rather closed way to which we have become accustomed in the United Kingdom. It was a very real rejection of a counterproductive policy.

As the right hon. Member for Leeds, East said, the Government should take more positive action to support the Contadora initiative and urge the United States to be more positive, more conciliatory and more prudent. I hope that they will do so.

There is a rising tide of democracy in Latin America, which is greatly welcome. That is true not only in the Argentine, but in Brazil. I associate myself with the remarks of the Foreign Secretary about the tragic death of its President. A sad exception is Chile, which has an appalling record on human rights, yet the British Government continue to sell it arms and refuse fully to condemn the position there.

I go now across the world to Afghanistan. No one has said very much about that country. If there was some place where the United States was engaged in repression, with 3 million refugees on the border of that country, the Left in British politics would book Trafalgar Square non-stop for two years, yet we hardly hear a cheep about Afghanistan. That shows an extraordinary and unbalanced view of human rights.

I regret that the Soviet Union still has a closed society, so there is no open debate about Afghanistan in the way that the United States has an open debate about Nicaragua, as evidenced by the Congress debates, and as it once had about Vietnam. It is important to consider what will happen in Afghanistan. I do not think that the Russians will leave. Eventually, there will be an absorption of the north. The Pathans in the south up to Kabul—they are, of course, the same people as the Pathans on the other side of the border in Pakistan—will make for a continuing instability.

In discussing refugees, it is not illogical to refer to the poor Vietnamese refugees in Hong Kong. The Home Office Select Committee has recommended that the Government should take action. I do not blame the Hong Kong Government because I know that they face many difficulties. At least they do not turn back any refugees. However, because of internal circumstances, the refugees have been in closed camps for more than two years. I have seen them. It is rather like people living in luggage racks in a station. That must come to an end. Britain has a responsibility to take the initiative on international action.

I associate myself with those who complimented the Foreign Secretary on his east European visit. However, there is a new campaign of repression in Poland—170 people have been arrested, including leading opposition leaders. I wonder what pressures the Government are

bringing to bear. The balance that the Home Secretary struck was good. The right hon. Member for South Down (Mr. Powell) recently asked what the Foreign Secretary would think if a Russian leader came to Britain and acted in that way. I think that we should welcome that. I would not have the slightest objection to a Russian leader coming to Britain and criticising anybody. I would probably also criticise people. We live in a free society. I wonder whether we can devise some form of relationship between an improvement in human rights in Poland and access to the International Monetary Fund.

The problem with these debates, even when they last until midnight, is that there is never enough time to cover important issues throughout the world. For example, what is happening in Matabeleland is awful. I know that many people in the House are friends of Robert Mugabe, who is a highly intelligent and competent man. He must be pressed to show restraint and leniency. Not only would it be disastrous if Zimbabwe were divided simply on a tribal basis: it would do deep damage to any faint residual chance of a peaceful solution in South Africa—to make no mention of any prospect for more immediate progress in Namibia. I welcome the Foreign Secretary's unequivocal rejection of the unilateral proposition on Namibia by South Africa.

The right hon. Member for Leeds, East referred to the United Kingdom cutting off aid to the famine belt in central Africa. That is a bad policy and should be explained by the Minister when he replies to the debate.

The middle east remains a powder keg, with people moving around it with lighted torches. It could blow up at any time. Yet, despite the appalling position in the Lebanon, I am absolutely certain that there is a window of opportunity. The President of the United States has great power. Traditionally, the Republicans in the United States are less under pressure from pressure groups than the Democrats. The President has a chance to do something. The peace initiatives from Hussein and Mubarak should be pressed. If we do not assist the moderates in the middle east, they will be overwhelmed and will disappear. There will be either a Left-wing regime, such as that in Syria, or a fundamentalist uprising, such as that in Iran. That will not only do enormous damage to the stability of that area, but will undermine the future of Israel. I defend the future of Israel, which will not be secured by its temporary military domination. It can be secured only if it succeeds in reaching agreement. We have failed sufficiently to press the United States on this matter. It was wrong at the United Nations for us to abstain on the resolution on Israel and the Lebanon.

Our position on the Iran-Iraq war is deeply unsatisfactory. There is no doubt that trade helps Khomeini. We trade more now than ever before—for example, in motor car parts which help to carry the flower of Iranian youth to the border, where they are shot down by Iraqi machine guns. It is not something of which to be proud.

The Foreign Secretary said that the basis of the Government's foreign policy was the pursuit of peace, freedom and democracy. I can hardly argue with those principles. Sadly, as I think I have brought out in some of my remarks, one must question whether it has always been done. It reminds me of the days when British Airways was always telling us that it took better care of us when it was manifestly obvious that it did not.

The Foreign Secretary also mentioned British interests. As I have said, not for the first time, if one's sole concept of British interest is either British advantage or the furtherance of the ideological priorities of a transient Government, that is inadequate. Britain's real interest lies in the search for fair solutions in the world through developing international groupings, such as the European Community. I point out to the hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes) that Europe's interests are Britain's interests and that Britain's interests are Europe's interests. Agreements that will safeguard human rights, the pursuit of fair trade policies in the developed world, a generous approach to trade in the Third world and a persistent disciplined search for peace are the sort of things that should animate our foreign policy. I have yet to see that they do.

7.10 pm

Sir Peter Blaker (Blackpool, South): I welcome the dialogue that my right hon. and learned Friend is conducting with the Soviet Union and with eastern Europe. I hope that it will produce substantial and lasting improvements in relations between East and West, but we have to be realistic and recognise the serious limiting factors that there are in the way of that result.

The most serious limiting factor is the nature of the Soviet system itself. In the important debate in another place two days ago a former Foreign Secretary said about the Soviet state:

"it is by its nature a propagandist state; it believes that it has a cause to promote throughout the world; it believes that it is the ultimate destiny of the world to come after greater or lesser, more or fewer upheavals under communist rule, and that it is the duty of the Soviet Union to assist in that process. In holding that view the Soviet Union does not consider itself bound by any treaty obligation that conflicts with that ultimate view."—[*Official Report, House of Lords*, 23 April 1985; Vol. 462, 1051-2.]

That was said not by a former Conservative Secretary of State for Foreign and Commonwealth Affairs but by Lord Stewart of Fulham, a former Labour Foreign Secretary. I find it difficult to disagree with his statement.

The implications of that statement, if it is correct, are that we are in for a long haul if we are to get substantial and lasting results. That is the context in which Mr. Gorbachev has come to power. I do not know, and I doubt whether anybody in the West knows, what Mr. Gorbachev's ambitions and intentions are, but we have to recognise that he has come to the top in a ruthless, rigid and dogmatic school which does not change easily. The motives of the leaders of the Soviet Union are, internally, to retain power for the Communist party of the Soviet Union and, abroad, to expand. They have never known an election. They have not had much economoc success. Their successes have lain in the military sphere and in keeping that extraordinary country together.

People in this country are not aware of the degree of militarisation in the tone of Soviet life. Most Soviet children from an early age have military training at school. A distinguished commentator pointed out the other day that is misleading to say that the Soviet Union has a war machine; it is a war machine. That is the school in which Mr. Gorbachev has been brought up, so he has a long way to go if he wants to make an improvement in relations between East and West.

The first fallacy of some Opposition Members, as shown yesterday at Question Time, is to call for a gesture to Mr. Gorbachev—because he has come to power they

[Sir Peter Blaker]

think that the West should make a gesture to please him and to show him our sincerity. Against the background that I have outlined that is a naive call.

In reality, is there hope for a long-term improvement? I think that there may be. I believe that the Soviet system contains within it the seeds of failure. We shall find over the coming decade that increasingly it is failing economically. It will be unable to cope with the computer revolution that faces the West. We see some stirrings of dissent that are ruthlessly suppressed. We see those stirrings also in countries of eastern Europe. At some time —exactly when, we cannot predict—the Soviet Union may soften under pressure and may become more liberal; indeed, it may even collapse. Our task, put simply, is to survive until that occurs.

It is wrong to imagine that change is impossible in the Soviet Union's attitude towards the outside world. We saw an important change under Khrushchev when he abandoned the dogma that war between the Soviet system and the free world was inevitable. That was an important step forward. If we hang on and are firm and united it is conceivable that an equally important change may come in future in the outlook of the Soviet Union.

In the meantime, we must expect to see a continuance of the efforts of the Soviet Union to change the correlation of East and West. It will want to establish a greater advantage for the Soviet Communist system over ourselves; in particular it will want to drive the United States out of western Europe. The Soviet Union pursues that objective by military intimidation, by political means, by psychological means, by subversion, by spying, by economic pressures and by fooling us by its use of words. We should not ignore the importance of that last point. For example, the words "peaceful co-existence" and "detente" have an entirely different meaning to the Soviet Union than they do to us.

The second fallacy is to imagine that unilateral concessions from us help to achieve a better attitude on the part of the Soviet Government. The opposite is true. It is only too easy for the Soviet Union to take unilateral concessions by the West as an indication of a loss of will.

There are many fallacies. The third is to imagine that the expulsion of Soviet spies can cause a serious blow to relations between the Soviet Union and the West. The expulsion the other day of the Soviet attachés who had been spying will be forgotten in a fairly short time. It happens regularly. The Soviet Union, which has spies all over the world wherever it has a mission, accepts that it is inevitable from time to time that a few of its people will be expelled. I do not think it makes any difference whether the expulsions are public or whether the people are asked to go privately. When the Labour Government were in power they, to their credit, kicked out a few Soviet spies, sometimes publicly and sometimes in private. If it was done in private, possibly it was not so much out of a fear of a Soviet reaction as a fear of the reaction from their own Back Benchers.

What are the main lessons that I draw for Western policy from the background that I have sketched? One is the overwhelming importance of unity among the Western allies. The main danger to the freedom of the West is in the political sphere. I do not think that there is a danger of an attack against western Europe by the Soviet Union so long as we have sensible defences. The main danger is that the allies will fall out among themselves and that, as a consequence, the United States might withdraw from western Europe. That is the principal objective of Soviet policy in its totality.

The main hope of progress in the disarmament negotiations lies in western unity. The reason the Russians are back in Geneva negotiating about three subjects— strategic missiles, intermediate range nuclear missiles and space defence — is the unity of the western Alliance when faced with a propaganda barrage from the Soviet Union over the installation of cruise and Pershing. That is why the campaigns by CND and other organisations were potentially damaging.

That unity is equally important now that the Geneva talks are under way. I believe that there is a real possibility of proposals on the first two issues — strategic and intermediate-range missiles — being accepted by both sides. I fear, however, that the Soviet Union is all too likely to succumb to the habit into which it has always fallen in past disarmament negotiations of trying to divide the West. I have experience of such negotiations. In 1962, the Americans, British and Russians negotiated for a year in Geneva without any movement on the Soviet side while the Soviet Union tried to divide America and Britain. Because we survived that probing, we eventually achieved the agreement to ban nuclear tests in the atmosphere. That was one of the early breakthroughs in the negotiations between East and West. We should not have achieved it at that time, although we might have done so later, if we had not been united.

It is in that context that I set Mr. Gorbachev's statement that the Soviet Union proposes to freeze deployment of intermediate-range nuclear weapons in Europe. I believe that it was a propaganda statement, for two reasons. First, if it was intended as a serious negotiating proposal he would have made it privately instead of making it in public and having it splashed across every Western newspaper. Secondly, the Soviet Union made a similar statement in 1982 when it declared a moratorium on further deployment of SS20s, but they made no attempt to keep to it in subsequent months. I believe that there will be further pressure from the Soviet Union on the hinge between strategic and intermediate-range missiles and space defence. That is where unity will be important.

It is in that context, too, that I set the agreement between the Prime Minister and President Reagan in December last year, to which my right hon. and learned Friend the Foreign Secretary referred today. The agreement covered four important points. First, the Western aim is not to achieve superiority but to maintain balance. Secondly, deployment of any space defence would have to be a matter for negotiations. Thirdly, the overall aim is to enhance and not to undermine deterrence. Fourthly, negotiations should aim to achieve security with reduced levels of offensive systems on both sides. I believe that that is an immensely important agreement.

If the Western Alliance supports the America research programme, as we must because the Soviet Union is certainly conducting its own research, but also supports the United States undertaking that deployment would take place only after negotiations, I believe that that is a posture that the Alliance could sustain and which, through unity on those two points, could enhance the prospect of agreement in Geneva.

7.23 pm

Mr. James Lamond (Oldham, Central and Royton): I must confess to listening with some anxiety to speeches such as that of the right hon. Member for Blackpool, South (Sir P. Blaker). The right hon. Gentleman's speech was heavy with distrust and dislike or even hatred of the Soviet Union and determination not to move an inch from the position that he has taken up. Not so long ago, the right hon. Gentleman was a Foreign Office Minister and was even a member of the negotiating team trying to reach agreement. He told us today that he expected the Soviet Union to make more than gestures towards reaching an agreement. He seemed almost to be suggesting that the Soviet Union should abandon its whole political philosophy so as to reach agreement with us. I am sure that the Soviet Union does not expect us to abandon our political philosophy, but it would do us no harm to make at least some small gesture. In international negotiations, as in anything else, if a bargain is to be struck there must be something in it for both sides. Each side must gain something from any agreement. If we are not prepared to move an inch, we are most unlikely to reach any agreement.

I congratulate the Foreign Secretary in his absence on his very interesting speech. I do not believe that he has quite the same hardened attitude that we saw in the past. He began his speech today by telling us what had been achieved since he spoke in the debate on the Queen's speech. He is to be congratulated on the agreements that he reached on Hong Kong and Gibraltar. Those agreements are extremely important to the many people living in those places and although the agreements did not please everyone—no agreement would be likely to do that—in all fairness we must congratulate the right hon. and learned Gentleman on a good job well done.

The Foreign Secretary referred to another matter of great importance to me. It is a shame that we have to try to combine a debate about disarmament and peace with a debate about foreign affairs generally. The range of the debate is vast and a number of important matters such as overseas students' fees have been mentioned. The conduct of foreign diplomats, too, has a place in parliamentary debate, but I believe that raising topics of that kind on occasions such as this detracts from their importance. In my view, disarmament should be discussed on its own because it is fundamental to everything else that we discuss in the House.

We have great difficulty in financing all that we want to do in our own country. Yet we still spend between £18 billion and £20 billion per year on defence. If we could claw back some of that, we could make some progress towards improving the social conditions of our country. Therefore, quite apart from whether we are likely to survive to see the end of the century, which is questionable in view of the way the world is going, in the meantime we are spending an unnecessarily large amount on defence.

Several hon. Members have referred to the strategic defence initiative. I believe that President Reagan first mentioned it in 1983. He said that he was planning to embark on research into the project and that the cost of the research alone would be $26 billion. Attitudes have changed a little since then, but at that time President Reagan maintained that if the research was successful it might end the threat of nuclear missiles to the whole world because he would be prepared to share the fruits of his research with the Soviet Union. I do not know how many right hon. and hon. Members remember that.

However, is it not interesting that when the Prime Minister came back from addressing Congress in the United States, where she had thrown her full weight behind the stategic defence initiative, she said at the Dispatch Box that it was necessary to go ahead with that research because the Soviet Union had been engaged on it for so long? Seven years was the time that she mentioned. Is it logical to suggest that the Soviet Union has been engaged in that research for seven years, and then for President Reagan to suggest that he would share the fruits of his research with the Soviet Union if it was successful? If the Soviet Union is ahead of us by seven years, it will certainly not be waiting around for the fruits of President Reagan's research. And of course the Soviet Union does not believe that President Reagan would share those fruits in any case. Is it sensible to believe that any country would spend $26 billion trying to get ahead in the arms race and then, at the end of it, freely, without charge and without any obligation, hand over the results of that research to the country it regards as its sworn enemy? I doubt it very much.

When the Soviet Union sees the research going on, it must carry out its own. It is reluctant to do so. Of course that is so. Every penny in the budget that is spent on defence is a penny less from what could be spent on improving the conditions for the people in the Soviet Union, in the same way as the £20 billion that we spend in this country comes from the pockets of taxpayers, and as such cannot be used to give us the things that we sadly lack at present. I need not go into them because we continually discuss all the things that are required to be done to improve conditions in our country.

If one thinks that one can go ahead with a research project valued at $26 billion and, at the end of it, call a halt if one decides not to go ahead with the project, one is mistaken. A business will be built up on the back of the expenditure, and many scientists and other workers will be involved. So much profit will be made from it and there will be so much investment by big business that the project will be carried on simply by its own momentum. All those things will carry it forward to such an extent that one will be unable to stop it when the research comes to an end. To begin and go on with the research implies that the whole project will be carried out, in my opinion.

What is the defence initiative for? If it is a defence mechanism, it is hardly foolproof. It has now been admitted that it cannot be regarded as 100 per cent. certain in its results. Even if there is only 5 per cent. uncertainty, the whole reason for having it is destroyed. If it is successful, it means that it is a shield behind which the United States can sit and dominate the rest of the world. It certainly will not share that with the Soviet Union. As my right hon. Friend the Member for Leeds, East (Mr. Healey) said, this has already been likened to going back to the days when the United States was the only possessor of the atom bomb. The Americans could hold the world to ransom at that time. If this shield is successful and they sit behind it, once more they will be able to dominate the world and try to push it around.

Let us not forget that the United States contemplated using the atom bomb even after it had used it for the first time at Hiroshima and Nagasaki. Many hon. Members will

[Mr. James Lamond]

recall that Mr. Attlee, who was Prime Minister at the time, had to fly out there to dissuade the Americans from using it.

Sir Anthony Kershaw: Will the hon. Gentleman deal with the problem that SDI, if carried out correctly, is entirely a defensive mechanism and is not aggressive? That is different from the situation that he was describing when the United States had a monopoly of aggression.

Mr. Lamond: I shall try to explain briefly. If the United States is successful in developing this 100 per cent. foolproof shield behind which it can sit, it can defend itself against everyone else, but the Americans' weapons are available to them because no one else has the shield that they enjoy. Therefore, they would have the same monopoly that they had when they alone possessed the atom bomb.

I should like to give my personal point of view about one or two matters. First, I should like to look at the facts about who is responsible, not just in the past few years, but since the end of the last war, for the arms race. I have looked at the information provided by "World Military and Social Expenditures 1981", of which, I am sure, many Conservative Members will know. It is certainly not a Soviet publication. In it one can see a history of the arms race. In 1945 the United States had the atomic bomb. In 1949 the USSR perfected its own. The Russians were four years behind in that arms race. In 1979 NATO was formed. I accept that it was a defence alliance, but it was formed fast. As a response to NATO, the Warsaw pact was formed in 1955. We should remember that. We should also recall that the Warsaw pact countries have, on several occasions, suggested that both NATO and the Warsaw pact should be dissolved and that we should go forward towards that position.

Sir Bernard Braine (Castle Point): Will the hon. Gentleman give way?

Mr. Lamond: I do not want to give way too often because there is pressure on time, but I shall give way to the right hon. Gentleman.

Sir Bernard Braine: This historical excursion is of great interest. Will the hon. Gentleman tell us whose tanks rolled against Hungary in 1956, who seized control by the same means in Czechoslovakia in 1968 and who has shot down Polish workers? Has there been any comparable invasion of the eastern Europe of the Soviet Union by NATO forces in that period?

Mr. Lamond: Again, I do not want to stray too far from what I intended saying, but I remind the right hon. Gentleman that we in this country were a little inhibited from being too critical at that time because of our own actions in Suez. Some people would believe that that was also an attempt by force to invade a neutral country. We could trade those statements for a long time, but I should like to look at historical facts.

One of my hon. Friends has just told me that I made a mistake when I gave the date for NATO. It was in 1949 that NATO was formed, and in 1955 the Warsaw pact was formed.

In 1954 the United States perfected the hydrogen bomb. A year later the USSR did so. With regard to intercontinental ballistic missiles, I must be fair, because on this occasion the Soviet Union led the way. It had them in 1957 and the United States had them in 1958. In 1966, however, the United States perfected its multiple warheads and in 1968 the Soviet Union followed suit. In 1983 the neutron bomb was perfected by the United States. The Soviet Union has not so far perfected such a bomb. Those facts lead one to believe that the arms race has been led by the West, and by the United States in particular.

I should like to ask who is serious about disarmament. My hon. Friend the Member for Tottenham (Mr. Atkinson) said that we should try to inform people about what is going on not only in peace negotiations and talks, but at the United Nations, because it is extremely difficult to obtain any information in this country about resolutions that have been passed at the United Nations, who voted for them and even what the resolutions contained. However, the United States alone voted against several resolutions that were carried at the United Nations.

On the prevention of an arms race in outer space, only the United States voted against the resolution. Great Britain, to our shame, abstained. On the prohibition of chemical and bacteriological weapons, a resolution which urged the intensification of efforts to establish a working group to negotiate a treaty, only the United States voted against it. On the resolution welcoming the report of the Palme commission, an independent commission on disarmament and security, which many hon. Members welcomed, only the United States voted against it.

Again, only the United States voted against the resolution on the prohibition of the development and manufacture of new types of weapons of mass destruction. With the exception of Greece, the NATO nations abstained. Only the United States voted against the resolution calling for a study on the naval arms race. On the call to implement the decisions of the second special session on disarmament, only the United States voted against the resolution. The NATO nations, with the exception of Greece, abstained. On bilateral nuclear arms negotiations, a resolution

"urging the USA and USSR to examine the possibility of combining into a single forum the two series of negotiations they have been carrying out and to include 'tactical' nuclear weapons",

only the United States voted against. I shall not weary the House by mentioning other United Nations resolutions, but there have been many. The actions of the United States do not reflect very well upon that country.

I do not think that many British people realise that these resolutions were opposed by the United States and that sometimes Great Britain abstained from voting. A great deal could be done to interest people in the struggle for world peace and development. It was agreed at the second special session on disarmament at the United Nations that peace studies should be encouraged in our schools. That must come as a surprise to certain Conservative Members of Parliament. They object to peace studies in our schools and do not seem to realise that we agreed to their introduction when we accepted the United Nations resolution.

The resolutions of the United Nations ought to be given greater publicity, because it is very difficult to obtain information about that body. Even the United Nations parliamentary group, of which I am a member, is a sickly organisation. Very few hon. Members bother to turn up and take part in its activities. I wonder why. There seems to be a conspiracy to try to blacken the name of the United

Nations because the West, in particular the United States, cannot get its own way there. When it was founded, the United States did not believe that in time many independent nations would become members of the United Nations and might vote against US proposals.

I believe that there should be regular statements in the House about the progress of the peace talks. Those which have just ended in Geneva were bilateral. However, this country is directly involved in the Stockholm peace talks and we shall be involved in those which are to take place in Ottawa and elsewhere. This country is also taking part in the Vienna peace talks. Surely it would be reasonable for the Foreign Secretary to tell us from time to time about the initiatives which have been taken by this country. If this country is doing all that the Foreign Secretary referred to in his speech, why should we not take credit for it? Why should we not bask in the glory of having taken such initiatives? If we were told about them, it would be encouraging. I am perfectly happy to give the Foreign Secretary credit where credit is due. I should not attack him for taking the initiative in peace talks, but I would like to hear about them.

Hon. Members may have noticed that certain United States Congressmen were present at the recent peace talks in Geneva. I believe that they were members of the team. Members of the Select Committee on Defence or the Select Committee on Foreign Affairs should attend the talks in Stockolm which are to continue for about three years and should provide the House with information upon their return. The very important peace work that is being carried on should be publicised. This House should be the vehicle through which encouragement is given to the community as a whole to take an interest in it. It must be left to Government representatives to conduct the negotiations, which ought to be greatly encouraged. Parliament is the means by which information can be channelled to the public, and I believe that those who attend the negotiations would be only too happy to let the public know what is happening. Even a little more information about the negotiations would be well worth while.

Several Hon. Members *rose*——

Mr. Deputy Speaker (Sir Paul Dean): About 20 hon. Members are still hoping to speak in the debate. Therefore, I appeal for short speeches.

7.47 pm

Mr. Andrew MacKay (Berkshire, East): The hon. Member for Oldham, Central and Royton (Mr. Lamond) has not, I am afraid, allayed the fears of my hon. Friends after the allegations made in another place by my noble Friend Lord Orr-Ewing. However, I am sure that we all agree with the kind and generous remarks of the hon. Gentleman about the Foreign Secretary's negotiations over Hong Kong and Gibraltar.

Mr. James Lamond *rose*——

Mr. MacKay: I shall give way to the hon. Gentleman.

Mr. Lamond: I am grateful to the hon. Gentleman for giving way, for I wish to refer to his opening remarks. I deliberately refrained from dealing with that matter in my speech because I did not want to take time on it. However, I have already said in the House, and I repeat it now, that all that was said about my membership of the World Peace Council is correct. It is contained in the reference books and in my declaration of interests. I am proud of it, and I would not deny it for a moment. However, I deny the allegation that the World Peace Council is financed by the Soviet Union. I have already said in the House, and I repeat, that if anybody can prove to me that money for the World Peace Council comes from the Government of the Soviet Union, or from any other Government, I shall resign immediately from it. I can say no more than that in answer to the allegations. It is impossible to prove otherwise. However, those who make allegations have a responsibility to prove, if they can, the truth of those allegations.

Mr. MacKay: It is for hon. Members to decide whom they wish to believe.

I am conscious of the fact that many hon. Members wish to take part in this immensely important debate, and the House ought to have an opportunity to deal in general rather than in specific terms with foreign affairs. It is also important for the House to have an opportunity to judge how successful the Government have been in that area.

If we are to assess the Government's record, we must look first at the aims of their foreign affairs policy. Our aims should link with those of our allies—to ensure that there is British and Western influence in the world, that British trade should be successful, that our friends throughout the world are sustained and that those friends are people of whom we can be proud.

An important aim of our policy should be long-term peace and security. As many countries as possible should join in the parliamentary democratic experience and enjoy the sort of human rights that all British citizens have.

Another aim of our policy should be that those organisations of which we are proud to be members, such as NATO, the European Community and the Commonwealth, should prosper and have influence throughout the world. Let us look at each of those briefly and individually.

Mr. Soames: I hope that my hon. Friend will be brief.

Mr. MacKay: I promise my hon. Friend that I shall be brief. I know that we are all particularly anxious to hear his contribution to the debate.

It is vital that we have a policy which is firm and fair. That was well illustrated in our policy on the Falkland Islands and in gaining a settlement in Hong Kong and Gibraltar. It is recognisable that throughout the ages the bully or the aggressor will not attack if it can be seen that we are prepared to defend ourselves. That was true in the 1930s and it was true of General Galtieri only two or three years ago. That is why our policy has been successful in standing up to Soviet aggression and why, since Afghanistan, Soviet expansion has been restrained throughout the world.

We were told that there would be a domino effect in south-east Asia after the fall of Vietnam and Cambodia, but that has just not happened. Thailand, Malaysia and Indonesia are strong, vibrant and economically successful. In Africa, important strategic countries, such as Egypt, Somalia and the Sudan, are no longer under Soviet influence. Further south in that continent there are considerable changes in Mozambique and Angola.

Only 10 years ago the phrase "the soft underbelly of Europe" was used extensively. There were fears for Italy and real fears for Portugal, Spain and Greece. All those fears, due to strong Western policy, have been ill founded.

[Mr. MacKay]

As has been mentioned earlier during the debate, there is also movement within the Eastern bloc. That is why my right hon. and learned Friend the Foreign Secretary's recent visit behind the iron curtain to eastern Europe has been so widely welcomed on both sides of the House. I entirely endorse what my right hon. Friend the Member for Blackpool, South (Sir P. Blaker) said earlier. That will lead to a real possibility of progress at the peace talks.

We are now living in an atmosphere of reality. Like other hon. Members, I welcome the accession of Mr. Gorbachev. We should not be starry-eyed about his leadership, but it has two great assets. One is that there is a fair chance, if his health holds up, that we shall have the same Soviet leader for a decade or more, which has not been the case for the past 15 years in the Soviet Union. Secondly, we have a man of a generation which at least understands how the West works. Therefore, under his leadership, mistakes will not be made within the Kremlin in the foreseeable future.

The second aspect of our policy is the backing of good friends and the influencing of our allies. It is fair occasionally to be critical of our American allies. In the past they have often backed regimes which have been unsavoury, to say the least. If a regime has been anti-Communist, that has been sufficient reason for them to support and sustain it. I am sure that the Americans would not be having their difficulties in Nicaragua now with the Sandinista regime if they had not backed General Somoza for so long. That was a major mistake.

It is immensely encouraging that in central America now the Americans, together with their allies, are backing democracies and ensuring that parliamentary elections take place. It was particularly encouraging that in Belize, which was our particular responsibility, there was a peaceful and successful election a little earlier this year.

Developments in Honduras and Guatemala are mildly encouraging and in El Salvador they are immensely encouraging. That is why I took issue earlier with the right hon. Member for Leeds, East (Mr. Healey) who, after my intervention, rightly acknowledged his support for President Duarte and the fact that two elections have now taken place in that unfortunate country which have led to President Duarte's party, a moderate centrist party, being elected.

If we wish to sustain and encourage moderate democratically elected leaders in central America, we must give them the aid that they request. If the Government of El Salvador request military assistance, such as the training of some of their troops, that should be forthcoming. President Duarte has a major internal terrorist problem, from both extreme Left-wing guerrillas and Right-wing despots. It is only by having a well-trained, incorruptible army, which we can organise, that he will have a fair chance of survival. El Salvador and the Contadora initiatives are the two most pivotal aspects of long-term peace in central America. When the hon. Member for Swansea, East (Mr. Anderson) sums up for the Opposition, I hope that he will have second thoughts about what the right hon. Member for Leeds, East said earlier. That is not something that the Opposition should sustain.

Elsewhere in the American continent we have also seen a return to democracy. Rightly, my right hon. and learned Friend the Foreign Secretary referred to the tragic and untimely death of President Neves. We all hope that Brazil will continue along the democratic path. The signs are good. Anybody can return briefly to parliamentary democracy, but it is only when a Government are defeated and a new Government of a slightly different political persuasion come in that one realises that parliamentary democracy is taking root. I am referring to Peru. It is in that continent's interest that Argentina has returned to democracy. It is encouraging that its democratically elected Government are bringing to trial those previous leaders in military juntas who allegedly committed most serious crimes against humanity and the people of that country.

In the longer term, I believe that it will lead to a settlement of the Falklands dispute and, because it goes hand in hand, the resumption of diplomatic relations between Britain and Argentina. I appreciate that that will take time and that the wounds of the Falklands war will have to heal. We should not push the democratically elected Government in Argentina too quickly, but in that centrist, democratically elected Government there lies a real chance for a better relationship in the longer term, and we should wish them well.

Mr. Soames: Has my hon. Friend concluded his remarks?

Mr. MacKay: If I seemed to pause somewhat overlong, it was because, in deference, among others, to my hon. Friend the Member for Crawley (Mr. Soames), I was dispensing with several pages of my notes, so enabling other hon. Members to take part in the debate.

We should consider the way in which we have sustained democracy in southern Europe—a matter that is vital to our long-term interests. The inclusion of Portugal, Spain and Greece in the European Community should be welcome. A few years ago there was the possibility of a return to military rule in those countries or of extreme Left-wing Governments taking over. That is no longer the case, largely because of their inclusion in NATO and the EC.

The portents for elections this summer in Greece are not good. What Prime Minister Papandreou has done so far this year is not encouraging. One must wonder what would happen in the European Community—I appreciate that this is hypothetical — should democratic elections not take place in a member state. We must watch carefully what happens in Greece in the next few months.

It is important for the House to have regular debates of this kind. We have an important and influential role to play in the world as an individual nation, as a member of the EC, as a member of NATO and because of our position in the Commonwealth. We also have a Prime Minister who is widely respected on the world stage. Trips such as her recent visit to south-east Asia should be encouraged, not discouraged, because they act not only in the interests of British trade and influence but in the interests of world peace. We should be heard more in the councils of the world. I hope that the Prime Minister will make many more such highly successful visits.

I caution Opposition Members who attempt to rubbish trips of that sort. My experience in my constituency, during the county council election campaigns and on other occasions, has been that their efforts in that respect have been counter-productive electorally. The Government's record on foreign affairs is extremely good. Their policy has been sustained, and we wish them well in the future.

8.5 pm

Mr. Robert Hughes (Aberdeen, North): While I welcome this opportunity to take part in the debate, I must express slight disquiet, as have other hon. Members, about it being such a general debate when many specific issues should concentrate our minds.

I shall concentrate on the issues of Namibia and South Africa. The House will not be surprised when I say that I was disappointed by the Foreign Secretary's speech. I concede that it was an improvement on his previous speech; on this occasion he uttered two sentences about Namibia, whereas last time he uttered only one. Beyond that, he told us nothing new.

The issue of Namibia is important because it is an international matter. It has concerned people throughout the world since the League of Nations awarded the mandate for South-West Africa to South Africa in 1922. The territory has come to be known as Namibia.

It is worth spending a while considering the definition of the purposes of the mandate system. In 1917-18 there was a great deal of discussion about the possibility of the League of Nations awarding mandates. Credit for the definition of the purposes of the mandate system is generally attributed to General Smuts, who wrote in 1918 in his book, "League of Nations: A Practical System":

"The mandatory state should look upon its position as a great trust and honour, not as an office of profit or as a position of private advantage for it or its nationals."

He went on to write that the basis of the mandate system lay in the fact that

"the well-being and development of primitive peoples form a sacred trust of civilisation."

I accept that General Smuts was referring, in particular, to the Austria-Hungarian, Russian and Turkish empires and that Smuts never considered Germany's African colonies as being suitable for self-government. Nevertheless, the principle of

"a sacred trust for civilisation"

was admirable.

Notwithstanding General Smuts's derogatory attitude and feelings towards Africans, the League of Nations nevertheless awarded the mandate to South Africa, and it is worth considering briefly the South African Government's record in discharging that sacred trust of the mandate for Namibia.

The facts are that 60 per cent. of the land, including the main diamond and mineral bearing areas, is reserved for the white population, who form only 7 per cent. of the population; 40 per cent. of the land is designated for blacks, who form 93 per cent. of the population. The per capita income for whites is double that of blacks, and well over half of all black workers are migrant labourers, often working hundreds of miles away from home. In other words, the sacred trust has been a sacred trust of exploitation.

When we discuss Namibia — we have, of course, been over this many times before—certain matters must be borne in mind. The House will recall that in 1978, South Africa sabotaged the immediate implementation of Security Council resolution 435 by organising its own "internal elections" in the autumn of that year. That so-called interim, or transitional, Government in Namibia collapsed.

Since the Conservatives came to office, they have expressed optimism that resolution 435 would be implemented. In 1980, the present Minister of State, Foreign and Commonwealth Office, then the Parliamentary Under-Secretary, anticipated the prospect of Namibian independence in 1981. However, in January 1981 the United Nations pre-implementation meeting in Geneva broke down. The right hon. Member for Chesham and Amersham (Sir I. Gilmour), then the Lord Privy Seal, told the House:

"There is no question but that the failure of the conference in Geneva a few months ago was the fault of the South African Government, who decided at that stage that they did not want an agreement."—[*Official Report*, 7 May 1981; Vol. 4, c. 284.]

However, the Government and the so-called Contact Group of five persisted in trying to reach agreement with South Africa. In the autumn of 1981, officials of the Contact Group visited Africa and on 10 December 1981, in a joint communiqué, the Foreign Ministers of the Contact Group expressed the hope that the

"agreement of all concerned can be reached on the earliest possible date, thus opening the way for the implementation of S.C.R. 435 in 1982".

It is now 1985, and agreement is as far away as ever. We now understand that progress has been impeded by the South African and American insistence that the issue of Cuban troops in Angola must be linked with the independence of Namibia.

On 6 September 1982, the hon. Member for Woking (Mr. Onslow), then the Minister of State, Foreign and Commonwealth Office, wrote to the secretary of the Anti-Apartheid Movement saying:

"The Five are doing all they can to hasten implementation of Security Council Resolution 435 and have made encouraging progress in recent discussions in New York. Certain aspects still have to be finalised, but all those involved in the talks have shown themselves ready to move as quickly as possible to implementation."

Time has passed, and we still make no progress. I have told the Government many times that South Africa has no intention whatsoever of implementing the Security Council resolution. Their past and present prevarication is clear proof. Last week the South African Government said that they intended to impose a transitional Government based on the so-called multi-party conference proposals. That is clearly in defiance of the United Nations, and a massive snub to the Contact Group of five of which our Government are a member.

I understand that Mr. Shultz of the United States warned South Africa not to proceed with that plan. No attention has been paid to that warning.

What do the Government intend to do? At best, the idea of a transitional Government will delay Namibian independence. South Africa will say that the transitional Government need time to establish themselves. Later, they will say, as they attempted to do in 1981, that South Africa is no longer the negotiator and that the negotiations will have to be conducted with the transitional Government. That will mean that no negotiations can proceed.

Precisely what is the Government's attitude to the idea of a multi-party Government for Namibia? Will the Minister say unequivocally that our Government will have no truck with it? That must be made clear, because it appears that the Federal Republic of Germany takes a different view. I shall quote from a broadcast by the Johannesburg radio home service on 17 April:

"Our Africa desk reports that the Chairman of the Foreign Affairs Committee of the FRG parliament, Dr. Werner Marx, says the FRG Government supports an interim government in South West Africa. The committee, together with the FRG Department of Foreign Affairs, determines the country's foreign policy . . . In an interview with the South West Africa

[Mr. Robert Hughes]

information office in Bonn, Dr. Marx said the FRG supported an interim government in the territory, as long as it did not make a unilateral declaration of independence and did not lay claim to international recognition. Such a government could bring great advantages to the territory and there was no reason why the FRG should not support it."

Whatever may be said about the transitional Government not being a substitute for resolution 435, experience tells us that the Government always say that they have to deal with realities. Technically, the British Government's position on the linkage of the question of Cuban troops with Namibian independence is that it is not a formal precondition and not part of resolution 435, but that it is a reality that cannot be discounted and must be part of the negotiations.

It is clear that honeyed words from the Government simply encourage South Africa in its intransigence. As a matter of urgency, the United Nations Security Council should be convened to discuss the issue of Namibia, and should under chapter 7 of the United Nations charter impose mandatory economic sanctions. Otherwise, there will be yet further delay. Governments who fail to act will carry a heavy responsibility for the loss of life in Namibia, the continued repression, the detention without trial and the torture carried out by South African police and troops.

As soon as sanctions are mentioned, Conservative Members will say, first, that sanctions hurt the blacks much more than the whites and, secondly, that the majority of blacks are opposed to sanctions. The Minister of State said that during a recent foreign affairs Question Time. The South African Government often use that line of attack. I find it incongruous that the South African Government will pray in aid the fact that the majority of blacks are in favour of investment in white-owned industry, but will not discuss with them the democratic running of South Africa.

Mr. John Carlisle: It is not South African figures that show that blacks are opposed to disinvestment. The figures are taken from the most recent opinion poll, carried out by the MORI organisation. According to that poll, 75 per cent. of blacks questioned opposed disinvestment.

The Schlemmer report, too, had nothing to do with the South African Government. It was completely independent, and came to the same conclusion. The hon. Gentleman cannot lay that at the door of the South African Government.

Mr. Hughes: The first part of that intervention reinforces my point. The South African Government are prepared to use public opinion polls to determine black attitudes but they are not prepared to negotiate with the blacks about democratic rights in their own country.

I am glad that the hon. Gentleman drew my attention to the Schlemmer report.

Mr. Richard Caborn (Sheffield, Central): Is my hon. Friend aware of the report in *The Guardian* this morning, to the effect that Mr. Richard Lugar, the Republican chairman of the Senate Foreign Affairs Committee, has parted company with President Reagan and has introduced a Bill on sanctions that will probably be passed, because it has all-party support? Are not the British Government now in splendid isolation on the issue of sanctions?

Mr. Hughes: I shall take up that point later.

I concede—I have never denied it—that there are black people in South Africa who oppose sanctions. However, it is likely that many more people would advocate sanctions and disinvestment if to do so was not probably an offence under section 54 of the Internal Security Act 1982 to make such statements.

As the hon. Member for Luton, North (Mr. Carlisle) said, a study has been published entitled "Black Worker Attitudes—Political options, Capitalism and Investment in South Africa". It is by Lawrence Schlemmer of the Centre for Applied Social Sciences at the University of Natal, Durban, and was funded by the United States Department of State. The survey was conducted among black workers

"in the sector in which most multi-national companies operate — the manufacturing sector — the sample was restricted to black male production workers".

A total of 551 interviews was conducted. There are some 15 million Africans in the country.

Mr. John Carlisle *rose*——

Mr. Hughes: The hon. Gentleman need not deny it. It is all in the report. Does the hon. Gentleman wish to deny that the number was 551?

Mr. John Carlisle *rose*——

Mr. Hughes: If the hon. Gentleman is denying that 551 black workers were surveyed, I shall gladly give way to him because I have the figures here. The sample can hardly be regarded as representative. I do not doubt the integrity of the study or its methodology, but it is a quantum leap to deduce that 551 workers represent the majority of black opinion.

There are many parts of the Schlemmer study on which people are silent. For example, 56 per cent. of those surveyed said that they supported armed confrontation by blacks to achieve Namibian independence. When asked

"If the African National Congress were to come in secretly asking people to help it, which of the following would happen in your area? Most people would help it. Not most but a large number would help it. Only a few would help it."

no fewer than 42 per cent. said that most would help the African National Congress. We do not hear anything about that.

The Minister of State, Foreign and Commonwealth Office (Mr. Malcolm Rifkind): If the hon. Gentleman is saying that the majority of those in the survey showed enthusiasm for armed revolution and support of the ANC, does that not suggest that his other argument—that it might be unlawful in South Africa to advocate economic sanctions—is unlikely to have had any effect on those who were asked their opinions?

Mr. Hughes: Precisely the opposite conclusion can be drawn. If there were no restriction on what people could say, they would speak much more openly. Some of the attitudes revealed by the Schlemmer study must be a warning to the South African Government, which lay great store by the survey. I could quote the survey almost for ever because it reveals interesting attitudes, but I shall not.

If such a survey were carried out now and used precisely the same methods, I believe that it would reveal a great change because recent events at Uitenhage have shocked and horrified the world. The mass arrests, detentions and denunciation of the United Democratic Front leadership demonstrate that the South African Government cannot tolerate any freedom of discussion or any democratic organisation which opposes their views.

Any internal call for the ending of apartheid is regarded as treason, and attempts are made to crush them by every legal means and every means of brutal repression. It is said that there have been reforms which should be welcomed, but they are intended not to end apartheid but to buttress and entrench it. The tricameral Parliament is a cruel and callous charade because there is no real change and white Members of Parliament outnumber Asian and coloured ones. The South African Government's defence of that is perfectly simple and logical. They say that there are more white Members of Parliament than Asian and coloured ones because their numbers represent the ratio of such groups in the country. That argument merely reinforces the idiocy of there being no black African parliamentary representation. Logic compels one to the conclusion that there should be a majority of black Members in the South African Parliament. The South African Government cannot have it all ways.

We have recently heard the promise to repeal the Mixed Marriages Act. I accept that that will help individuals. If people are allowed to marry across the colour lines, much hardship and heartrending will be avoided. However, it hardly dents the apartheid system. Indeed, the ending of that Act creates as many problems as it cures. For example, where will the partners of a mixed marriage live? They are still restricted by the Group Areas Act. How will their children be classified as to race? One South African commentator has said:

"there will be no upward mobility".

A white man who marries a black woman will be downgraded and any children will not be classed as their father.

I do not subscribe to the view that there is a comprehensive change in attitude or climate for the democratic process in South Africa. I fear for its future, as the prospects for peaceful change are receding. Recent events show that, 25 years after Sharpeville, the South Africans have learnt nothing. They still intend to maintain their domination of the non-white population by brute force of arms. They cannot succeed in the long run. They must realise that, but, in the long run, they will cause tremendous bloodshed and chaos.

The Foreign Secretary said that the Government cannot support policies which cause violence and chaos. I tell him more in anger than in sorrow that that is exactly what he is doing. The Africans in South Africa have shown a restraint and constraint which is altogether quite exceptional. There has been no retaliation against the white population for Sharpeville, Soweto or Uitenhage. How long that can continue is anybody's guess. Whites have a lot to thank the African National Congress of South Africa for, with its policy of non-racialism.

If there is to be dialogue on the future of South Africa, the Government will have to shift. The most significant move would be the unconditional release of Nelson Mandela, Govan M'Beki, Walter Sisulu and all African National Congress and Pan African Congress political prisoners and the legalisation of ANC and PAC. Such a move would reduce tension dramatically and generate optimism for the future.

It is regrettable that experience shows that the South African Government are incapable of changing the character of apartheid or of learning from past tragedies. Regrettably, it appears that the British Government are incapable of doing anything to assist change. The South African Government will not change unless they are compelled to. It requires sanctions to convince them of our seriousness in favour of ending apartheid.

If we do not act soon, we shall perpetuate South African repression and share responsibility for the consequences. If the Government are serious in their condemnation of the evil of apartheid, they must act now, before it is too late.

8.27 pm

Sir Bernard Braine (Castle Point): I hope that the hon. Member for Aberdeen, North (Mr. Hughes) will forgive me if I do not follow his interesting speech on Namibia. I was delighted to hear his tribute to Jan Smuts, who was a great South African and a statesman of world stature who, it will be recalled, was the author of the concept of a commonwealth of nations. It is tragic that no man of his stature has emerged in South Africa since his death.

I join those who have paid tribute to my right hon. and learned Friend the Foreign Secretary, especially on visiting so many iron curtain countries recently and yet managing somehow to convey the concern of the West at the continued violation of human rights characteristic of all of them.

I do not know whether any other hon. Member has done so, but I should like to take this opportunity to pay tribute also to my hon. Friend the Minister of State, who paved the way for my right hon. and learned Friend. His conduct and bearing in Poland not only moved the civilised world, but earned him the lasting admiration and gratitude of the extensive Polish community in this country.

It was right for my right hon. and learned Friend the Foreign Secretary to visit Poland and Czechoslovakia, and equally right for him to talk to Church leaders there and to identify our people with the murdered priest Father Popieluszko, the manner of whose death symbolised all that is so cruel and repellent in Communist countries. My right hon. and learned Friend came to two conclusions: first, that it is possible to conduct wide-ranging discussions with the Soviet Union and eastern and central European countries; and, secondly, that we should make plain in such discussions the inadequacy of their human rights performance.

We should not be under any illusions. What matters is not discussions, but performance—not words but deeds. I wonder whether my right hon. and learned Friend, after his experience, does not have reservations in his heart. Does he believe that a genuine and lasting detente with the Soviet Union is possible, and that there is a real possibility of our ending the arms race?

I ask that question because it is not arms that make for war, but the tensions and rivalries, the hatreds and misunderstandings that trigger off problems and disrupt relations between states and within states.

To mark the 40th anniversary of the Yalta protocols in 1945, I put down an early-day motion at the beginning of the year, which attracted an almost unprecedented number of signatures drawn from all parties. There were 246 in all. The early-day motion noted that the Soviet Union unilaterally broke both the letter and the spirit of the Yalta protocols within months of their being concluded. It went on to say that the House

"deplores the resultant widespread and systematic abuse of human rights which still continues to this day; supports peaceful endeavours by the peoples concerned to regain their rights; and urges Her Majesty's Government . . . to declare its refusal to

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accept the division of Europe into spheres of influence and to reaffirm the right of the peoples of Central and Eastern Europe to genuine self-determination."

Why was it necessary to put down such a motion? Why did so many Members feel that they had to sign it? The answer is that for the peoples of eastern and central Europe —some of us remember the sacrifices of the Poles and Czechs during the war in defence of these islands—and for their displaced emigré survivors, time has stood still since 1945, while the rest of the world has moved on. In the period when self-determination was the order of the day, when General Smuts's vision of a commonwealth of nations was developing before our eyes, when western colonial empires were being dismantled, the Soviet grip on an area hitherto composed of independent states, save for temporary Nazi occupation, was tightening and consolidating.

My right hon. and learned Friend spoke of 40 years of peace, and I then became a little sceptial. Who paid the price for that peace? Who stood in the way of the Soviet tanks that roared into Hungary, and of those who slaughtered Hungarian patriots and hanged their leaders in 1956? Who was it who moved the newly formed Warsaw pact forces into Czechoslovakia to destroy the smiling face of Socialism in 1968? Who shot down Polish workers, ending the first ray of light out of eastern Europe—the Solidarity trade union? Who was responsible for all that?

A decade ago, gradualist hopes were invested in Poland. Today, the Hungarian experiment engages our attention. Sadly, experience shows that, at the end of every tunnel of hope in central and eastern Europe, there stands a Communist thug in police uniform or a Soviet tank to shatter the dream. For the West to view Yalta as no more than an unfortunate historical event, as some have pretended it is, is to fail to understand the underlying cause of East-West tensions. Yalta left an ambivalent legacy that wrong-footed the search for peace and security from the outset and it continued to obstruct all attempts to ensure East-West co-existence and to promote orderly and reassuring change.

World leaders as widely different ideologically as President Mitterrand in France and President Reagan in the United States have denounced Yalta. According to the USSR, however, Yalta legitimised its hegemony in eastern Europe, and Western denials merely add to existing tensions. Confusion surrounding this issue surely makes reassessment desirable.

Stability in eastern and central Europe is desirable. It is essential to the Soviet Union—we are the first to recognise that—but it is also essential to us and to world peace. It is self-deceptive to assume that the people concerned—the Poles, Czechs and Hungarians—will remain sullenly submissive at all times if the West does nothing but encourage false hopes. The Solidarity trade union and the continuing underground opposition in Poland are living proof that dissent does not need Western prompting. Although the lessons of Hungary in 1956 have been thoroughly digested by people east of the Elbe, the Soviets can never hope to placate and satisfy their hostages under existing rules and conditions. Yet the system over which they preside makes it almost certain that opposition movements—some small, some dangerously large—will emerge.

A few days before his murder, Father Popieluszko gave an interview to the journalist Mary Craig. He affirmed:

"I'd be happier meeting death in a worthwhile cause than sitting back and letting injustice go unchallenged."

Others may feel the same. His was only a more eloquent expression of the view that is gaining ground rather than weakening in eastern and central Europe. It is surely irrational and unjust to expect heroic people of this kind to pick up the bill because the West finds it convenient to do and say nothing. It is shortsighted, too, since, the region may exert an increasingly destabilising effect on world peace. Clearly, there has to be a new approach.

Does my hon. Friend the Secretary of State envisage a further period of no war, of phoney peace, so that our children and grandchildren in the early decades of the next century will still be faced with Warsaw pact forces on one side, standing over prostrate bodies of once independent nations, and NATO forces on the other? Will this uneasy, unsettled situtation go on and on? Of course not. The bubble must burst. Western leaders could begin by ending the hypocrisy that has been practised for more than 40 years by formally denouncing Yalta. Such a declaration should make it clear that the minutes of the meetings of the Big Three did not constitute a treaty or an international agreement, because the intention that the document should create legal relationships was absent.

I have no illusions about this. It is ludicrous to admit that the Soviet security interest in dominating half of Europe reinforces Soviet fears of the West's aggresive intent. There has never been such an intent. NATO is a defensive alliance. The peoples of the West long for peace and justice. We may differ here in our approach to the subject, especially nuclear arms, but there is no man or woman in this country who does not want a peaceful understanding with the peoples of the Soviet Union and eastern and central Europe. No one here wants collision and conflict.

Why not accompany a repudiation of Yalta with a reaffirmation of commitment to the Helsinki final act, which guarantees existing frontiers in eastern and central Europe? Why not proclaim an unwavering conciliatory programme of economic and social contacts designed to promote understanding and common interests? Such a trumpet call would not bring the walls of Jericho tumbling down, but the cruel mould of Yalta would be broken and the way opened, as never before, to intensive rethinking about the future of all Europe.

In the modern world, foreign policy cannot and must not be divorced from human rights. I agree with the hon. Member for Inverness, Nairn and Lochaber (Mr. Johnston). We have moved on from the days in the middle of the last century when Lord Palmerston said:

"Our guiding rule is to promote and advance, as far as we can, the interests of the country to which we have the good fortune to belong and which we have the honour to serve. We have no lasting union with this or that country—no identification of policy with another. We have no natural enemies, no perpetual friends."

That was as good a definition of foreign policy as anyone could have found in the heyday of British imperial power when the Royal Navy guarded all the seas. But such a definition is totally inadequate in today's world. With the advance of communications technology, the globe has begun to shrink and to shrink fast. As a result, there are no more remote places. No part of the world is now safe from the missiles of a determined enemy or can hide itself from the all-seeing eyes of vehicles in space. Whether we

like it or not, the condition of independence is, paradoxically, that we accept a growing measure of interdependence. We are no longer free to do what we will and to ignore the consequences. We are discovering that our industrial effluents can poison our neighbour's water; his atmospheric pollution can lead to acid rain destroying our forests. Our joint survival requires recognition of our duty to one another and the acceptance of sensible rules.

As an outward expression of this growing interdependence, we have created supranational organisations and rules of conduct. To resolve disputes, we have the United Nations. This imperfect organisation and these arrangements have not always worked very well, but if we did not have them, we would have to invent them. As the world shrinks, so we become increasingly conscious of what is happening beyond our shores. People in Britain and north America are shocked to find that the basic freedoms that we enjoy in the West are denied to a large part of humankind. One has the impression that more people are imprisoned without trial, deprived of civil rights, tortured and murdered than ever before. We are confronted by a monstrous evil in every continent, a kind of corruption, a sort of pollution, which, if unchecked, can undermine our societies.

Double standards abound. It is not too much to say that they infect us here. I am not arguing that a crusade for human rights is a substitute for the patient diplomacy to which my right hon. and learned Friend has given his name, with increasing success. The Hong Kong agreement is one of the great diplomatic achievements of the century. The agreement opens the way to understanding and co-operation with China — the only state that has the capacity to alter the strategic balance. I predict that China will alter that balance, if not this century then in the early years of the next. The Hong Kong settlement is a greater achievement than people in this country or even, perhaps, people in China have begun to realise.

There may, therefore, be areas where the easing of tension between East and West can be secured by means of patient diplomacy. That is surely the hope of my right hon. and learned Friend. But it is imperative that Western Governments cease to practise double standards, fooling themselves that detente, as we have known it, is an acceptable policy, when the only result of the Helsinki agreement inside the Soviet bloc so far is that most of its citizens who bravely sought to monitor compliance have been imprisoned, sent to psychiatric hospitals or silenced in some other way.

Those of us who have the good fortune to live in democracies must insist that our Government do not delude themselves into believing that they can achieve a genuine and lasting peace by ignoring the continued violations of human rights or by denying whole peoples the right to self-determination. Our own Government should measure every proposal for co-operation with the Soviet Union or its satellites by what it will yield in positive gains, especially in human freedom. For every "quid", there must be a tangible "quo".

Several Hon. Members *rose*——

Mr. Deputy Speaker (Mr. Ernest Armstrong): Order. The debate has been going on for four hours and only 11 hon. Members have been able to contribute. I know that some hon. Members have been present for the whole of the debate. I appeal once more for brevity.

8.48 pm

Mr. Martin J. O'Neill (Clackmannan): I do not intend to stray into a consideration of many parts of the world; I wish to refer to one particular subject—the strategic defence initiative. I shall not be present for the reply by the Minister of State, for the good reason that I hope to be on the 11.20 sleeper to Edinburgh. I am sure that the hon. Gentleman would like to be on that train as well. I have not been able to change my constituency arrangements tomorrow morning.

I should like to discuss the dangers in the strategic defence initiative, of which the Government are aware and about which I hope they are prepared to talk more frankly. With a degree of courage that we have not come to expect in recent years from Conservative Foreign Secretaries, there has been a willingness to disagree in public with the American Administration on major issues. I hope that the Government will take future opportunities to prevent our ally from going down what we consider to be a dangerous road.

I recognise that this evening's remarks by the Foreign Secretary were primarily about research. There are three stages in the development of the strategic defence initiative. The first is research, then development and then deployment of whatever comes out at the end of the process.

In some respects, the only matter on which we can be specific at the moment is research. My understanding is that there is only limited scope for European participation in that research. The conditions which the American Government have put down on matters relating to technology transfer would greatly inhibit any major European participation in SDI, even if we wanted it.

Secondly, it is clear that there are dangerous problems for any programme of research which goes both ways across the Atlantic and which I imagine would result in a further exacerbation of what has come to be known as the "brain drain". I cannot see the best of British researchers being kept in Britain in the present climate.

The dangers for the further distortion of our research work in universities and institutions generally is great, because it is now widely accepted that with the limited resources available for research we probably put too much into defence and armaments-related research.

The experience of Japan has been quoted; we may dispute it, but to some extent research for non-defence purposes flourishes in Japan.

I should not be happy for us to commit ourselves to a programme such as star wars, which would invevitably mean fewer resources going to other much-needed research. There would be an even further and greater distortion of the technology available to our manufacturing industry.

I draw attention to the fact that the high technology companies in America are the main backers of the star wars programme. Those companies are more likely to benefit areas of the United States than western Europe.

Other aspects of research, apart from those internal ones, are of even greater significance. Not least are the consequences for the ABM treaty. The 1972 treaty was explicit in seeking to make clear the areas where research would not be regarded as helpful.

It is possible—I only say "possible" because as yet we are sailing in uncharted seas—that we could create conditions in which there would be massive breaches and

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examples of non-compliance with the treaty. The United States has made great play of the fact that one of the trigger mechanisms for its right to participate in that SDI are the steps being taken by the Soviet Union.

Much has been made by the United States of the radar installation at Krasnoyarsk. It is said that it was first noted by the Americans in 1983, after the President's strategic defence initiative speech. The installation has not been completed and the Soviet Union's line on that — one must be honest enough to say that it needs to be taken with a fair degree of salt — is that it is only a satellite tracking station. I am not sure, and I do not think any of us are.

The present arms race includes technological leapfrogging. It is possible that Krasnoyarsk will be a station capable of affording the Russians the opportunity to participate in some massive breach of the ABM treaty. At the same time, Ambassador Dobrynin has made it clear that once that installation has been completed it will be possible for American observers to visit and examine it.

I realise that such offers can often be meaningless, but nevertheless the offer has been made. A Conservative Member who is no longer in the Chamber said that there is a great deal of information about Krasnoyarsk and asked why it should not be made available to the House. As I understand it, the document on Soviet military power to which he was referring has an illustration of what the establishment will probably look like once it has been finished.

When I took that up with American officials, they told me that the American security community was so worried about letting the Soviet Union know how much it knew that it was not prepared to let the American people know how much it knew.

I become suspicious when such information is one of the main pillars and foundations of the Americans' argument in favour of proceeding with star wars developments. I am not fully convinced that that is an argument that will justify it. If the Americans proceed with star wars, it could lead to breaches of the ABM treaty which legitimately could be taken before the standing consultative committee. In recent years, the Americans have made a great issue of breaches of the treaty, but under the Reagan presidency they have made nothing like the use of the standing consultative committee which was established to examine such issues. We have not had the useful dialogue between the Soviet Union and the United States which took place in the 1970s and which ironed out many problems.

Lack of United Kingdom enthusiasm for the star wars proposal is, to an extent, based upon the switch from mutually assured destruction to mutually agreed survival. It could result in the United States becoming invulnerable to Soviet threats, or so we are led to believe. It could enable the Americans to attack the Soviet Union if they so wished. I am not suggesting that the Americans will want to do that, but it is a perception and construction at which the Soviet Union could arrive. It could mean that, even in the event of deterrence failing, there being a nuclear war and the SDI operating to the full extent, it is likely that there would be some penetration of the shield which star wars would afford and considerable destruction in the United States and elsewhere.

The Soviet reaction to this kind of argument will, I believe, be negative; it will further alienate the Soviet Union from arms control. The road to Geneva has been hard enough for both sides already, and I do not think that the massive commitment of the United States to star wars at this stage, if only on a propaganda basis, is going to help the Geneva talks in these brittle and fragile early stages. Rather than encourage the Soviet Union to participate in arms control, this will give it a green light for saturation deployment of intercontinental missiles.

If the star wars proposals were put into effect they would certainly cause problems for Europe, because the purpose of star wars as discussed at present is primarily to deal with long-range nuclear weapons and there would be no meaningful cover against the kind of intermediate weapons which the Soviet Union would direct against the countries of Europe. If that were the case, there would be a reaction in Europe against the Alliance and a very severe strain would be put on it.

We also have to recognise that in many respects any United Kingdom or French deterrent would be meaningless.

Mr. Tony Lloyd (Stretford): In pursuing this particular line of argument in which my hon. Friend discusses the idea that western Europe would not be in a position to take advantage of a star wars scheme, can he also see the parallel for the Soviet Union? The Soviet Union may well be able to create its own star wars programme in defence of ICBMs from the United States, but not be able to create the same kind of defensive shield for missiles based in western Europe or, indeed, on the coasts.

Mr. O'Neill: I think that my hon. Friend is correct; a number of options can be explored in this context, but all of them have the effect of confusing the arms control talks that we have available to us at the moment. There could be a setback to any hopeful signs which exist at the present moment — things that will not bear fruit by Christmas, but will take many years. As long as a constructive dialogue is taking place, there are hopes that the worst aspects of individualist action or initiative will be avoided.

It is likely that at the moment we in Europe do not have the technology or the resources to commit ourselves to creating an effective anti-nuclear defence system such as is suggested by star wars. Even if we had such resources, there is no guarantee that we should be able at the end of the day to establish it.

There has been a fair amount of discussion tonight on star wars, and the measure of controversy which the Foreign Secretary's remarks have raised in this debate and in previous speeches that he has made warrants a longer debate on the subject. We could go into the various ways in which the strategic defence initiative could be frustrated, at relatively low cost. We know that the deployment of an anti-ballistic missile system as envisaged would be a destabilising influence and would start the arms race again. Any arguments about stability from the Americans must be taken in the context that stability will not be secure with unilateral development and deployment. If the Americans cannot get the Russians to participate with them — there is no question of that happening; I think it is fair to assume that — it will gravely jeopardise stability.

Furthermore, if the United States insists on pursuing this, it will put a considerable strain on our Alliance.

Dependence on technology for its own sake is very dangerous, because then we see automatic systems being created and all the problems which that can lead to. Then we are more likely to have nuclear war by accident than peace by design.

The Foreign Secretary has gone a considerable way for a Conservative Minister in dissociating and distancing himself from this scheme, but he must go further. His private fears and misgivings have to be made public. We have to have a debate within the Alliance, because I know that none of the Socialist parties within NATO is enthusiastic about this. None of them, if returned to power at subsequent elections, would agree to participate in this or be prepared to acquiesce in it. We know that in Germany the Christian Democrat party—which in many respects is even more slavishly pro-American than the British Government — has expressed considerable misgivings.

We must have a debate within Europe so that the 60-day period does not pass and somehow virtual silence is not taken as assent. The American President's full weight and authority has been placed behind a scheme which at its best is ill thought out and at its worst extremely dangerous. I urge the Foreign Secretary to work with his colleagues in Europe and within NATO to ensure that the Americans are made to understand fully how out of step they are with the remainder of the Alliance.

9.6 pm

Mr. George Walden (Buckingham): I listened to the hon. Member for Clackmannan (Mr. O'Neill) with interest. He spoke mainly about technology. I hope that he will not mind if I stick to earth-creeping politics, taking my cue from my right hon. Friend the Member for Castle Point (Sir B. Braine).

We have had some progress in East-West relations, but we should remember that new progress often brings new pitfalls. The West has had some difficulty in staying in line during the past few years, and I anticipate rather more difficulty when we try to move forward in some sort of decent formation.

We should begin by looking back over the past couple of years. In doing so, we shall be struck by the quite extraordinary tension that has existed and we should ask ourselves whether that was really inevitable. There was bound to be some tension as the West, quite rightly, responded to the Soviet increase in SS20s. However, that tension could have been better controlled with better results in domestic politics.

The most striking aspect of all has been the volatility of Western assessment of the Soviet Union, and it is about that simple point that I wish to speak tonight. During the past three years we have again, in a rather primitive mode, gone through the old arguments about whether we prefer our Russians fat or thin, as though we had a straight choice. We have again discussed, quite unrealistically, whether we could starve the Russians into submission by denying them imports. We have again discussed, quite fruitlessly, the relationship between ideology and nationalism in Soviet policies, as though it made any difference to the Afghans whether they were occupied by ideologues or nationalists. We have gone through many of these debates quite fruitlessly, and have ended up exactly where we were before.

The Soviet Union with which we are faced today is precisely the same country as it was five years ago. It is still occupying Afghanistan; it is still pressurising Poland; it still locks up its most creative people; and, as we saw only last week, the KGB's activities do not wax and wane according to our volatile assessment of Soviet reality—they just bang on regardless. That is an important lesson to remember as we face the future.

What does public opinion make of the extraordinary volatile assessments in the West about the Soviet Union? At one moment the public are told that the Russians are such evil people that we should not even talk to them, and at the next moment they are told that we can and must talk to them. At one moment they are told that Western defence and security has rested for 40 years on the nuclear deterrent and that that will continue, and at the next moment they are told that deterrence in that form is both immoral and unreliable and must be stood on its head in favour of a wholly new concept that does not yet exist in practice and may never exist because who knows where science might or might not lead us. That form of instability can be extremely dangerous.

If we are honest with ourselves, we will admit that a good deal of that volatility comes from the American political system. That system will not be changed. If I may recall one incident in the early 1970s, virtually overnight the United States changed its policy on China. To make the point graphically, I point out that when a certain highly placed American, not Henry Kissinger, first met Chou En-Lai, he emerged with tears in his eyes. Not only was he overcome by the historic nature of the occasion, but he was probably very struck by the strong personality of the statesman he had met. Chou was a ruthless man, but on that occasion his ruthlessness was not on display. No doubt the American had pictured him as a kind of yellow devil. That illustrates precisely the sort of worrying thinking that we still see, I am sorry to say, in our greatest ally.

I do not expect for a moment that the Americans will break down in tears when they have their first meetings with Mr. Gorbachev, but we should be prepared for the same element of instability to re-emerge in America attitudes over the next year or two. We must have a stable and, in some senses, an assertive British foreign policy ready to counter any American volatility.

We are already in danger of under-estimating the natural propensity of the two super-powers to gravitate towards a privileged and exclusive dialogue. It has happened in the past, and my guess is that it will happen again. When it happened before, there was an automatic tendency for us not to be told every detail of what was going on between the super-powers. On this occasion it is all the more imperative, if there is a privileged dialogue, that we should know what is going on, because we have reached a stage in East-West relations when there is an unhealthy concentration on arms and arms control. On all three major aspects — star wars, cruise missiles and strategic missiles — this country has a close and continuing interest. Anything that is discussed, decided or hinted at confidentially between the super-powers will have an effect on this country's interest in one of those areas.

The main purpose of my intervention is that I do not want ever to see British Ministers, of whatever party, standing at that Dispatch Box answering to the British people about matters at the very heart of the defence of the country without being fully informed of what is happening between the super-powers. I am not saying that we have reached that stage today, but there is an inherent instability

[Mr. George Walden]

of which we should be aware. It could be very dangerous for the defence of this country and, above all, for the consensus about defence which all responsible Members want to maintain.

That consensus must involve three factors. First, we must have a defence which we can afford. Let us be frank about it; there are competing demands from the Health Service and from education, so we have to keep that factor in balance.

Secondly, we must be seen to be having a reasonable and civilised dialogue with the Soviet Union. I pay great tribute to the accomplishments of my right hon. Friend the Prime Minister and my right hon. and learned Friend the Foreign Secretary in that regard. The Foreign Secretary particularly has established an exquisite balance in his dealings with the Russians, as we saw last week, and in his recent visits to eastern Europe.

Thirdly, and most importantly, I believe that the British people will back any Government in power provided that that Government are seen to stand up for British interests. That means that if we have doubts—and there are deep doubts in this country about the strategic defence initiative —any British Government must be seen to articulate those doubts as frankly as is sensible in terms of our continuing alliance with the United States. Like many other Members, I must admit to having felt a twinge of anxiety when I first heard my right hon. and learned Friend the Foreign Secretary's speech on SDI, but the more I thought about it, especially as there was no sensible and moderate public reply from the United States to the extremely cogent points that my right hon. and learned Friend raised, the more convinced I became that he was right to articulate those very well grounded doubts as clearly as he did. I believe that that is the general view in this country.

This is not an anti-American speech. I believe that the Americans respect people who discuss these matters openly with them. As a number of my right hon. and hon. Friends have said, there have always been ups and downs in the Alliance. The great thing for this country is that we should be seen to stand up for British interests and be very vigilant in watching for any change of policy by our allies.

There has been some suggestion that Europe should develop its own foreign policy, but that seems to me to be slightly misguided. To have our own foreign policy we must have our own power, and Europe does not have the power to maintain a foreign policy completely separate from that of the United States, even if that were the right thing to do. The United States, however, has the power to change its foreign policy — if necessary, without reference to Europe. We must be realistic and frank with our allies about that. The Alliance is mature enough to bear that frankness.

Therefore, although we have made progress, we should not think that we have now hit a beautiful balance. I believe that there will be a further change in American policy, and we must watch out for British interests.

9.17 pm

Mr. Eric Deakins (Walthamstow): I agree with much of the interesting analysis of East-West relationships set out by the hon. Member for Buckingham (Mr. Walden). I intend to concentrate more on our relationships within the Western Alliance, not because East-West relationships are not important but because our relationships within the Alliance bear serious discussion in a debate on foreign affairs in the British Parliament.

I was disappointed with one aspect of the Foreign Secretary's opening speech. Nowhere did he give any general picture of the relationship between Britain and the United States, our principal ally and friend in the world, or of political co-operation in the EEC.

In recent years, our foreign policy has increasingly tended to swing like a yo-yo between craven support for the United States, whatever that country happens to be doing in various parts of the world, and ritual obeisance to EEC polical co-operation. I believe that both those alternatives are completely unacceptable as a basis for British foreign policy.

As a result of our craven support for some United States policies we have lost not just influence but dignity and integrity in the world, especially the Third world. I give just three brief examples.

First, the United Nations conference on the law of the sea concerned one of the greatest international treaties to be negotiated in the post-1945 world. That treaty has been signed, though not yet ratified, by many countries thoughout the world, but opposed by the United States. Unfortunately, the United States opposition was supported by Britain, West Germany and two or three other, minor, nations. The opposition from both the United States and Great Britain was based entirely on narrow commercial grounds, some of which are extremely hypothetical. It is far from certain that there will ever be much financial incentive to drag the sea bed for manganese nodules and all the other things that are supposed to be lying down there just waiting to be collected.

By lining up with a few rich nations against the rest of the world—not merely the poor, but many rich nations siding with the poor—we have once more shown that we prefer a world in which resources, the common heritage of mankind, should not be shared. We have undermined our wider strategic interest in many parts of the world as a result of our failure to sign and ratify that treaty.

I refer next to UNESCO. Again, here was an area where the United States led and then, a year or so later, Britain cravenly followed. What happened last autumn? There had been no talk previously in the press about Britain's withdrawal from UNESCO or giving notice of withdrawal. The United State put some pressure on. The former Australian ambassador to UNESCO came to this country in October; members of the press were seen and entertained; the right people were seen; a big PR campaign was mounted; there were articles in all the newspapers and magazines for about six weeks; questions were asked in Parliament, mainly by Conservative Back Benchers; and there was pressure on the Government. The Government said that as there was all that pressure they would give notice of withdrawal from UNESCO. Again, we followed where the United States led. I challenge the Minister of State to deny that if the United States was still in UNESCO, we would be contemplating withdrawal.

My third example is central America. I shall not go into it in detail because it has already been mentioned by several hon. Members, including my right hon. Friend the Member for Leeds, East (Mr. Healey). We have followed all American policy in central America. We pay lip service to the Contadora process, but there has never been a peep out of the Government protesting about American military

assistance to the Contras about the mining of Nicaraguan ports. Nothing has been said about the fact that the United States, a founder member of the United Nations which is obliged, if other nations agree, to submit international disputes to international arbitration, has withdrawn from the International Court of Justice because it was to be taken there by Nicaragua over the mining of Nicaraguan ports in peacetime. We followed United State policy in every one of those cases. We were wrong to do so, and we have lost influence, prestige and, above all, integrity as a result.

The story is not completely one-sided because in two issues we have managed to separate ourselves from the position of the United States. How on earth we managed to do it I do not know. We managed to retain a vestige of independence and integrity. The two illustrations are these. Two years ago the United States Administration decided that they were not going to replenish the International Development Association with the amount of money that the World Bank required. It asked for $16 billion. Previously it had had $12 billion in a three-year period. Because of a decision taken by the Administration of the United States—not by Congress—the amount was reduced to $9 billion, as a result of which there will be far more poverty, deprivation and death.

Someone talked about human rights. What about the human right to life, dignity, education, food, health and clean water? Much of the world's population will be deprived of those rights over the next few years because the World Bank will not have sufficient funds in the IDA as a direct result of American action. Fortunately, this country, to do the Government and the Foreign Office justice, took the lead in trying to see what could be done to mount a rescue operation. Unfortunately, we failed. I cannot blame the Government for that. They did their very best.

One other example of where we managed to segregate ourselves from the United States policy was in the second world population conference in Mexico City last year. The United States was alone in the world, out of 130 nations, in mounting a campaign against the International Planned Parenthood Federation because of what it was doing in a few countries to finance health programmes that also had abortion-related activities. We went along with the great majority. That is the first international conference since the second world war in which the United States has found itself in a minority of one. For once, we were on the side of the angels. I only wish we could do that more often.

I should like to refer to political co-operation in the EC. All that one can expect and hope for is the lowest common denominator of agreement among 10, soon to be 12, nations. The declarations of political co-operation from time to time have had relatively little impact in the world. All that they evince is a polite response from the client states of the Common Market—that is, those under the Lomé convention who know which side their bread is buttered, and also states which have an association agreement.

The rest of the world ignores those declarations. They have no practical effect. Most hon. Members would agree that the Venice declaration on the Middle East was very statesmanlike, but it has had no impact on events in the Middle East. If that is all the political co-operation that will be involved, it is just a meaningless ritual.

The reason why political co-operation in the European Community is so popular is that it gives EC Ministers the illusion of power and influence in a world which no longer has time for political pretensions. People should be judged not by their power and influence but by their views and the action they take to resolve world problems. As for the future of political co-operation in the European Community, I do not believe that that institution will ever be a great political influence upon the rest of the world because Europe, both east and west, is a declining force in the world, both economically and politically. That is to be expected. Efforts to halt that process, let alone reverse it, are completely misguided and are doomed to failure.

I turn to what ought to be another pillar of our foreign policy, apart from the United States and Western Europe, but which is much neglected because of our addiction to those two; that is, the Commonwealth. When did we last hear from Ministers a panegyric about the possibility of Commonwealth co-operation to resolve many of the major world problems? Outside the United Nations and its associated bodies, the Commonwealth is unique in linking rich and poor countries. We ought to make much better use of it, in association with the Commonwealth secretariat and the other member states. Heads of Government in the Commonwealth meet only once every two years, and it is pot luck whether education Ministers meet every three or four years. Some Commonwealth Ministers, unlike European Community Ministers, hardly ever meet their compatriots in other Commonwealth countries.

The Commonwealth is a force which could break down the barriers between rich and poor countries. Things get bogged down in the United Nations and its agencies. Better use could be made of the Commonwealth by holding regular meetings. Above all, we should ensure that we consult our Commonwealth partners—they are genuine partners, unlike our competitors in the rest of western Europe — on major issues, especially when economic summits attended by the rich countries are to be held. Then we should bring not only our own views as a rich country but the views of the Commonwealth as a whole to the proceedings. In that way we could try to demolish the barriers which have been erected since the North-South dialogue broke down after the failure two years ago of global negotiations at the United Nations. We should consult the Commonwealth, both formally and informally, not only before economic summits but before UNCTAD and GATT meetings. In that way we could do more about trying to bridge the gap.

For example, when the only world summit meeting of rich and poor countries took place at Cancun, Mexico, in 1981, 23 world leaders from rich and poor countries were present, including our own Prime Minister. Seven of those 23 countries were Commonwealth countries. Despite persistent questioning by me and by other hon. Members, the Government made no attempt whatsoever to get together with the other Commonwealth countries to try to establish a joint position on the two-day Cancun summit agenda. The direct result of that and other factors was that the summit failed lamentably. Had there been adequate preparation in the form of a Commonwealth dialogue beforehand, I believe that the summit could have succeeded. Even if it had not succeeded, it could have resulted in the establishment of a proper dialogue between North and South. The Commonwealth needs to be taken much more seriously.

Finally, I turn to the United Nations, another much neglected organisation. This is understandable, because

[Mr. Eric Deakins]

during the last 15 years the old western influence, with Soviet vetoes from time to time, has been replaced by the dominance of Third world countries.

What ought to be our foreign policy objectives in the United Nations, the major forum in the world? First, we should recognise that the rich-poor divide in the world is making the world a much more dangerous place. That was a point made by my right hon. Friend the Member for Leeds, East (Mr. Healey) when he talked about the debt crisis in the Third world. Is it beyond the wit of the Foreign Office at least to suggest to our allies that they should use the United Nations and perhaps invite United Nations observers to the economic summits in the Western world to try to regulate the financial and economic affairs of the whole of the planet, not just rich countries but rich and poor alike.

The nuclear arms race is becoming more and more dangerous. Why could there not be United Nations observers at the Geneva negotiations? One accepts that confidentiality may well have to be the case for the time being, although I take the point by my hon. Friend the Member for Tottenham (Mr. Atkinson) that the sooner we get down to open diplomacy the better, so that people can see what is being done and make positive suggestions to help.

The non-proliferation treaty is not directly a function of the United Nations but a review conference is coming up later this year and the House and the country will hear a lot more about it in the months to come. That review conference genuinely gives us a last chance to try to prevent a disastrous spread of nuclear weapons throughout the world. We shall not have another five years after 1985, as we have had five years since the first review conference in 1980, to put our house in order. The rest of the world is waiting with bated breath to see whether the Soviet Union, the United States and Britain, the signatory powers —I think that they are the guardian powers—are the ones to which people in the rest of the world are looking to show that they are trying to cut their nuclear weapons.

We have heard that the Geneva talks may have been disappointing at the moment but I hope that we shall recognise in the non-proliferation treaty review that we must also show that we are genuine in our desire for a comprehensive test ban treaty. We are in a logical dilemma with the test ban treaty. In answer to questions, Ministers have accepted that the reason Britain needs nuclear weapons testing — no doubt it goes for the United States and the Soviet Union as well — is to maintain the effectiveness of our nuclear deterrent. Therefore, it follows that if we have a comprehensive test ban treaty the effectiveness of our nuclear deterrent would begin to diminish over time because we could no longer test nuclear weapons and warheads. The same would be true of the nuclear weapon arsenals of the United States and the Soviet Union. So the review conference and the idea of a test ban treaty acquire a new significance. It is not just a case of saving the world from nuclear testing, fallout and so on, but of saying that this is the only way in which we are likely to halt the nuclear arms race between the major powers and to prevent, at one fell swoop, the spread of nuclear weapons to other states.

I hope that the Government will take the non-proliferation review conference seriously and not just use bland words to allay suspicions and alleviate fears. I know that there are difficulties about verification, but they cannot be allowed to hold up progress for ever. Advances have been made in countries such as Norway where scientists have developed a method of detecting low grade explosions to distinguish them from earthquakes. I hope that our Ministry of Defence experts will look at what the Norwegians have done. The United States Defence Department is interested. We should take seriously the prospects for a successful conclusion of that conference. That will mean much more progress than we have made so far.

Above all, if we do not succeed at the non-proliferation review conference in September, the world will be embarking on an even more dangerous course which will be beyond the capacity of the great powers to control, no matter how many times they sit down together and no matter how many top level summit meetings they have between various combinations of leaders. The nuclear arms race will have so spread that it will have become unstoppable. Nuclear weapons will spread to half a dozen other countries and others beyond which are just waiting to see whether the great powers are as good as their words under article 6 of the original non-proliferation treaty. That is the biggest challenge that faces British foreign policy in the next year. I hope that we shall hear something from the Minister tonight about the Government's attitude.

9.35 pm

Mr. Nicholas Soames (Crawley): I shall not follow the hon. Member for Walthamstow (Mr. Deakins) down the road that he took, although I agreed with his comments about the Venice declaration, a subject to which I shall return.

I wish at the outset, like hon. Members on both sides of the House, to congratulate my right hon. and learned Friend the Foreign Secretary and his colleagues on a highly successful period for British affairs in the world since we last debated these matters.

I also pay a warm and unqualified tribute to the staff of the Foreign and Commonwealth Office for the excellent work that they do throughout the world on behalf of us all, sometimes under gravely difficult circumstances, and all too often on a shoestring budget. The conduct of our diplomats under circumstances of grave difficulty and danger is rightly the envy of the world, and they are to be congratulated.

On European affairs, I am in considerable agreement with the hon. Member for Walthamstow. European politics seem to be conducted, here and elsewhere, on the basis of the apologists of the "let the dog see the rabbit" school. From the point of view of having a true and real Common Market, it would be of advantage to us all if this rabbit could be produced at the earliest opportunity.

It is vital, as my right hon. and learned Friend and the right hon. Member for Leeds, East (Mr. Healey) said, that the Common Market is seen to have real meaning and relevance in everyone's life if it is to have any force in Britain. Political co-operation is crucial to international affairs, and in respect of European affairs in the wider world, we must put some meat on the bones.

By now we should have built on the Venice declaration. It is to Europe's shame that it has, to all intents and purposes, sat on its collective hands. I do not believe that the Americans have either the inclination or the power to do anything in the Middle East. They are a mercurial people who are unduly swayed by sentiment and prejudice

rather than by reason or even consideration of their long-term interests in the area, and their policies are, to an exceptional degree, at the mercy of the electoral process.

For that reason, in relation to Israel and the middle east, they are neutered. America is truly emasculated by the Zionist lobby and can do nothing in the middle east. Europe must therefore shake off its sloth and defeatism and try to make some cohesive political progress on a settlement in the middle east, which is one of the most depressing parts of the world in terms of achieving anything.

Mr. Johnston: I agree that we should love to see Europe make an impact, but it has no leverage. The United States has the leverage on Israel. What can Europe do beyond making statements such as the Venice declaration? I agree with the hon. Gentleman that it was a good statement.

Mr. Soames: The hon. Gentleman and I are at one in wishing that Europe could do more. It is no longer any good asking what we can do. We must try to find a way forward. I agree with my hon. Friend the Member for Buckingham (Mr. Walden) that it is difficult for Europe to achieve much in that respect when it is perceived as having no power. We must develop that power and the institutions that go with it. Europe must be seen to be credible and to have a role in the world, and there can be no finer place for Europeans to make a start than by taking a lead in the middle east.

The subject of disarmament has been much discussed in the debate. We have a duty to explain that arms control is a means to an end and not an end in itself. The ultimate goal of all arms control talks must be stability. I hope and believe that western Governments realise that calming political opinion comes a poor second to the prospect of real stability. What are we aiming for in the talks? We need an agreement or a set of agreements that contain unambiguous and effective provisions for full verification and total compliance. That is the only way in which these transactions will be seen as credible, and the only way to create confidence that the Governments will observe the agreements when duly signed. It would be a great mistake on the part of the United States and her allies to go for a bad agreement just for the sake of having an agreement.

The first objective of the West should, in my view, be broadly equal numbers of warheads and missiles. Secondly, there should be a real cut in the present numbers of weapons. Thirdly, there should be satisfactory and credible provision for verification. Fourthly, taking account of the strategic defence initiative, there should be defined limits on modernisation and new developments.

That is a formidable shopping list, but it is the first step on a long, difficult and tortuous road. The key will be to find the right mix of imagination, common sense, and—hardest of all—real respect for the legitimate security interests of both East and West and an acknowledgement that one cannot, at the end of the day, run a political relationship using solely strategic technology.

Our aim must be to achieve a credible, consistent and realistic framework for the future conduct of East-West relations. I congratulate my right hon. and learned Friend and his colleagues on the significant progress that they have made. We need a policy that above all recognises the realities of Soviet power and takes all necessary precautions. In my view, the Soviets will always behave badly. They will always advance where we weaken. I was amused by Lord Home's remark that two years after he had sacked 150 Soviet diplomats in this country, he found, when visiting Yugoslavia, that one of the diplomats had been sacked again by President Tito for the same offence. So long as we remain aware of the intentions of the Soviet Union in this country and in any country where freedom and democracy reign, we shall have nothing to fear.

In broad outline, a possible definitive framework for an agreement would contain, first, a recognition that adequate defence and detente are not incompatible. Secondly, we must recognise there are important areas of common interest between East and West. Thirdly, we must remember that a process of continuous dialogue and communication is crucial for its own sake.

To all the players—both principals and fringe—I make one point. There can be no excuse for bowing to domestic political or tactical pressures in these matters. To do so would be to display dismal weakness. The political and moral strength of the West will remain the key to the successful conclusion of the talks.

The conduct of international affairs demands courage, intelligence, patience and, above all, unfailing good humour. My right hon. and learned Friend, his colleagues, British diplomats and the British people by and large have many of those qualities in abundance. Our integrity is greatly respected in the world. We have an enormous store of good will on which to draw. We do not capitalise upon it enough.

My hon. Friend the Member for Stroud (Sir A. Kershaw) has great experience of these matters. He has drawn attention to student fees. On that question the present Government committed an act of folly in broad terms inimical to our long-term interests.

We run an enormous network of embassies and diplomatic representatives. We must do more with trade and foreign policy, and use our missions and outposts to greater effect to serve British trading interests. Great strides have been made, but endless opportunities remain unexploited, largely for want of information and vision.

Security and prosperity are the legitimate goals of British foreign policy. For a trading nation, prosperity is extremely important, but it must remain secondary in the long run to security. I hope that the Government will continuously review every aspect of our foreign policy to ensure that we retain this good and healthy balance.

9.44 pm

Mr. Tom Clarke (Monklands, West): The hon. Member for Crawley (Mr. Soames) reflected the theme that has run throughout the debate on East-West relations. I hope that he will not mind if I do not follow him. There are other points that I should like to make and, even having heard the debate, I must confess that I am still an optimist. I believe that the Soviet Union, under Mr. Gorbachev, must recognise that it cannot continue to have an economy worth talking about if it continues with its present emphasis on defence expenditure, and that the United States must be told in pretty clear terms by Western and developing countries that they are not prepared to continue financing an American deficit on its present scale.

I am delighted to join my hon. Friend the Member for Walthamstow (Mr. Deakins) in drawing the attention of the House to what I hope will be a continuing discussion on UNESCO. The Government's announcement was made without there having been much debate, without much

[Mr. Tom Clarke]

information having been given to the House and on the basis of arguments that were especially lacking in substance and seem incapable of standing up to much examination. The Government have told us that there is no firm decision. I hope that it might be possible for the matter to be put before the Select Committee on Foreign Affairs, which is chaired by the hon. Member for Stroud (Sir A. Kershaw), so that we can have a reasonable discussion on the merits of the argument and reach a conclusion which I hope will be in keeping with the great history and contribution of UNESCO.

The Foreign Secretary said that the human spirit cannot for ever be shackled. I believe that he is right. I also believe that right hon. and hon. Members have been right to pay tribute to the right hon. and learned Gentleman for his recent activities, his visit to eastern Europe and the stand that he took there. The House cannot be selective in its attitude to human rights. There was a clear distinction between the Foreign Secretary's contribution and that of the Prime Minister, especially in regard to Indonesia. I hope that the Minister will take on board many people's grave reservations about the absence of human rights in that country and the fact that intolerable suppression is taking place.

Only last week, the press in Jakarta talked of the forthcoming executions of three more political prisoners. Those men were sentenced in 1975, having been arrested in 1968. We all regard that as utterly intolerable. Even if our Commonwealth friends, especially Papua New Guinea —we are all delighted that the Prime Minister of that Commonwealth country is in London this week—do not have reservations about Indonesia's intentions of aggrandisement, such as it has shown with East Timor, its record on human rights ought to have caused the Prime Minister to comment during her visit. We deeply regret that she did not find it possible.

I move on to Nicaragua. I join my hon. Friends in giving a loud welcome to the decision taken the other day by the House of Representatives. It shows that there is hope for the American people. The President said that he will address the American people over the heads of their elected representatives, but perhaps he should be modest enough to think that the American people might be sending him a message via their elected representatives. The message that I think that they are sending him is that they are not prepared to accept or see another Vietnam on the basis of the flimsy evidence that the President put before the House of Representatives, which, happily, it did not find convincing.

I hope that, on aid, we shall learn the lessons that invite themselves. I hope that we will bear in mind resolution 325 about aid to the Contadora group. We should also remember that Nicaragua has suffered not simply because of the American attitude to it—it is time that America got off the back of Nicaragua—but because its aid has been considerably reduced as a result of the prejudices of the American Administration — prejudices that our Government have tended to reflect.

In the Queen's Speech debate the Foreign Secretary talked about fighter aircraft from the Soviet Union going to Nicaragua, but not a shred of evidence has emerged showing that that is the case. There was the inexcusable mining of Nicaraguan ports, showing yet again that the Americans sometimes have an infinite capacity for making enemies out of potential friends. I hope that, in our attitude to central America, we ignore the same temptation.

I am worried about the arms race in the Third world. We are discriminating in sending aid to some countries, while to others, such as El Salvador, we are sending arms to an exent that is unhelpful. It does not help if the Americans, in response to the situation in Afghanistan, send arms to Pakistan, because that in turn leads India to think that it should build up its arms, and to the possibility of nuclear weapons. That should be a great worry to us.

I move on to the report on refugees published a few days ago by the Home Affairs Select Committee. The Minister of State will not be surprised that I raise this matter, because time after time I have referred to the situation in Hong Kong. I was delighted when the Committee drew the attention of the House to the fact that there are 11,900 refugees in Hong Kong. The report says that if Britain accepted up to 500 more refugees from Hong Kong, given that more than one in five of the refugees has spent more than five years in a refugee camp, that might send the correct message to the rest of the world. If we do that, not only will it be right in the circumstances of Hong Kong, but it will give encouragement to many other countries to respond, as I hope our Government will, in the way recommended by the Select Committee.

The Foreign Secretary said that the human spirit cannot be shackled for ever. That is right, and this debate has shown that we are a long way from achieving the objective that the right hon. and learned Gentleman and the House set in these matters.

9.55 pm

Mr. Robert Jackson (Wantage): I hope that the hon. Member for Monklands, West (Mr. Clarke) will not mind if I do not follow him across his wide range of subjects. I propose to follow the example of some other hon. Members in concentrating on a single topic—the subject with which the hon. Member for Aberdeen, North (Mr. Hughes) dealt. In January, I visited Namibia for the third time as the guest of the South African Administrator-General, and I want to take this opportunity to say a few words on the present position in Namibia, based on that experience.

I should say, first, that I make no apology for visiting that part of the world as a guest of the South Africans. As the right hon. Member for Leeds, East (Mr. Healey) said in respect for the hon. Member for Oldham, Central and Royton (Mr. Lamond), we must make use of all diplomatic channels. Seeing Namibia as a guest of the South Africans gives one a first-class opportunity to look at the Namibian scene from the South African point of view, to see it through their eyes and get a sense of the way in which they view their interests. And it is surely appropriate to try to look at the issues in that perspective in a situation like that in Namibia, since it is clear that, for the foreseeable future, there will be no settlement of the Namibian question without South Africa's co-operation.

Let me take a moment to say why I think this is so —because it is certainly true that at a quite recent time it seemed that a Namibian settlement could be imposed on South Africa from the outside — in the spirit of the remarks of the right hon. Member for Leeds, East today. During the second half of the 1970s, it seemed that a combination of several factors might achieve that result — the growth of the pressure of SWAPO's "armed

struggle" after the Portuguese collapse in Angola; the prospect of the stepping up of the Cuban or Eastern bloc, or even possibly of Soviet, military pressure across the Angolan border; and the threat of economic sanctions by the Western powers, led by the United States under President Carter. The Western powers at that time were anxious to head off the growth of Soviet influence in southern Africa in the wake of the Portuguese collapse, and to pave the way for the removal of the Cubans from Angola by securing the removal of the South Africans from Namibia.

Today, however, it is apparent that these factors no longer operate to make it possible to envisage the involuntary removal of the South Africans from Namibia. From what little I was able to see of the South African preparations to counter SWAPO's latest rainy season offensive this year, it was apparent that the threat of SWAPO's arms struggle has been effectively blunted. Some SWAPO fighters are apparently still able to get through the exclusion zone in southern Angola which the South Africans have got the Angolans to agree to try to enforce. But those fighters are few and exhausted, and their influence in the northern border lands seems to be in substantial decline.

As for the other pressures on South Africa, it is clear that South Africa's sponsorship of Jonas Savimbi's UNITA movement in Angola has succeeded in heading off the possibility of Eastern bloc pressure on South Africa in Namibia. And, concomitantly, the threat of Western economic sanctions to force an early settlement has receded. Far from a South African withdrawal from Namibia opening the way for a Cuban withdrawal from Angola, the boot is now on the other foot, with Cuban withdrawal now being considered as a precondition for South Africa's withdrawal from Namibia.

And so it seems clear that, for the foreseeable future South Africa is master of the game in Namibia. It behoves us, therefore, to consider the position from the South African point of view.

Mr. Anderson: Why should we view the position from the South African point of view? Would it not be better to see it from the view of the Namibians who are under the trusteeship?

Mr. Jackson: The hon. Gentleman will have a chance to speak later. Fundamentally I propose to consider this matter from the British point of view, which is the view that the House should take.

Let us look at the problem for the moment from the angle of the South Africans, since they are in control of the situation. The South Africans have five options. The first option is to build up their position in Namibia as a base for supporting Dr. Savimbi in a big military push to win power over the whole of Angola, leading to the forceable expulsion of the Cubans.

The second option is to transfer the reins of Government in Namibia to internal parties acceptable to the South Africans, irrespective of the lack of international recognition of the result.

The third South African option is to continue indefinitely in more or less the present position, using the Cuban presence in Angola, or some other excuse, as a device for procrastination.

The fourth option for South Africa is to implement its agreement to the Western plan for an internationally supervised election leading to a transfer of power under United Nations resolution 435.

It being Ten o'clock, the Motion for the Adjournment of the House lapsed, without Question put.

Ordered,

That, at this day's sitting, the Motion in the name of the Prime Minister for the Adjournment of the House may be proceeded with, though opposed, until Twelve o'clock.—*[Mr. Major.]*

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Major.]*

Mr. Jackson: South Africa's fifth option is to implement resolution 435 after obtaining further reassurance by negotiating further improvements — I emphasise the word "further"—in the western plan, in addition to those previously negotiated between 1978 and 1982.

I shall rapidly review these five options. With regard to the first—support for an all-out campaign by Savimbi —probably none of us can assess UNITA's capability for such a task. But the South Africans are experienced in the perversities of African warfare and they had their fingers severely burned in Angola in 1975. They are also no doubt following closely the improving relations between the United States and the Soviet Union. I do not believe that they will take too many risks in their policy towards Angola.

Similarly, unlike the hon. Member for Aberdeen, North, I view with equanimity the current moves in Cape Town and Windhoek to associate the Multi-Party Conference with some of the functions of Government in Windhoek. I do not believe that the South Africans would be so foolish as to take the option of transferring power definitively to the internal parties in Namibia. As long as South Africa has the responsibility for Namibia's defence, it will want to keep hold of the power in Namibia. I prefer a more optimistic interpretation of what is intended by these dealings between the South Africans and the Multi-Party Conference — that the South Africans are now trying to rebuild the moderate forces in Namibia in the hope of strengthening their position vis-à-vis SWAPO in an eventual free election.

Of the five options that I have suggested I suppose that it must be said that the option of further delay is the most likely to be followed. I agree with the hon. Member for Aberdeen, North on that point. After all it is the course that South Africa has followed—the hon. Gentleman was right about that—so effectively ever since it agreed to resolution 435 in 1978.

Nevertheless, I came away from my most recent visit to Namibia—unlike previous visits—with a feeling that I had not experienced previously. I felt that there was a growing measure of recognition among responsible South Africans that procrastination was not a course which could be pursued indefinitely.

After the accords of Nkomati and Lusaka, the South African position in the region is strong. It is more likely to weaken than to become stronger.

Mr. Robert Hughes: Does the hon. Gentleman agree that the South Africans have delivered neither on their side of the Nkomati bargain nor on the Lusaka agreement?

Mr. Jackson: The application of those agreements by all the parties is difficult in the circumstances that obtain

[Mr. Jackson]

on the ground. There is some evidence that the South Africans have been doing their best in particular on the Nkomati accord, but it is difficult in the circumstances.

What those accords show is that the South African position in the region is now strong. It will become weaker rather than stronger in the future. I believe that that is why the South Africans are beginning to recognise that now is perhaps the time to cut a deal in Namibia. At the same time, the events of the past two months have underlined what wiser South Africans have known at least since the crisis of 1976—how fragile their underlying position is. Further, the South Africans are also aware that they are unlikely to have an American Government in the future who are more favourably disposed towards them than the present Administration.

For all these reasons, I believe that the case for withdrawal from Namibia by the end of President Reagan's term of office in 1988 must now be under more serious consideration in Pretoria than at any stage since 1978.

We come now to what I have described as South Africa's fourth and fifth options — that is, withdrawal under the Western plan as it stands, or withdrawal after obtaining further amendments to the plan to give South Africa further reassurance.

I do not think that, in spite of their agreement to it, the South Africans will be prepared to implement the Western plan as it stands. The fundamental problem is not that SWAPO might win the election. Intelligent South Africans know that SWAPO is bound to be a dominant, if not the preponderant, voice after any free election. They also know that, for reasons of geography and economics, an independent Namibia, even under SWAPO rule, would hardly be able to breathe without a South African by-your-leave.

The fundamental problems are twofold. The Western plan as it stands does not provide sufficiently clear constitutional guarantees for minorities in Namibia after independence. Even more serious, it leaves too much scope, and gives too much time, for a collapse into chaos during the long, indeed indefinite, period of transition envisaged in the Western plan between South African withdrawal and the achievement of independence on the conclusion of the constitution-making process.

I had the honour of serving the last British Governor of Southern Rhodesia, Lord Soames, as special adviser to him during his brief tenure from mid-December 1979 to mid-April 1980. I remember very well the many moments of tension in that very brief period—moments at which his fragile authority might have dissolved into farce or tragedy. I do not believe that he could have sustained our position in Southern Rhodesia if the Lancaster House constitution had not provided some basis for reassuring white opinion and if the election had given rise to a parliament with no clear majority, leaving the task of constitution-making to be debated indefinitely within that parliament for month after month before a conclusion was reached enabling independence to take place.

One of the many strokes of genius in the Lancaster House settlement—and I see one of the authors of it on the Front Bench, my hon. Friend the Member for Shoreham (Mr. Luce)—was that it limited the period of transition to independence by establishing the constitution before the election rather than leaving it to be settled after it. Yet the Western plan for Namibia, which was admittedly conceived before the Lancaster House experience, does not reflect that experience. It leaves the constitution to be settled after the election in Namibia—an election which is more likely than was ever the case in Rhodesia to lead to a parliament with no clear majority.

So, in conclusion, I believe that South Africa, or important elements there, may now at last be prepared to move towards an internationally acceptable settlement in Namibia. I believe that it is in the British, European and Western interest to advance that movement. I believe that in order to do so we must be prepared to recognise that in Namibia, as in Rhodesia, nothing can be achieved without the co-operation of the party in possession, which in the case of Namibia means South Africa. I believe that if the South Africans come forward with precise and constructive ideas for the further improvement of the Western plan under resolution 435 we should be prepared both to consider those ideas positively and to use our influence to persuade others in SWAPO and in the front-line states to do so. Other postures may seem—I repeat, seem — to be morally more attractive and politically more comfortable, but, if the choice is between half a loaf and no bread, I vote for half a loaf.

10.9 pm

Mr. Tony Lloyd (Stretford): I listened with interest to the hon. Member for Wantage (Mr. Jackson), but I shall not follow him throughout south-west Africa. However, if he sees the diplomatic process as one of looking entirely at narrow self interest, and if we look at matters in a vacuum, we reach some unfortunate conclusions. That may be the case with British foreign policy as it applies to central America.

My hon. Friend the Member for Walthamstow (Mr. Deakins) has already pointed out that the British Government's view is very much allied to that of the United States Government. For example, yesterday the Parliamentary Under-Secretary spoke about the Cuban influence in Nicaragua. I challenged the Minister—as he has already been challanged by my hon. Friend the Member for Monklands, West (Mr. Clarke)—to produce evidence of Cuban involvement. That supposed involvement underpins America's claim to its adventurism in Nicaragua, yet there is not a scrap of evidence to support that.

Mr. Deakins: Does my hon. Friend agree that what the Americans are really worried about, and what the British Government may be worried about, are not Cuban soldiers or advisers, but Cuban doctors, educationalists, social workers, architects and engineers?

Mr. Lloyd: My hon. Friend is absolutely right. That sharpens finely the distinction between the Cuban presence in that region and the economic colonialism practised by the United States in Mexico. That country, which is self-sufficient in beef, exports virtually all its beef to the United States, while its children go hungry. Compare such American domination in the region with the possible Cuban export of doctors, services, education and training.

The British Government are so hooked on the American doctrine that yesterday the Foreign Secretay said that the United States sought a peaceful solution in Nicaragua. That peaceful solution consists of arming the people to engage in bloody warfare — people against people,

brother against brother, as happens in any civil war. That is what the Americans mean by a peaceful solution, and I am afraid that that is also what our Foreign Secretary means by a peaceful solution. That is why we must accuse the Government of moral bankruptcy in central America.

That compares, sadly, with the way in which we construct our policies in the whole of the central American region. Guatemala, which is not so far from Nicaragua, has an atrocious human rights record that is almost beyond belief. Even the remotest political opposition to the state is snuffed out. Only this month a member of a group that supports the families of people who have disappeared was killed by security forces, together with her brother and her infant child, because she represented opposition. Yet the United States wants to restore military aid to that Government. Fortunately, it is having difficulty in persuading Congress to agree to that.

I pay a limited tribute to the British Government because they have so far consistently supported resolutions at the United Nations in condemnation of Guatemala. However, there are signs that there is pressure upon western Governments to restore aid and assistance. For example, economic aid is becoming more acceptable. There is talk of EEC aid for certain operations. There is no talk of military aid, of course, but the giving of economic aid invariably leads to other forms of spending, especially on military equipment.

The hypocrisy of the American approach lies in the almost naive view of the domino theory, already referred to in the context of south-east Asia. It was not a realistic theory then, and it is no more realistic now for central America. Yet, because of America's simple-minded view of that region, it is prepared to block any form of social or economic progress throughout the region and to prevent the export of advancement — whether from Cuba to Nicaragua, or from anywhere else — if it ultimately results in a change of attitude in or the political position of Mexico because of American paranoia about the Mexican boarder. Because Mexico is so important, Guatemala must be kept safe, and, because Guatemala must be kept safe, so must El Salvador and Honduras. That is why there is a bloody war in Nicaragua. The logic is so frighteningly stupid that, if it were not for the fact that many human beings are suffering enormously in that region, it would be a farce.

The Government should reaffirm that there will be no steps towards the re-establishment of diplomatic relations with Guatemala and that they support the Contadora peace process. They should not simply pay lip service to that peace process but criticise and condemn the United States when it violates the principle of Contadora. When the President of Colombia went to the United States, he felt that he had been deliberately misled by the Government. When he left the country, he told the world about how he had been misled. That is what we should be doing. We should support the action taken by the United States Congress, to which many of my hon. Friends have already paid tribute. The British Government are more faithful to the American President than even his own Congress. That is a disgrace for a nation that claims to be independent.

The subject of star wars has dominated the debate. Because of the 60 days that we have been offered by the United States Government, it is important that there should be a debate in this country about star wars. Whatever anyone may think about the merits or demerits of star wars, that policy represents a turning point in the context of the arms race and its technology.

With star wars, one side may achieve a degree of domination that has not been possible for a considerable time. Misunderstandings may arise because of the inability to grasp what the other side is doing. That may undermine the whole process of deterrence. I make no bones of the fact that I believe that Britain has no role as a military nuclear power. Nevertheless, we will be severely affected by star wars, whatever steps we take, if only because we will be technologically outdistanced and will not have the capacity to follow the lead of the United States.

The star wars concept is throwing up a shield to protect the United States against inter-continental ballistic missiles, but that is of no value in the context of western Europe to Britain or to the Soviet Union. When we consider the lack of symmetry, the threat of star wars is tremendous. Therefore, it is important that a debate should take place and that we recognise that even if the star wars programme is successful, it will threaten us enormously. If it is only 80 per cent. successful, it can give the illusion of success and may force the Soviet Union into a massive counter-response which will militate against the trust that must be built up if the talks in Geneva are to succeed.

Those talks can succeed only if trust is established between the United States and the Soviet Union. At the moment there is no sign of such trust developing, and it is unlikely to develop in view of the rhetoric from the British Government and the United States that it is necessary to have massive superiority before they are prepared to talk. The attitude seems to be that only an arm-wrestling approach to talks can achieve anything.

All my life I have listened to such talk. Yet, as each decade has gone by, no significant step away from the arms race has been achieved. In fact, there has been an intensification of the arms race interrupted by an occasional bout of negotiations. If we are serious, we must develop a climate of trust, but that trust cannot coexist with the development of the star wars programme.

10.19 pm

Mr. Richard Hickmet (Glanford and Scunthorpe): I wish to deal briefly with a topic not touched upon in the debate so far, save by my right hon. and learned Friend the Foreign Secretary in his opening speech — that of Cyprus and the eastern Mediterranean.

In examining the policies pursued by the British Government, the Secretary-General of the United Nations, the Turks, the Greeks and various other people in relation to Cyprus, it is legitimate to set the scene by reminding the House that it is now 30 years since the first EOKA atrocity was committed by Grivas's gang on 1 April 1955. That period of 30 years has seen the EOKA movement, the granting of independence to Cyprus in 1960 with guarantees for the Turkish minority, the unilateral abrogation of that agreement by Archbishop Makarios in 1963, the crisis of 1967 when the Turkish minority retreated into enclaves and finally the coup d'état of Nicos Sampson organised by the Greek junta in 1974. In that year, Turkish forces intervened in Cyprus and the island was effectively partitioned, about 180,000 Turks remaining in northern Cyprus and between 500,000 and 600,000 Greeks remaining in southern Cyprus.

In the 11 years since 1974, there have been various negotiations and attempts to resolve the Cyprus problem,

[Mr. Richard Hickmet]

the Secretary-General of the United Nations has been charged to use his good offices to try to secure a peaceful solution and the British Government have made it clear that they repose their confidence in his endeavours.

Cyprus is one of the few areas in the world in which the British Government still have a substantial influence. Whatever the Secretary-General of the United Nations may say or do, the view of the British Government is very important and influential on the island. That is no doubt why the leader of the Greek community, Mr. Kyprianou, has met the British Prime Minister five times in the past 12 months.

On 17 January this year, Mr. Denktash met Mr. Kyprianou in New York with a view to signing an agreement for the resolution of the Cyprus problem. I think that all parties involved and certainly the Secretary-General agree that very significant concessions were made by the Turks in the five months of proximity talks preceding the New York meeting. Indeed, a draft agreement was prepared by the Secretary-General for signature by the two sides in New York and everyone expected that it would be signed. The Secretary-General publicly gave credit to Mr. Denktash and the Turkish community for what he described as their favourable reaction to all elements of his presentation.

To obtain that peaceful solution, the concessions made by the Turks had included surrendering about 8 per cent. of the territory that they occupied. In addition, they abandoned their previous position that the presidency of the island should rotate between the Turks and the Greeks. Those were significant concessions. They were recognised as such, and they were contained in the agreement drafted by the Secretary-General, and the Turkish community was prepared to accept that agreement in its entirety.

As we know, at that high level meeting, there was no agreement. That was due entirely to the decision of Mr. Kyprianou, the leader of the Greek Cypriot community, to challenge the United Nations plan in its entirety. That decision negated the progress made over the previous five months at the United Nations proximity talks. United Nations officials have described Mr. Kyprianou's conduct as questioning the basic principles worked out by the United Nations Secretary-General for an accommodation with the Turkish Cypriots, including, most importantly, the concept of bizonality and equal political status for both communities. Since 17 January, Mr. Kyprianou has been censured by the Greek Cypriot Parliament, blaming him for the failure of the talks between himself and Mr. Denktash. Also, recent reports show that Mr. Kyprianou is now prepared to accept the Secretary-General's documentation, but with certain provisions.

I hope that my hon. Friend the Minister of State will be able to deal with this point. I believe that it is absolutely essential that the British Government support the concept of a bizonal, bicommunal federal solution. As to the reports that President Kyprianou is prepared to accept the 17 January documentation, I should like to draw to my hon. Friend's attention the fact that that was denied by a United Nations Secretary-General spokesman at a press conference in New York on 19 April 1985.

Similarly, I should like to draw to my hon. Friend's attention the fact that Mr. Iacovou of the Greek Cypriot Administration, at a press conference held in Vienna on 17 April, stated that the Greek Cypriots do not and will not agree to a territorial agreement as indicated in the documentation of 27 November 1984. They will not agree to limitations on rights of settlement, property ownership and movement in the republic, nor will they agree to security guarantees being undertaken by the republic of Turkey.

If that is the Greek attitude, there can be no possibility of achieving an agreement on the basis of bizonal, bicommunal federation with equal political status for both communities. As I am sure my hon. Friend the Minister will agree, that is the whole thrust of the Secretary-General's negotiations and attempts to achieve a peaceful solution in Cyprus. The Turkish community is simply not prepared to return to the situation that existed from 1955 to 1974.

The Greeks cannot expect the withdrawal of Turkish troops as a prerequisite to agreement, particularly when they have 17,000 men under arms themselves on the island, all of whom are under Greek mainland officers, and 5,000 of whom are Greek mainland troops.

The Greek behaviour in New York on 17 January 1985 demonstrates, as does the statement by the Secretary-General's spokesman on 19 April and the statement by Mr. Iacovou, that the Greeks are not seriously seeking a solution within the framework of the Secretary-General's proposals. Her Majesty's Government must make it crystal clear that they are committed to the bizonal, bicommunal federal state as accepted by Archbishop Makarios in 1977 and as proposed by the Secretary-General.

My right hon. and learned Friend the Foreign Secretary spoke of the influence and importance of human rights in the framing of British foreign policy. For too long, Britain's attitude to Cyprus has been dictated by what are described as wider interests. It is not just, nor is it consistent with basic human rights, that the Turkish community should continue to live in an economic ghetto in northern Cyprus. This is particularly the case when the Turks have demonstrate their bona fides.

I ask my hon. Friend the Minister of State whether a just solution can be achieved when about $12,000 million in aid have been given to the Greek administration since 1974 while about $30 million in aid have been given to the Turkish administration. Following the events in New York, I would ask my hon. Friend to investigate the possibility of direct scheduled flights from Heathrow to northern Cyprus and to accord to the Turkish economy the assistance which is needed in order that it may be developed in the same way as the Greek economy in the south is being developed.

On recognition, I know that the Foreign Secretary's policy is to support the efforts being made by the Secretary-General, but if those efforts do not result in a solution because of Greek intransigence, Her Majesty's Government will have seriously to consider granting recognition to the Turkish republic of northern Cyprus. At the very least, there should be de facto recognition. The Turkish community in Cyprus will listen very carefully to my hon. Friend's response.

10.30 pm

Mr. Mark Robinson (Newport, West): I welcome the fact that this debate is being held today, particularly in view of the present crossroads we have reached in international affairs. It is not just that the Soviet Union have come back to the negotiating table at Geneva and that there is a new leader in the Soviet Union; certain basic points are being made by the new leadership in the Soviet Union which are glossy and glamorous in terms of public relations but these reflect no change whatsoever in policy.

Whatever initiatives may be taken, it is what happens in the arms negotiations at Geneva that will ultimately matter. Even if a temporary moratorium is proposed, it will be of no account if at the end of the day no agreement upon deterrence can be reached. Deterrence has served us well in securing peace for the last 40 years.

The West has been modernising its generation of nuclear weapons, and the Soviet Union has, quite unashamedly, been doing the same. Paul Nitze, in his recent Alastair Buchan lecture, underlined this view of deterrence:

"The question remains, now as then"—

he was referring to the time when he was involved in monitoring the effects of the two nuclear explosions in Japan—

"how to maintain a sure ability to retaliate with devastating nuclear destruction but concurrently to increase our ability to deny an aggressor the possibility of military success, and thus reduce our dependence on the threat of mutually devastating nuclear destruction."

In recent weeks, we have heard a great deal about the strategic defence initiative. One disservice that the President of the United States did to this argument was to translate it into terms of modern popular thought—the so-called star wars concept. Although it may be translated into meaningful language in the United States, it has very different connotations in Europe and in the process does much to undermine what is required to convince the public that only a strong policy of deterrence provides the best route to security.

At a transatlantic conference I attended recently in Berlin, many European delegates were at pains to point out to their American counterparts that in questioning SDI they were not attacking the United States. They felt that they had to preface their remarks in that way to explain to the United States that it was not the carping Europeans raising those issues in debate, but the fact that we needed a genuine dialogue on the whole issue of SDI in exactly the same way as that debate had been going on in America.

The Times was unjustified in a leading article in attacking, in my view, my right hon. and learned Friend in the way that it did, using terms such as "appeaser", when he was simply reiterating the arguments that have been developing on both sides of the Atlantic. He reminded his audience that the purpose of the American decision, which Britain backed, was to ensure that the necessary research on SDI was undertaken, but that that in no way meant that any decision on the implementation of an SDI initiative would be taken without proper discussion.

My right hon. and learned Friend went further and pointed out that, under the ABM treaty of 1972, the US could not unilaterally implement SDI following the conclusion of its research without negotiation with the other signatory to the ABM treaty. That important point must be remembered.

We must not allow ourselves to be seduced by the new approach to foreign affairs by the Russians. They should be reminded of their contribution to international diplomacy and to the Third world. It is all very well for the Soviet Union to tell us in the West that we must do more to help the Third world, but their philosophy for many years has been built on guns rather than butter.

It is a telling factor that, compared with the United Nations target of 0.7 per cent., the Soviet Union is well below 0.2 per cent. in its economic aid, and much of that is tied to harsh stipulations that often result in the recipient country, in meeting those stipulations, being worse off than if it had not received the aid in the first place.

The Commonwealth Heads of Government meeting will take place in the autumn. It will be an important moment in the development of the Commonwealth because there has been a big change in its leadership, and, apart from the leaders, some of the principal actors are new. For example, there are new Prime Ministers in Canada, New Zealand, India and Barbados, and the Prime Minister of Australia is relatively new.

When the British Prime Minister visited Malaysia, the Prime Minister there, Dr. Mahathir bin Mohamed, went out of his way to question some of the traditional values on which the Commonwealth was based, That frankness and informality, to which my right hon. and learned Friend referred, is extremely important, and it will be the responsibility of the Commonwealth Prime Ministers, including the British Prime Minister, to educate and lead, as it were, so as to inculcate into the newcomers the qualities of the Commonwealth which we continue to apply. Those qualities enable us to cross the North-South, East-West divide and to negotiate in a manner that is not possible in more structured and rigid forums.

Later, when the United Nations celebrates its 40th anniversary, it will be useful for that body to ponder where it has arrived after 40 years. It might consider whether many of the ritualised resolutions which it passes take it further away from the art of the possible, a concept which the founders of the United Nations and drafters of its charter carefully built into its operations, particularly for the work of the Security Council. The United Nations could learn from the Commonwealth, for example how to talk to one another and how to reach the consensus which is so important in diplomacy.

10.40 pm

Mr. Michael Knowles (Nottingham, East): Two reports on European union are currently in circulation. My right hon. Friend the Minister for Overseas Development knows as much as anyone about the Dooge report; he was one of its principal authors. The European Parliament report covers the same subject.

It is not necessary to spell out the dangers posed to western Europe by the Soviet Union. They are all too stark. They are written across the pages of history in blood. However, Europe faces other dangers and other opportunities. One other danger—this may seem strange—is posed by the Americans and in a sense by the Japanese. We are influenced by the Americans in every sphere. In defence, our dependence on them is obvious. In economic matters, the effect of the dollar on every other currency is evident. The Americans are benevolent friends and allies, and the alliance has lasted for more than 40 years, but will it still exist in another 40 years' time?

[Mr. Michael Knowles]

America has her own interests. For the first time last year, her trade with the far east was greater than her trade with Europe. A people's interests are bound to follow their trade, and so, in the end, are their defence interests. Europe has been given time — so far we have squandered it—to do something to help itself.

The obvious historical analogy is that of the Greek city states. Those wonderful cultures, trapped between the Roman and Persian empires, were in the end absorbed. They were absorbed by the Romans, but they might have been absorbed by either power. That is the prospect that faces western Europe, but we have time to do something about it. That is the inspiration behind the two reports.

Union is the only answer. Europeans respond to ideas and ideals, good and bad. There is still a danger of nationalism in Europe. If Britain wishes to follow a more nationalistic path, it will be hard for us to argue with other countries that may wish to do so too, including Germany and all the states that formerly constituted Germany. There cannot be one law for some and another for others.

Europeans are different from Americans. If one tells Americans to go out and make a fortune, they will respond. Their society is built on those lines. That is not true of Europe as a whole. People may make fortunes, but they respond to ideas and ideals, usually political, and wealth may be a consequence.

We have an ideal that could light Europe up. That ideal is union. Spinelli said that the new treaty would arise out of despair and not enthusiasm. He was right. There was a time when people really wanted to go forward. Now they feel that we must go forward because if we try to stand still we will fall apart. The Community is not moving rapidly enough to deal with all the major issues that face it. We must clear the decision-making process. We must return to the Treaty of Rome and do away with the Luxembourg compromise. Those are the starting points that we must tackle before we embark on anything more dramatic.

I hope that we shall have a full debate on the subject before the Milan conference. It is clear, talking to friends and colleagues on the continent, that seven out of 10 members of the Community want to go ahead with virtually another Messina conference. Their line might be simple and run, "We will hold the conference. You are welcome to come, but if you do not, we shall go ahead anyway." What will be the Government's and the House's response to that?

We made the mistake of standing back 30 years ago, believing that the Messina conference would not work. We then had to join later, on what everyone perceived as disadvantageous terms. It might be forgivable to make a mistake once, but a second mistake cannot be excused. Nevertheless, that is what could happen in the next three or four months, never mind one year. We signed the Stuttgart declaration and there were the events at Fontainebleau. The bill for signing those documents is now being presented.

I understand why the Government do not want a new treaty. The idea of having to back it through the House cannot be attractive. It will be a hard fight, but the difficulty is partly of the Government's own making. We have happily signed all of the declarations. I do not believe that what we are hearing from our friends in the Community is sheer rhetoric. The time for prevarication is past.

In the next few months, we shall have to make crucial decisions that will affect the future of Britain and Western Europe as a whole. The consequences of Messina are coming to the boil and the time for Tindemans' reports and the other failed hopes are over. People want to move. We must face up to whether we want to be part of that movement. My answer is simple. It is yes.

10.46 pm

Mr. John Carlisle (Luton, North): The House will not be surprised if I concentrate on South Africa, perhaps to correct some of the anomalies and misnomers of the hon. Member for Aberdeen, North (Mr. Hughes). I tell him, as I tell those who follow the line which he follows and which the hon. Member for Swansea, East (Mr. Anderson) might take up, that it is easy, in the cosy atmosphere of Westminster, to pontificate on human rights in another country some 6,000 miles away and on how its system should be run.

Whatever wrongs are going on in that part of the world, the hon. Member for Aberdeen, North lacks — he perhaps will not admit it to the House—the knowledge that South African society is probably the most complex in the world today. We do not help that society or members of it, whatever the colour of their skin, by lambasting attacks such as the hon. Gentleman made on the South African Government and those who are genuinely trying to help from within South Africa.

During the past 24 hours I have been heartened by the comments of my right hon. and learned Friend the Foreign Secretary and his colleagues that, despite all the proposals that have been put to them by the opposition parties, we are standing firm, trying to achieve some co-operation with South Africa and trying to understand circumstances there. Part of that country's problem is that many claim to be leaders. Bishop Tutu represents only the fourth largest church organisation in South Africa, but he seems to speak, as he says, for all blacks in South Africa. Many of those who put forward their own arguments, including Opposition Members, try to give the impression that their view is the only one that the black in South Africa wants to be put forward. I tell them and Bishop Tutu that there are large bodies of opinion in South Africa which are completely at variance with their opinions. Many are seeking for some co-operation from us, and some understanding of their problems. Pontification from Westminster Members in not helping.

Encouraged though I am by Her Majesty's Government's attitude to the problems in South Africa, I am discouraged by the continuing presence here of the African National Congress, and by the respectability that we seem still to be giving to the United Democratic Front. It is worth quoting an article that appeared in the *Daily Express* this week about the activities of the ANC, so that the House can understand that both the ANC and the UDF are bent on revolutionary change, which will inevitably mean death and bloodshed in South Africa. My quotation comes from an article on Tuesday 23 April, and the words of a leading member of the ANC, Mr. Sereste Khoabi. He said:

"This is the beginning of the intensification of the revolution in South Africa, and the violence will continue until victory is obtained.

In the past we have not indulged in the reckless killing of human beings. We attacked the economic instruments of white power.

But that will not necessarily be the case in the future.

In future we will be agressive."

Mr. Robert Hughes *rose*——

Mr. Carlisle: I do not have time to give way.

The House will understand that while we continue to give sanction to people using such talk, we are seen by many countries, concerned in the argument about human rights, to be harbouring terrorists who are bent on violent revolution in South Africa.

If we are to solve the problems of that troubled country, and the problems of the various races and tribes there, we must think of co-operation. I am pleased that the words that we heard from my right hon. and learned Friend the Foreign Secretary, and from other Ministers, have been on that basis. They are right to reject disinvestment. It was interesting to hear the right hon. Member for Leeds, East (Mr. Healey) put forward a policy that he did not have the courage to pursue when he was in office in 1976. He said that the situation is worse now than it was in 1976, but that is nonsense. Between the riots of 1976 and the position of the blacks today there is a dramatic difference. In 1976, as the Opposition will know, the job opportunities for blacks were limited, the blacks were not able to join trade unions, the wages disparity between blacks and whites was far greater than it is today, and education and other social services were much worse.

To take the words of Mr. Harry Oppenheimer in a speech to the South Africa Club only last week, one can half understand the riots of 1976 because there was no hope for the blacks then. What the South African Government have done by the many and varied changes that have taken place, changes that are far more than cosmetic for those who are trying to assist the country and understand its problems, has meant that there is hope. Those circumstances should be seen as the background for the sad events of Uitenhage in the past few weeks. I condemn and deplore what happened at Uitenhage, and I regret what happened, as every hon. Member has, but that must be seen against the background of the violence encouraged by members of the UDF and the ANC. We would do well to learn from that violence, and offer sympathy and understanding for the terrible problems that that country faces.

10.54 pm

Mr. John Browne (Winchester): I should like to congratulate my right hon. and learned Friend the Foreign Secretary on his speech and especially one line that I particularly liked. He said that the Government intend to stand up strongly in terms of our defence and to seek to improve relationships with the Soviet Union, but not by dropping our guard in any way.

It is interesting to compare the fundamental strengths and weaknesses of the totalitarian states, such as the Soviet Union, and the democracies, such as the United States, when considering the East-West power struggle. The totalitarian state's strength is its ability to sustain armed conflict when no direct threat to the home country exists; its greatest weakness is its inability to generate real economic wealth. The great strength of a democracy such as the United States is its ability to generate enormous economic wealth; its weakness, especially since Vietnam, is its inability to conduct sustained military operations in defence of freedom and other democracies when there is no apparent threat to the mainland of the United States. We should learn that lesson and always be conscious of it.

It is always much better for us to use our economic power in preference to risking being placed in an inherently weak position where we have to use our short-term military power. If Britain had not been so penny pinching in defence, we would not have had to pay such an enormous price in the Falklands. If we had not been so penny pinching in defence before the second world war and had used our economic power, we would not have had to face the tremendous cost of that war.

Last week, when I was in Washington, I had the great privilege and honour of meeting President Reagan when I was trying to persuade Senators and Representatives—my efforts proved to be in vain in the House of Representatives—to support their President and to use economic power in Nicaragua in the defence of freedom rather than eventually face the threat with military power. In President Reagan, the free world has a dedicated friend. He is a man of political integrity who means business. The United Kingdom also has a great friend in the President.

The United States and the Soviet Union are locked in an arm wrestling exercise in Nicaragua, through the activities of surrogate states. There is a threat not only to the United States but to the whole free world. For if the United States fails to back its strong card in central America by using its wealth, it will eventually be forced to guard its southern borders with military forces. Those military forces will largely be drawn from other parts of the world, including Europe. That is a threat to us. Imagine the morale of NATO and Europe if American forces were withdrawn to defend the United States' southern borders.

I had the honour of meeting Mr. and Mrs. Gorbachev when they were in London. Although Soviet goals have not changed in any way, its style of leadership and diplomacy certainly have.

Mr. Gorbachev is alert, highly intelligent and well-educated. He is a tough and dedicated communist, a good speaker and a thoroughly professional and modern-style politician. That in itself is a new image in the Soviet leadership. Mr. Gorbachev has a sense of humour and a ready smile. In fact, he has style. He has charisma—western-style to exploit that charisma, he is prepared to use the western news media. He will not have liberal policies or policies similar to those of the President Kennedy. He is a tough Communist. But he will have a great effect on the world. It is important that we should recognise the significance of his charisma. For although it is good news for the Soviet Union, it presents a new and greater challenge for the western world.

Mr. Gorbachev will use his power in the Soviet Union to motivate the work force, and to persuade the reluctant Soviet nomenclature or elite to accept the desirability and advantages of economic change.

In China, one of the most fundamental revolutions is occurring thanks to the Hong Kong treaty negotiated by the Government. Deng Xiaoping is not communising Hong Kong; he is capitalising China. He does not have a nomenclature or an elite, because they were all done away with in the cultural revolution. He is much nearer to his revolution than the Soviet Union. The Soviet Union will see these enormous changes as a direct challenge. I believe that Mr. Gorbachev will therefore persuade the Soviet elite to accept the need for change.

Mr. Gorbachev will be the first Soviet leader to be able to use the western news media to appeal directly to western grass roots over the heads of western leaders and negotiators. That will make it harder to deal with the CND,

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the anti-nuclear movement and all the other internal, surreptitious and anti-democratic forces with which the West has to contend.

Mr. Gorbachev will use his power of persuasion directly and personally with western leaders. He will exploit to the full the smallest splits that appear, such as the one about the SDI programme. Some western leaders feel that to take the nuclear element out of the nuclear deterrence might be dangerous. Some may also feel that it may be more dangerous on the front line—the first defence tier may be only 55 or 60 per cent. effective, and so on.

Like many other speakers, I believe that the SDI heralds a new era. Soviet research on SDI is already with us. The implications of that are so serious and important that the subject deserves a separate debate.

The Soviet goals have not changed under Mr. Gorbachev, but the Soviet style has and will continue to change. Out will go the brutish Russian bear and in will come the new image of the Soviet Union—responsible, reasonable and reassuring. The dirty work will be done by surrogate states—North Vietnam, Cuba, East Germany, and so on. Whilst the hammer will be kept available, it will be replaced by the sharp sickle. The backdrop, however, will be the same—red, Soviet red, blood red. We must not forget that.

There are three other areas of Soviet activity which are hardly ever mentioned but which are worrying. The first is Malta. The links that the Soviet Union has forged with that Government through the Libyans deserve our attention. Libyan military hardware and men are now near the soft underbelly of Europe.

The next is Iran. If Iraq wins the war, what will happen in Iran? We hear that about 300 mullahs left Iran a week or so ago. What will be the effect of the 1926 Soviet-Persian treaty if there is a debacle in Iran? Will it provide the pretext under which the Soviet Union could walk into Iran without being asked?

Finally, there is Antarctica. I agree that the United States and many other countries have camps there. However, the Soviet Union has seven. Two of them have 2 km runways and one has a 3 km runway. There is also a regular Soviet shuttle service from Minsk via Cairo, Aden and Maputo to Vostock. Is there not a suspicion that this activity indicates more than a peaceful, geological survey going on there? In this light we must reconsider the strategic defence of the United States and Europe. All our defence forces face north, east and west, leaving the southern window open. I predict that the Falkland Islands may prove to be more important strategically for the West in the future than is generally believed today.

I support and congratulate my right hon. and learned Friend upon his speech.

11.5 pm

Mr. Nigel Forman (Carshalton and Wallington): To speak at this time of night one needs a thick skin and a rapid delivery.

I want to concentrate my remarks on East-West relations. I welcome my right hon. and learned Friend's positive contribution to the improvement of these relations and also that of my hon. Friend the Member for Edinburgh, Pentlands (Mr. Rifkind), who, as has already been said, paved the way for the recent visits. I very much

agree that we should have a disaggregated policy towards the countries of eastern Europe, keep up the pressure on human rights, develop trading links and cultural contacts and explore the options for arms control and disarmament in all the various forums which are involved. I hope that Her Majesty's Government will continue patiently and seriously with that policy.

I also agree that we should have practical and businesslike contacts with the Soviet Union since, as the Foreign Secretary has pointed out on a number of occasions both in the House and elsewhere, rapprochement between East and West should not be based on arms control alone. Indeed, arms control is likely to be successful and to be turned into genuine disarmament only if it is against the background of a warmer and more positive political relationship between East and West at all levels and in all forums.

I also agree very much with what my right hon. and learned Friend said in his wise and cautionary words on the strategic defence initiative. Indeed, it is clear that my right hon. Friend the Prime Minister takes the same view. I am heartened that there is a good deal of caution about this controversial matter, because it is clear that the Washington Administration, as the right hon. Member for Leeds, East (Mr. Healey) said, are very heterogeneous in these matters. I think that one can pin a lot of faith on the very sensible views of Secretary Shultz and Mr. Paul Nitze.

If the Camp David four points, to which reference has been made earlier, are to take on their true significance, there must be no leap-frogging by the United States to catch up and then surpass the alleged state of the art in the Soviet Union; no breaking of the 1972 ABM treaty, which is still an essential pillar of the precarious edifice of arms control between the two superpowers; not early abandonment of the tried and tested doctrine of mutually assured deterrence—as my right hon. and learned Friend rightly called it—which is, of course, based on the ability of each side to inflict unacceptable damage upon the other with an assured second-strike capability; and no succumbing to the temptation to escape into technological fantasies about space defence systems at the expense of real and urgent progress on disarmament with regard to the offensive capabilities in strategic nuclear weapons of both sides.

The United States policy, as it is advanced by Mr. Weinberger and others, is in danger of putting the Soviets into a sort of Morton's fork. If they do not go ahead, they will lose credibility as a superpower in the one dimension in which they lay claim to that position. If they do go ahead, it will prejudice their more reasonable domestic objectives and give another alarming twist to the spiral of the arms race. I think it is likely that a mixture of both things will happen, that there will be no total and foolproof development of SDI, whether in this century of the next, and that ICBMs will be developed and modernised in parallel.

In the meantime we must ask whether the Americans are really keen on the research stage of SDI in order to negotiate away the subsequent stages on the pattern of the 1972 ABM treaty; or whether President Reagan, in particular, is committed to a technological dream which he may not fully understand and which was apparently sold to him by the notorious Edward Teller? If so, there is a real

danger of decision-making being pre-empted by technological determinism and of the superpower relationship being fatally destabilised.

Hitherto, since the late 1940s, deterrence has been the basis of our defence in the West. Can we be equally sure that in the future any form of defence would provide sufficient deterrence? I think we should heed the adage, better the devil we know.

In conclusion, I think that my right hon. and learned Friend was absolutely right in his splendid RUSI speech to point out:

"Complete protection [against nuclear attack] is not available to any country. The best that can be hoped for is a balance of capability matched by mutual confidence about intentions."

It is precisely those two points that we in western Europe are most right to be cautious about with the present obsession in parts of the American Administration with SDI, and it is on those two points that we should found our continuing policy advice to Washington.

11.10 pm

Mr. Jeremy Corbyn (Islington, North): I shall be as brief as possible. The visit of the hon. Member for Winchester (Mr. Browne) to the United States was, fortunately, not successful in persuading Congress of the need to support the President in his attitude to central America.

Mr. James Lamond: He tipped the balance.

Mr. Corbyn: My hon. Friend may be right — perhaps we should be grateful to the hon. Member for Winchester. It is significant that the President has suffered a major rebuff on his obsession with creating another Vietnam in central America. It is good news that Congress has voted to refuse funding for the Contras. It must be bad news for the Federation of Conservative Students who have been going around with posters saying, "Arm the Contras" and "Victory to the Contras".

The position in central America is serious, especially to world peace and in relation to the attitude of the United States towards the remainder of the world. A statement was made recently by Senators Tom Harkin and John Kerry and Congressman Norman Minetta about the attitude of President Reagan towards central America, in which they catalogued the Reagan Administration's record on central America. They said:

"The disturbing, systematic record of deceit documented by this report exposed a growing credibility gap which undermines the Administration's accountability to Congress, and threatens the constitutional separation of powers between the executive and legislative branches."

It is the opposition to President Reagan that has been mounted in the United States that is very significant at the present time.

When the Minister replies, he must come clean about the Government's attitude to central America. I listened carefully to the Foreign Secretary when he opened the debate. He said that the Government supported the Contadora process. They may well make protestations in support of that, but their record on central America is quite the opposite. Their record is, first, to refuse all aid to Nicaragua since the revolution in 1979; secondly, to give Nicaragua the lowest possible export credit guarantee rating so that there is virtually no trade; thirdly, to open aid to El Salvador and offer training facilities to the El Salvador army for its oppressive work; and, fourthly, to continue trading in arms and spares with the Government of Honduras — an aggressive Government who do not recognise human rights in their own country. When the Minister replies he should give us some facts on that.

I wish to inform the House briefly about the human rights position in El Salvador. Recently a delegate from the committee for the defence of human rights visited Britain. He said that under Duarte the number of human rights violations had gone down, but it was due to an increasing level of sophistication in the Government's methods of repression. Yet that has been used by the United States in its pro-Duarte propaganda. It is both difficult and important to counter that campaign. It is important that the House recognises that there are selective and systematic violation of human rights; there are selective and systematic killings of opponents of the Duarte Government. A civil war is still going on in El Salvador.

If the British Government continue to give aid and support to the Government of El Salvador, they are aiding and abetting that civil war. They are putting themselves outside the process the Contadora countries have mounted.

El Salvador has about 1 million refugees, and there are millions more within central America who face daily the consequences of American policy supported by the British Government. They suffer a terrible plight. Many of those people are living in difficult circumstances and have been refugees for years. Many of the children are growing up in refugee camps. That is the reality of American policy in central America.

Recently the Transnational Institute, which is based in Amsterdam, published a European response to the American crisis. It has been forwarded to the Foreign Office and to many members of Congress and of the Senate, who have been asked to support it. The report gives four views of what is happening in central America. First, it says:

"The roots of the crisis in Central America lie in the social and economic problems of the region. A durable peace in the region can only be established through political solutions and economic development, and these must be rooted in a reasonably just social order."

Secondly, it says that the tensions in central America are not manifestations of the East-West crisis, as the American Government would continually have us believe, but that they are to do with the desire of the people of Nicaragua, El Salvador, Honduras and the other countries in central America for decency, an end to hunger, and an opportunity for their children to grow up in a peaceful and just world. It is the obsession of the United States with the Monroe doctrine and the control of that region that prevents that.

Thirdly, the document calls for a diplomatic rather than a military solution. Fourthly, it says that Nicaragua, with a democratically elected Government who are determined to improve the lot of their people, should be able to do that in peace and should not be forced to spend so much of its precious resources on defending its territory against American-backed Contra forces and agents.

We should not stand aside and do and say nothing about central America when the United States is obsessed with starting another Vietnam war in that region. The Government of the United Kingdom have a role to play. If they support the Contadora process, as they say they do, it is incumbent upon them to stop aid to El Salvador, to stop military sales to Honduras and to support genuinely the search for a just and lasting peace in central America

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which can be achieved only by recognising and respecting the elected Government of Nicaragua and the peaceful intentions of the Nicaraguan people.

Mr. Deputy Speaker (Mr. Ernest Armstrong): Mr. Donald Anderson.

Mr. Nicholas Winterton (Macclesfield): On a point of order, Mr. Deputy Speaker. Is it a tradition and custom of the House that Members should attend for the opening of the debate, then disappear and only come back at the end of the debate, expecting to be called, and should then be called, when other Members have been in the Chamber throughout the whole debate except, in my case, for a brief period when I visited my son in hospital? Is that a tradition and custom of the House? If it is, it is a waste of time Back Benchers being here.

Mr. Deputy Speaker: As the hon. Gentleman knows, the selection of speakers is a matter for the Chair. It is a very difficult exercise, particularly today when there have been so many long speeches and so many hon. Members have wanted to take part. I think the hon. Gentleman knows the traditions of the House as well as I do.

11.18 pm

Mr. Donald Anderson (Swansea, East): May I begin by expressing a fellow feeling with the Minister of State who will be expected in a period of 20 minutes or so to respond to a debate which has lasted for some seven hours, with 23 speakers, on a wide variety of topics? We look forward to the many replies which he will give.

As is usual in overall foreign affairs debates, the area covered has been extensive. The many hon. Members on both sides of the House who have contributed have displayed considerable expertise. Perhaps the most effective speeches have been those which have concentrated on one subject instead of ranging widely over the world. We have reacted to the major crises and points of interest in the world today. Not surprisingly, East-West relations, the significance of the new Soviet leadership and the significance of the star wars debate have taken up a substantial part of the debate.

The starting point was the star wars speech by President Reagan, which was perhaps more reminiscent of a western film than a serious contribution to a debate on strategy. His officials, particularly Mr. Nitze and others, have been trying to interpret and re-interpret that speech, which was in very apocalyptic terms.

The Opposition and, I believe, the country as a whole felt considerable admiration for the Foreign Secretary's think-piece speech to the Royal United Services Institute for Defence Studies setting out the legitimate concerns of the people of Western Europe, who clearly have a major contribution to make in that debate. The points made by the right hon. and learned Gentleman were extremely valid. The psychological impact on the Soviet Union of the concept as elaborated by the United States President in his initial speech, the fears of a Maginot line in space, the deferment of consideration of the overall strategic implications of the new doctrine, the scepticism about the extent to which the dynamic of the research would be followed by deployment and the fears about where political control would be established are all major considerations which should properly be put. As my right hon. Friend the Member for Leeds, East (Mr. Healey) pointed out, however, they were met with a somewhat hysterical reaction from *The Times* and indeed from Mr. Perle who was hurriedly sent over here. It is only sad that there is some evidence of backpedalling by the Foreign Secretary since he gave that major think-piece to the RUSI.

In this, as in other areas, the Government must learn that an ally need not be blind supporter—a point made eloquently and well in the helpful contribution of the hon. Member for Buckingham (Mr. Walden). In too many instances we have discarded our own judgment and interests at the behest of the United States Administration. The decision to leave UNESCO, for example, would clearly not have been taken if the United States Administration had not decided to do so, with the consequent pressure of interest groups in the United States and in this country on the British Government. The same applies to our position on the law of the sea convention and, perhaps most markedly of all, to our docile acquiescence in the absurdities and contradictions of United States policy in central America, as was clearly illustrated by my hon. Friend the Member for Islington, North (Mr. Corbyn), the hon. Member for Inverness, Nairn and Lochaber (Mr. Johnston) and my hon. Friend the Member for Monklands, West (Mr. Clarke).

The absurdity of British policy was perhaps most clearly shown in the extent to which we yielded to United States pressure by sending observers to the elections in El Salvador in March and May last year but refused to send observers to the elections in Nicaragua in November. We could not even vote against the mining of Nicaraguan ports by people armed and trained by the United States Administration. Do we accept the United States analysis that Nicaragua is already behind the Iron Curtain? Do we not perceive the contradictions of United States policies — for example, in demanding power sharing in Nicaragua between the Sandinista Government and the Contras but insisting that there should be no power sharing in El Salvador between the President Duarte's Government and the FMLN/FDR?

Do we not shudder when President Reagan describes the Contras as the moral equivalent of the Founding Fathers and pledges to do everything in his power to win the central American struggle, which means by extension that if the current siege of Nicaragua, politically, economically and in every other way, does not succeed the end of the road will be direct military intervention? Yet in not one instance have the British Government in any way distanced themselves from those contradictions and absurdities of United States policy in central America. For example, do we not recognise that the record of Nicaragua on human rights is infinitely better than that of both Guatemala and El Salvador?

On the general problem of human rights, may we again applaud what the Secretary of State did in his visit to Poland? In a dramatic way, he showed this country's concern with the problems of human rights not only in Poland itself but in Eastern Europe as a whole. Apart from his singing of Welsh hymns, which, personally, one much approves of, one noticed his symbolic visit to the grave of Father Popieluszko and his meeting with Solidarity activists.

I should like to put this matter to the Secretary of State. We approve of that initiative, and the style and symbolism of his activities in Poland, but when will he, in a similar

way, pay tribute at the grave of Steve Biko? When will he meet representatives of the African National Congress? When will he earn a rebuff from the South African Government as well deserved as the rebuff that he received from the Polish Government?

With regard to human rights, I simply repeat some of the questions about Hong Kong, to which I hope the Minister of State is ready to respond. Questions were raised about the Government's likely response to the recommendations of the Select Committee on Home Affairs relating to the Vietnamese refugees in Hong Kong. There are roughly 12,000, over half of whom are in closed camps. Do the Government accept that they should make another effort in the hope that we can persuade, by our example, other Governments to admit those who have been languishing in the closed camps? I concede that this is a delicate matter, but perhaps the Government will tell us of the current state of negotiations with China about the composition of the joint liaison group. We understand that there are problems and that the Chinese are insisting that there be no representative of the Hong Kong Chinese included within that joint liaison group. Perhaps the Minister can say whether such is the case and what our policy is in respect of the joint liaison group.

There has been less concentration on the middle east than in most foreign affairs debates, but I should like to ask the Minister about a matter raised by the hon. Member for Inverness, Nairn and Lochaber on whether the Government accept that there is any role for the EEC in respect of the solution of the problems of the middle east, and whether it is now possible to build on the precedent of the Venice declaration. There are some signs that Syria, which, on any analysis, following the Lebanese problems over the past few years, will have a veto on events in Lebanon itself and possibly over the future of Israel, would welcome a European initiative. Everyone accepts that, because of ethnic politics in the United States, and because of the natural caution of the United States after the last debacle in Lebanon, the Reagan Administration are understandably proceeding with some caution. The signs are that the visit of Mr. Murphy as the emissary of President Reagan has not met with any real chance of success.

I shall seek now to deal with the problems of South Africa, on which I shall concentrate my remaining remarks. The matter has been touched on at length by my hon. Friend the Member for Aberdeen, North (Mr. Hughes) and by the hon. Members for Wantage (Mr. Jackson) and for Luton, North (Mr. Carlisle) and others.

New forces are at work in South Africa. Domestic unrest is unlikely to fade away, as happened after previous periods of unrest in 1960 and 1976. Today it has been reported that there have been further disturbances in Alexandra, Soweto, the Free State and the Northern Cape. It would be quite wrong for the Opposition to claim that the developments since the state President's speech on 25 January have been without significance. Reform of the marriage laws affects perhaps only 1,000 people out of a population of 26 million and has only symbolic importance, but the decision to end the forced removal of blacks from white areas may have a real impact upon blacks in the Republic. Nevertheless, the essential ingredients of apartheid remain. The structure upholding white power remains in existence. There is no suggestion that the blacks, forming roughly 73 per cent. of the population, will be brought into the national political dialogue.

As for Angola and Namibia, even though the South African forces have been withdrawn south of the border with Angola they remain poised to return to Angola if they deem it necessary, and South Africa is still firmly in illegal occupation of Namibia. Negotiations have been offered to Nelson Mandela if he abandons the armed struggle, yet at the same time the South African Government arrest leaders of the United Democratic Front—people I have met like Archie Gumede and Albertina Sisulu—because they demand a non-violent end to apartheid. This is part of the reality of life in South Africa. The trial of the 16 members of the United Democratic Front who are charged with high treason is likely to begin in May and will probably last for 18 months. There will be real advance only when the black majority is taken into the political dialogue instead of the leading representatives of the black majority being placed in indefinite custody. In September 1984 they were placed in detention without trial under section 28 of the Internal Security Act 1982. Now—something which is just as bad—they are placed in detention with trial, a trial which will last for no less than 18 months.

What has been the reaction of the Government? The hon. Member for Luton, North is an ardent and consistent apologist on behalf of the South African Government and made his point about the United Democratic Front, but has he read resolution 560 that was unanimously adopted by the Security Council on 12 March 1984 and therefore was supported by our Government? It says, inter alia, that our Government, along with other members of the Security Council:

> "2. Strongly condemns the arbitrary arrests by the Pretoria régime of members of the United Democratic Front and other mass organisations opposed to South Africa's policy of apartheid;
>
> 3. Calls on the Pretoria régime to release unconditionally and immediately all political prisoners and detainees, including Nelson Mandela and all other black leaders with whom it must deal in any meaningful discussion of the future of the country;
>
> 4. Also calls upon the Pretoria régime to withdraw the charges of 'high treason' instituted against the United Democratic Front officials, and calls for their immedaiate and unconditional release;
>
> 5. Commends the massive united resistance of the oppressed people of South Africa against apartheid, and reaffirms the legitimacy of their struggle for a united, non-racial and democratic South Africa".

That resolution was adopted by the Security Council and supported by the British Government. It shows the extent to which the hon. Member for Luton, North, in his consistent advocacy and apology for South African Government policies, is out of step with his Government.

Mr. John Carlisle *rose*——

Mr. Anderson: I will not give way, because I have 20 minutes in total in which to make my speech.

Although we agree with what the Government have done in the Security Council in that respect and in other matters, on the whole their attitude towards South Africa has been a policy of appeasement with which we fundamentally disagree. For example, in June of last year the Government welcomed President Botha during his visit. What did that visit achieve? Would they adopt the same attitude today to such a visit? In August of last year the Government did not condemn the new tricameral constitution. In September of last year they acted in a

[Mr. Anderson]

totally supine way on the issue of the Coventry four. In a letter to me dated 13 November 1984 the Secretary of State wrote:

"Malcolm Rifkind strongly condemned the South African Government's breach of faith and made it clear that, following the issue of warrants of arrest, we expected the South African Government to do nothing further to impede the return of the men to face the charges. I remain strongly of that view. For that reason, I do not think it would be right for us to take punitive action which would remove any prospect of bringing the four men to court."

What prospects are there now of bringing those four men to court? What reason can now exist for not taking strong action in view of the South African Government's total breach of faith after their agent, their first secretary at their embassy, had given an unconditional undertaking—had pledged the credit of the South African Government—that they would return those four men so that they could stand trial in our courts on charges of illegal arms dealing? On that matter, as in so many others, the British Government have been totally supine towards the South African Government. Imagine what would have occurred, for example, had the Nigerian Government broken faith in that way. Would the British Government have taken a similarly docile attitude?

Yet the Minister of State continues to repeat the refrain that the blacks are against sanctions—despite what my hon. Friend the Member for Aberdeen, North said—and that the courts in South Africa have a healthy reputation for independence, when that is disproved by the facts.

Do the Government accept that the Crocker initiative on Namibia is now dead as a result of the internal settlement agreed by the South Africans? The hon. Member for Wantage made some clear and logical comments on the issue. He said that there should be a constitution before elections. What validity would the participants in a constitutional convention have? He must know that there would be no chance of such a convention being accepted by the United Nations.

What is the Government's response to the call by the non-aligned movement for the whole matter to be returned to the United Nations, where sanctions should be imposed on the South Africans because of their illegal occupation of the territory? That illegality is accepted by the Government. From that illegally occupied territory, the South Africans menace and threaten neighbouring Angola. Will the Government at least give a clear assurance that they rest on Security Council resolution 435 and will have nothing to do with the interim Government?

In relation to South Africa, the Government must use both stick and carrot. They must commend any moves in the right direction but recognise the enormous gulf between what has been done and what must be done to ensure a peaceful future for that country. Do the Government accept that the EEC code should be strengthened? Are they happy that so many British companies have not filed any returns in respect of that code—major companies such as Marley? The Government are perceived to be colluding with apartheid and our credibility is at risk.

Why cannot the Government decide to meet representatives of the African National Congress? That would have a considerable symbolic significance.

Mr. John Carlisle: Terrorists.

Mr. Anderson: The apologist for South Africa says "Terrorists". There is no parallel between the ANC and, say, the IRA. The IRA may participate in elections if it wishes. The ANC, like all black opinion, is totally excluded from participation in elections. Why cannot the Government decide to meet representatives of the ANC, as they have properly met representatives of the South West Africa People's Organisation?

There will be profound changes in South Africa. We will have to show whose side we are on, and whether we support profound political and economic change in that country. Our position in respect of pressures was made clear earlier in the debate by my right hon. Friend the Member for Leeds, East; and we stand firmly behind him.

11.42 pm

The Minister of State, Foreign and Commonwealth Office (Mr. Malcolm Rifkind): I agree with the hon. Member for Swansea, East (Mr. Anderson) about the quality and breadth of all the speeches made in the debate, but I must apologise to the many hon. Members whose speeches I shall not have time to comment on.

I thank my hon. Friend the Member for Crawley (Mr. Soames) and the other hon. Members who complemented the diplomatic staff of the Foreign and Commonwealth office on their work. If, as many hon. Members have said, there have been a number of important successes in our foreign policy in the past 12 months, the greatest tribute must be paid to the dedicated work of our professional diplomats who work hard and successfully in pursuing our national interests.

I listened with interest to the speech of the right hon. Member for Leeds, East (Mr. Healey). I thank him for his complimentary remarks about the speeches — and, indeed, the work—of my right hon. and learned Friend the Foreign Secretary. His compliments compared favourably with his barbed exchange with his hon. Friend the Member for Oldham, Central and Royton (Mr. Lamond). One appreciates the strain from which the right hon. Gentleman must often suffer in his relations with his colleagues. In a recent Fabian tract, he wrote that

"working only with socialists was, as Nye Bevan said . . . a policy for hermits."

No one would dream of accusing the right hon. Gentleman of hermit-like tendencies at any time in his career.

The right hon. Gentleman's comments on arms control issues and, in particular, his reaction to the recent proposals by Mr. Gorbachev, showed that there is considerable confusion within the ranks of the Opposition. I agree with my right hon. Friend the Member for Blackpool, South (Sir P. Blaker). There is significant confusion, and I can see no clear answer to it. When Mr. Gorbachev first made his proposal a couple of weeks ago, the initial reaction of the right hon. Gentleman and of the Leader of the Opposition was to condemn the Government for not reacting more favourably to that encouraging initiative.

When the hon. Member for Oldham, Central and Royton raised the same point today, the right hon. Member for Leeds, East correctly said that he was not very impressed with a six-month delay of weapons which would probably not have been deployed in that period in the first place. That suggests a certain confusion, but it is nothing compared with the other confusion in the right hon. Gentleman's mind in these matters.

When NATO started deploying Cruise and Pershing missiles, the right hon. Gentleman was the first to denounce that and to call for an instant freeze on the grounds that Pershing was a most sophisticated and highly technical and dangerous weapon which would clearly be destabilising. We heard the call for a freeze again today, but on the ground that Pershing is so completely useless and the SS20s so technologically superior that it is essential to have a freeze before too many SS20s are deployed by the Soviet Union.

Mr. Healey: I regret to say that, when I made my first remark, I was not aware that Pershing II was such a bum weapon and that the United States had been compelled to delay its deployment because it blows up on the launching pad. I hope that the hon. Member will feel that he was conned as much as I was when the thing was first deployed.

Mr. Rifkind: I am grateful to the right hon. Gentleman. He has just confirmed to the House that he has a fixation about the need for a freeze, irrespective of whether Soviet weapons are more or less effective than NATO's. His view does not arise out of any serious analysis of the threat that the West faces from SS20s and other weapons; he simply has a fixation about the need for that reaction by the West and is not prepared to examine the matter on its merits. That is a matter of sadness and regret, because it is not up to the standards applied by the right hon. Gentleman when he was Secretary of State for Defence and which we believe he would still be capable of if he were not tied to a party with the views of which he only partially agrees.

It is unfortunate that the right hon. Member for Leeds, East and his right hon. and hon. Friends seem able only to condemn every central American country other than Nicaragua, for which they can find no fault. When he criticised the suggestion that the Government should give military training to some representatives of the Salvadorean armed forces, my hon. Friend the Member for Berkshire, East (Mr. MacKay) correctly said that Salvador has an elected President and an elected Administration and that it is not unreasonable that we should give some military assistance to support a democratically elected Government in central America who are fighting insurgents. I should have thought that the right hon. Gentleman would have been the first to agree with that.

On European Community food aid, the right hon. Gentleman asked whether there was a sinister explanation for the fact that the agreed amount of food aid had been reduced from the original estimate of 40 million ecu to 26 million ecu. He alleged that there was a sinister explanation for which the Government are responsible. The original 40 million ecu was proposed by the Commission, based on the original draft 1985 budget. The Commission reduced that figure to 26 million ecu because of the changes that had already been made in the final budget. It was a technical matter and involved no element of policy. There was no disagreement among any of the member states, and the right hon. Gentleman was wrong again.

I thank my hon. Friend the Member for Stroud (Sir A. Kershaw) for his comments on the White Paper which has been issued recently. I confirm that the Government will consider legislation to enable us to ensure the disposal of surplus diplomatic property and to have some influence on the location of diplomatic premises.

I listened carefully to the important speech of my hon. Friend the Member for Glanford and Scunthorpe (Mr. Hickmet) on Cyprus. I do not have time to go into details on that matter, but we continue to strive for a policy that will meet the legitimate aspirations of the Turkish and Greek communities there.

The hon. Member for Inverness, Nairn and Lochaber (Mr. Johnston) criticised my position on the Dooge committee.

Mr. Jackson: He was right.

Mr. Rifkind: The hon. Gentleman was not right. He suggested that the United Kingdom was holding up the progress of major reform. However, I must say to him, and to my hon. Friend the Member for Nottingham, East (Mr. Knowles), that the United Kingdom is with the majority in believing in the need to have quicker decision-making in the Community and more majority voting. We insist that it is also essential to retain the ultimate right of veto, and that view is held not simply by the three member states that expressed their view on the Dooge committee but by many other member states. Only this week, the West Germany Agriculture Minister referred to the Germany policy on cereal prices as a "vital national interest". We all know that when any EEC Minister uses that phrase, he has something particularly in mind.

Many of my right hon. and hon. Friends spoke about East-West relations. I very much agree with my right hon. Friend the Member for Brighton, Pavilion (Mr. Amery), who reminded the House that the Soviet Union is still an empire, and possibly the only remaining empire.

I thank my right hon. Friend the Member for Castle Point (Sir B. Braine), not only for his kind words to me but for reminding the House that the Soviet Union in its policy has never objected to using force when other methods have not met its requirements. The examples of Hungary, Czechoslovakia and Poland have constantly to be borne in mind.

I particularly enjoyed the contribution of my hon. Friend the Member for Buckingham (Mr. Walden), who made a thoughtful speech and rightly pointed out that if Soviet policy, and the Soviet Union, had not experienced any significant and major changes in its attitudes over the past few years, there would be an even greater need for western continuity of policy. We should not allow a volatile situation, which can only be damaging to our interests.

The hon. Member for Swansea, East concentrated his remarks on South Africa. To deal first with Namibia, I re-emphasise, as the hon. Gentleman asked me to do, that the policy of Her Majesty's Government continues to be based on Security Council resolution 435. We have made it clear that we believe that the recent developments announced by the South African Government are not acceptable either to the United Kingdom or to any of the other members of the Contact Group. That has been made clear to the South African authorities in bilateral representations made by the ambassadors of each of the countries of the Contact Group in South Africa.

I have read with interest the various articles and other material that my hon. Friend the Member for Wantage (Mr. Jackson) has written on South Africa, and I listened carefully to what he said. Security Council resolution 435 represents the best prospect for an internationally recognised independence for Namibia. We have always

[Mr. Rifkind]

made it clear that if all the parties in Namibia—the South West Africa People's Organisation and internal parties—were to come forward with improvements or changes on which they could all agree, it would not be the business of the rest of the world to stand in the way of any change. However, that must be on the basis of the agreement of all the parties.

To a large extent, there has been a significant consensus in the policy of successive Governments, Labour and Conservative, on South Africa. We have an equal and genuine abhorrence of apartheid, and we have recognised and implemented both the United Nations arms embargo and the Gleneagles agreement on sporting contacts with South Africa. I remind Labour Members that successive British Governments have refused to countenance the policy of economic sanctions, believing that it would be inappropriate, ineffective and undesirable.

I find the right hon. Member for Leeds, East guilty of some confusion again. When he was challenged as to why his position has now changed, he suggested that it was because the situation in South Africa has deteriorated since the previous Labour Government. Not only was that view not credible to the Government, but it was bluntly contradicted by the hon. Member for Swansea, East. Although the hon. Gentleman is not especially enthusiastic about the changes that have been announced in recent months, he acknowledged that there had been some significant changes and important reforms. Although he believed that they did not go anywhere near what was required, they represented progress. If there has been progress, that does not assist the right hon. Member for Leeds, East, who seeks to justify a policy of economic sanctions, which was not accepted.

Mr. Healey: Why did the hon. Gentleman support economic sanctions against Poland to change the internal situation, but not against South Africa for the same reason?

Mr. Rifkind: First, as the world knows, the sanctions that were taken against Poland were essentially symbolic in nature to express disapproval. Secondly, they did not work. Although there have been some improvements in Poland compared with the position when martial law was announced, Poland remains a country where Solidarity is banned and freedom has not been restored.

Mr. Healey: Is the hon. Gentleman telling us that he thinks now that the Government were mistaken in imposing sanctions against Poland? If so, why does he not remove the remaining constraints on Poland's access to international credit, and so on?

Mr. Rifkind: I am saying that there may be cases where, for symbolic reasons to express disapproval, sanctions may be appropriate.

Mr. Healey: Bullshit.

Mr. Rifkind: That is a very reasoned response—one that is slightly superior to the right hon. Gentleman's earlier comments.

The arguments that we have heard until now have not been that sanctions should be imposed for purely symbolic reasons, but that they might actually work. All the experience of the international community, not just for five years, but for 50 years—whether against Italy over Abyssinia or against Rhodesia over UDI—shows that sanctions are not a method of achieving fundamental change of the kind that the House would dearly like.

It is unlikely that sanctions could be enforced effectively against South Africa. The right hon. Member for Leeds, East will be the first to admit that sanctions against Rhodesia—a small, landlocked country—proved to be extremely difficult to implement and almost impossible to achieve.

Mr. Robert Hughes: Will the hon. Gentleman give way?

Mr. Rifkind: I am sorry, but I do not have time to give way. The speech by the hon. Member for Aberdeen, North (Mr. Hughes) was longer than the time I have available to me.

A policy of economic sanctions which was effective and sealed off South Africa from the economic activity of the rest of the world would not only damage the Republic but profoundly damage, if not destroy, the economies of a number of its neighbours. It is impossible to conceive how Lesotho, Botswana, Swaziland, Zimbabwe or Mozambique could do other than suffer enormously if sanctions were effective.

I accept that opinion within South Africa is divided. I freely accept that there are many blacks, including responsible blacks, who, whether through a sense of frustration or genuine conviction, believe that this policy would be attractive and that it should be supported. It is equally the case that many other prominent blacks in South Africa take a different view. A lively debate is occurring in South Africa, involving for example, Chief Buthelezi—a determined opponent of economic sanctions—and Bishop Tutu. Even Bishop Tutu has not yet said that he supports sanctions. He has said that he may express that view, if there is inadequate political change in the months to come.

I emphasise that this policy, which was never supported by any Labour Government and which was never advocated by the right hon. Member for Leeds, East—either at the time of Sharpeville or when South Africa was going through the worst excesses of apartheid — is hardly likely to be a sensible policy to pursue when, by the very admission of the right hon. Gentleman's colleagues at the Dispatch Box, South Africa has experienced some progress in dismantling apartheid in recent months.

We all know that the various announcements that have been made with regard to mixed marriages, freehold tenure for blacks, legalisation of trade unions, the removal of job reservations and the various other developments of considerable significance have made an important contribution to the provision of at least the possibility of peaceful change in South Africa. The great unanswered question is whether the process of reform will be sufficiently fundamental to deal with the group areas legislation and with political rights for urban blacks and, by so doing, provide the fundamental change that we all want. At least that process has begun. It is a process that we should welcome, not condemn; recognise, not ignore. We should do what we can within our power to influence——

It being Twelve o'clock, the Motion for the Adjournment of the House lapsed, without Question put, pursuant to the Order this day.

STATUTORY INSTRUMENTS, &c.

Motion made, and Question put forthwith pursuant to Standing Order No. 79(5) (Standing Committees on Statutory Instruments, &c.).

EDUCATION

That the draft Education (Assisted Places) Regulations 1985, which were laid before this House on 20th March, be approved.

TOWN AND COUNTRY PLANNING

That the Town and Country Planning (Compensation for Restrictions on Mineral Working) Regulations 1985, dated 26th March 1985, a copy of which was laid before this House on 27th March, be approved.—*[Mr. Boscawen.]*

Question agreed to.

Concessionary Television Licences

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Boscawen.]*

12 midnight

Mr. Paddy Ashdown (Yeovil): The hon. Member for Crawley (Mr. Soames) is again intervening, in ths case from outside the boundaries of the House. He might like to come and listen. He might learn a few important things.

I am grateful to you, Mr. Deputy Speaker, for allowing me the opportunity to have this Adjournment debate, and I am grateful to the Minister for turning up to listen and I hope to answer.

Yeovil, now known as south Somerset district council, is one of the most progressive in Britain in many ways. It was one of the first to consider installing the Piper communications system for old people. As the Minister will be aware, systems such as Piper provide elderly people with the means of emergency communications to obtain assistance. Piper uses the standard telephone system to connect the elderly person to a central switchboard which is manned by trained and qualified staff capable of providing or obtaining immediate expert help when it is required.

The system provides a natural extension of the traditional warden in sheltered accommodation. At least, that is how I and the National TV Licence Records Office see it. One might go further and say that it is how most sensible people might see it. It seems that we cannot include the Home Office in that category, but more of that later.

Piper and similar systems provide the modern new-technology method of delivering warden servic to old people. Like much other new technology, it has some significant advantages over the old ways. It is more convenient and available for old people, in particular, those in disbursed accommodation. It also enables the council to provide the same service more efficiently and cost-effectively. We are told that the Government wish to encourage local authorities to be more efficient and cost effective, but not it seems the Home Office. It seeks to penalise councils and old people who use such new efficiencies. Again, more of that later.

As common sense dictates that Piper should be considered as merely another method of providing warden service, common sense also leads one to the conclusion that it should be treated in the same way when it comes to consider eligibility for concessionary TV licences.

Being a responsible and prudent authority and perhaps even recognising prophetically that common sense is not always the predominant quality in Government Departments, south Somerset district council wrote in 1982 to the National TV Licence Records Office in Bristol to ask for its view on the matter. It asked whether it would be true that in public housing specially provided for the elderly under part V of the Housing Act, 1957 the Piper system would count in all respects as the same as communal warden service in deciding eligibility for concessionary TV licences.

The council received an unequivocal answer in a letter from the National TV Licence Records Office dated 12 October 1982. It said:

> "Thus, if the Communication System terminates at a point at which such a person is employed, and that person makes regular calls to the old people, the conditions are satisfied."

That was the case which Yeovil put forward.

[Mr. Paddy Ashdown]

"If, in addition, that person is able to direct travelling wardens to the old persons as necessary the position is doubly fulfilled."

Again, it was doubly fulfilled in the case of Yeovil.

We are cautious people in Yeovil. There then followed an exchange of letters to make assurance doubly sure between the south Somerset district council and the National TV Licence Records Office, and we were again categorically assured beyond a peradventure that Piper qualified the elderly in part V accommodation for concessionary licences.

I quote from another letter of 10 January 1983 from NTVLRO in Bristol:

"if suitable property, originally provided as main-stream housing, has been permanently modified to specially provide for the elderly standard and the Housing Manager is able to make a categorical statement"—

which he could—

"in writing that the properties concerned have been permanently modified so that they can now be said to be specially provided for the elderly then, subject to acceptable communal facilities"—

which were available—

"such as the warden controlled Piper Call intercomm system"—

specifically said in that case—

"these will qualify."

It would be impossible to get a clearer statement than that.

If the National TV Licence Record Office in Bristol says this, can we not accept it as the definitive, the final, word? Apparently we cannot. But south Somerset district council was not, of course, to know that. So it told the pensioners in my constituency, some 700 of them, in good faith — and I understand that similar problems have occurred elsewhere, in Rugby and in Colwyn—that they would get concessionary TV licences.

As the Minister will no doubt realise, that was important to old people on fixed incomes, because Piper is not provided free of charge. Last year the rent was £26 from old people's fixed incomes. But old people in my constituency and elsewhere felt that they could pay that to get the improved service that they required and that the council wanted to offer them, because it would be offset by the concessionary licence for their TV which was promised to them according to the NTVLRO. With their limited resources, this was precisely the basis on which they budgeted.

At this point all was well. The council had acted responsibly, and the National TV Licence Records Office had been clear in its advice. Old people in my constituency and elsewhere had been able to budget for a service which they needed. But we had reckoned without the Home Office. We had made the reasonable assumption that the Home Office knew what was going on in one of the sections for which it is responsible. We were just about to be disabused of such a comfortable notion.

The first I knew about it was when I received a letter from my chief housing officer written in March 1984—18 months after the NTVLRO had said that it would be all right. He said that there was some confusion, the Home Office was for some reason involved, and could I please find out what was going on. I duly wrote to the Secretary of State, who informed me boldly, three months later, in a letter of 18 June 1984 that

"We have concluded that it"—

by which he meant Piper—

"does not satisfy the legal requirements."

There was no word of why, and my first question to the Minister, which I hope that he will answer, is; what was the reason for that?

The letter goes on to admit, rather candidly, that this is "not particularly logical or fair". Those are the words of the Secretary of State himself — and that such decisions were "arbitary". Just like that, he abandoned the undertakings given by the National TV Licence Records Office; just like that he cut the ground from under the feet of south Somerset district council, which had given a promise in good faith on the advice of his own officials; just like that he dumped on 700 pensioners in my constituency and many more outside it a requirement to find £58 more this year than they had either bargained or budgeted for.

It is true that the Minister waived the remaining licence fees for last year, but that does nothing for those elderly who have been snared in what I must call the Minister's trap and who are having to find money which they had not budgeted for this year — and Piper is, of course, a resource which they will wish to continue to use.

For some of the elderly in my constituency, such casual and, to use the Minister's words arbitrary, illogical and unfair decisions — for which we have been given no reason—will mean hardship. For others it could mean getting rid of their televisions. For all it is a blow as unkind as any that they have received from the Government this year, and that, frankly, is saying quite a lot.

I have a number of questions which I hope the Minister will answer. First, is he satisfied with the behaviour of a section of his Department for which he is responsible in this miserable saga? Secondly, is he not sufficiently in control of his Department to prevent such a thing from happening? Thirdly, what steps has he taken? Have any heads rolled as a result of the inefficiencies that have caused such misery to so many? Fourthly, will he now explain precisely why — in terms that the elderly who have suffered can understand — the Piper communications system, appropriately resourced, cannot be treated in the same way as the old-style warden system when dealing with eligibility for concessionary television licences?

Lastly, how can the Minister justify this chain of events? How can he justify pulling out the rug from under the National TV Licence Records Office and its decision? How can he justify leaving South Somerset district council in the lurch, when it made a promise in good faith? How can he justify causing so much hardship to many elderly people in my constituency and elsewhere in Britain?

12.11 am

The Minister of State, Home Office (Mr. Giles Shaw): I congratulate the hon. Member for Yeovil (Mr. Ashdown) not only on obtaining an Adjournment debate on this issue but on putting his case with eloquence and a great deal of effectiveness. I am bound to say that coming to the Dispatch Box on this issue gives me no great pleasure, because I must seek to explain to him and, I trust, defend an action that undoubtedly has caused hardship to pensioners in his constituency, through no fault of theirs. That is the hon. Gentleman's concern, and I share it with him.

Substantial problems are associated with this development. If the hon. Gentleman will bear with me—and I know that his courtesy is such that he will—I shall try to answer the questions that he posed with such firmness and explain the background to this case.

The concessionary 5p licence scheme which has been operating since 1969 was intended to rationalise the television licensing requirements in old people's homes, where previously residents in some homes had been treated as though they were exempt from licensing, while others were required to pay the full licence fee. The scheme was to cover not only old people's homes but sheltered housing schemes for pensioners because the residents in sheltered housing schemes for retired people were considered to be in a similar position to their contemporaries in old people's homes.

I suspect that I shall carry the hon. Gentleman with me when I say that that operation from 1969 has proved, over the course of time, a source of considerable difficulty—not just to the beneficiaries but primarily to those who are not beneficiaries. It has produced anomalies between pensioner and pensioner and extreme difficulty in both definition and application. I offer the hon. Gentleman at least the partial excuse that the complexity of the scheme has led to a number of anomalies of which the Piper system and its accessibility, tragically, has been one.

The scheme was introduced from the best of motives to correct what was seen as an anomaly. Perhaps underlying it was the assumption that residence in an old people's home or sheltered housing somehow equated to need. In fact, as I think the House would agree, those assumptions have proved questionable and the scheme has proved a source of very real difficulty since its inception. The number of people benefiting from the scheme now stands at nearly 600,000. The great majority of those beneficiaries live in sheltered housing schemes rather than in conventional residential homes.

The conditions of eligibility for the concessionary licence are laid down in the Wireless Telegraphy (Broadcast Licence Charges and Exemption) Regulations 1984. Although they were updated in that year, they have, broadly speaking, continued unchanged since 1969. The regulations form the statutory base and they are the means by which the National Television Licence Records Office has to interpret its authority in granting licences. Local authorities must abide by those regulations when determining whether a scheme is admissible. Sadly, the regulations are technical. Therefore, it is inevitable that there have been certain problems in interpretation, such as that raised by the hon. Member.

Under the regulations, entitlement to the concession depends on the kind of accommodation retired people live in, and not on their personal circumstances. For old people's sheltered housing schemes to qualify, they must fulfil two specific conditions. First, the accommodation must form part of a group of dwellings which is provided for retired persons of pensionable age either by a local authority under part V of the Housing Act 1957 or by a housing association. Secondly — I must stick to the wording of the regulations here—there must be provided in association with the old people's accommodation

"other accommodation or facilities intended for the common use of all the occupants of the dwellings".

That is a crucially determining feature about the arrangements that the hon. Gentleman has described in relation to the Piper system.

It is the term "communal facilities", which is not defined in the regulations, which has given rise to particular difficulty. It has been the practice since the concessionary scheme was introduced to accept, for example, an official warden as a facility for qualifying purposes. However, when some other form of facility is provided, we can only judge in individual cases whether it can fulfil the second condition of eligibility which I have just described, that is, a facility that is common to all occupants. The question which the hon. Member has raised is essentially whether an intercommunication system can be interpreted as a facility for qualifying purposes. That is what it amounts to.

In recent years some local authorities have begun to install intercommunication systems in old people's accommodation. This enables elderly residents to contact the council if they are in difficulties or if some emergency has arisen. Clearly these systems provide a useful service, and they provide reassurance to elderly people. Certainly we would not wish to discourage local authorities from installing systems of this kind. Two or three years ago some councils represented to the National Television Licence Records Office, which deals with the applications, that the intercommunication systems were provided as an equivalent service to a warden, and should therefore count as a qualification for the concessionary licence.

The criteria by which the NTVLRO judges applications for the concessionary licence are laid down by the Home Office and it is expected to seek guidance from the Home Office in any case where entitlement is in doubt. The problem raised by the hon. Gentleman arose—I am sure no malice at all was involved—because on that occasion the Home Office was not invited to comment on the interpretation of the application by the NTVLRO. That action was not taken when local authorities first began to inquire about the acceptability of intercommunication systems as a qualification for the concessionary licence. Subsequently, when the matter was referred to the Home Office and when the Home Office took legal advice as to the position under the regulations, we had to conclude that intercommunication systems could not confer entitlement to the concessionary licence. That remains the significant point in relation to the question that the hon. Gentleman asked at the conclusion of his remarks.

Mr. Ashdown: I apologise for interrupting the Minister, but this is the central issue. Although it is regrettable that there was a lack of consultation, the Minister has not yet explained why he cannot allow the Piper system to qualify. After all, it is communal in all senses; it is available to all and provides a warden service in a modern manner which the Government must be in favour of; it also helps the Government to make better use of resources. What is the reason why Piper could not be regarded as a communal service when, by the ordinary tenets of common sense, everyone would have thought that it would have been?

Mr. Shaw: Our reason for not accepting intercommunication systems as qualification for concessionary licences is essentially that they do not represent a facility of substance for elderly people living in accommodation specially provided for retirement pensioners. The concessionary licence is described in the regulations as the "Accommodation for Residential Care" licence. That is the full legal description.

An official warden system could and would confer entitlement to the concession so long as the warden made regular visits to the person or persons in his or her care and provided appropriate services according to need. In our view, that could genuinely be described as residential care —that is, caring for the residents.

[Mr. Shaw]

An intercommunication system, however, is not a human and caring service provided by an individual but a communication system that is essentially technical in nature and individual in its particular application. We do not accept that residential care can be provided simply by installing such a system. If we did, the hon. Gentleman could argue that a telephone installed to provide the assistance of communication is sufficient substitute for the care that a warden service can provide.

Mr. Ashdown: There is a substantial and qualitative difference. The Piper system provides access to a resource which is in all senses the same as the resource that a warden would supply. It provides communication to a bank of people able to deliver exactly the same services but in a more efficient manner. In that sense, it is not the same as a telephone. It is a communication system in much the same way as ringing the warden's bell or putting a light on outside the house, except that it is a modern system and operates on a much more effective basis.

Mr. Shaw: The hon. Gentleman will agree that in residential accommodation there are usually certain communal facilities such as lounges where wardens may meet and the relationship between the wardens and the residents is one of regular human contact. He is describing a simple connection by technical means to someone who may have nothing to do with the home. The connection may be to a council office some distance away or to a bank of voluntary workers who are not even related to the same building.

The function of the licence is to license a location, a building. The hon. Gentleman and I have television licences relating to our addresses and our power to receive, not to our individual selves as we might have as keepers of a motor car. We are licensed to receive television signals in one, two or six rooms, but it is the power to receive that determines our liability to pay the licence fee.

I beg the hon. Gentleman to understand that there is a technical difference between acceptance of the communal services provided essentially in warden accommodation for residential care and an intercommunication system which may or may not relate to the individual dwelling in which the television is located and could reach a considerable distance away. My analogy with the telephone is thus not that far removed from the type of system that the hon. Gentleman has described, although I entirely accept that the benefit to the individual occupant may be much the same whether a warden is available along the passage or there is access to assistance through an intercommunication system reaching some distance away.

The hon. Gentleman has been extremely generous and I have gone into what I regard as the guts of the issue as he raised it — that is, the incompatibility between a technical intercommunication system and the requirements for a concessionary licence. If—it is a big "if"—the hon. Gentleman is with me so far, I will try to deal with the other points that he raised in relation to his case.

As I have said, in our view the initial interpretation by the licence records office of the position under the regulations was misplaced, as my predecessor informed the hon. Gentleman by letter on 18 June. In so far as action had to be taken, it was taken in two respects. The first was to accept firmly that no further licences could be issued under that definition. Secondly, as the concessions had been offered not just to the good citizens of Yeovil and east Somerset but to some 2,200 pensioners in 32 different local authority areas and covering 110 licences, the Home Office took the view, with which I am sure that the hon. Gentleman does not disagree, that as those licences were issued in good faith they should continue for their full life.

It is now the case, as no doubt is the case in Yeovil too, that those licences are expiring, and have to be replaced. Therefore it is, in our view, the correct decision that the licence fee should now be paid at the current full rate, although, having accepted that in the initial information passed to it, the council and the individuals, the National Television Licence Records Office was taking a decision that it had come to without the benefit of Home Office approval under legal advice as should be required.

Therefore, I regret the significant inconvenience that has been caused by that clear definition of the policy. It is not a change in the policy; in fact it is the policy correctly applied, though the initial decision by the licensing office was in error.

I have tried to explain why the Piper system is not acceptable. The hon. Gentleman asked me how we can justify this train of events. The problem with which we are dealing is fundamentally the problem of the original 1969 regulations. The hon. Gentleman might reasonably say to me, "Look, we are in difficulty because we have licence fees of £58, a significant sum, so surely we are running into an absurdity to have problems of this character arising?" I must share the anxiety that the 1969 regulations no longer allow us to operate a simple scheme designed to bring reasonable reductions in costs for pensioners living in sheltered residential accommodation. The disparity between 5p and £58 is now very wide. The limit to which the concession can be tightly drawn has been shown to be very difficult. Some adjustments have been made for certain categories of disabled person and an adjustment has also been made to multiple use of television sets in hotels. However, I have to agree with the hon. Gentleman's underlying anxiety that the scheme is not as watertight as it should be if we are to provide a concession that is seen to be both equitable and fair. I agree that, although improvements have been made, much should be adjusted within the scheme.

Frankly, I am not contemplating more far-reaching concessions because, as the hon. Gentleman knows, the cost of concessions under the present rate of licence fee is now very great. In withdrawing licences from pensioners as it were, we are talking about forgoing licence revenue for the corporation worth well over £300 million in a single year. Neither I nor the Government could contemplate that now.

However, I see that we should try to refine the equity of the scheme. It is still a matter that the Government—I know that it is not just my own inclination — are seeking to improve if we can within reasonable limits. We have not ruled out the possibility of making further improvements in the existing concessionary scheme, but we do not see that the answer lies in providing much broader concessions. Frankly, not only would that be unacceptably expensive, and would in any event not resolve the sorts of problem to which the hon. Gentleman has rightly drawn our attention, but intercommunication systems alone cannot, in all equity, be regarded as a reason to confer an entitlement of a 5p licence on pensioners,

unless they are living in accommodation that is fully wardened and residential, and where there is human care rather than technical communication.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Twelve o'clock.

House of Commons

Friday 26 April 1985

The House met at half-past Nine o'clock

The Clerk at the Table informed the House of the unavoidable absence, through illness, of MR. SPEAKER *from this day's sitting.*

Whereupon MR. HAROLD WALKER, THE CHAIRMAN OF WAYS AND MEANS, *proceeded to the Table and, after Prayers, took the Chair, as* DEPUTY SPEAKER, *pursuant to the Standing Order.*

Orders of the Day

Motor Cycle Crash-Helmets (Restriction of Liability) Bill

Not amended (in the Standing Committee), considered.

Clause 1

AMENDMENT OF ROAD TRAFFIC ACT 1972

9.35 am

Sir John Farr (Harborough): I beg to move amendment No. 1, in page 1, line 10, leave out from 'law' to end of line 14 and insert—

"no person who drives a motor cycle shall be guilty of an offence if carrying a passenger who is committing a contravention, if it can be shown that a suitable crash helmet was made available for the passenger to wear at the time.".

The amendment would make regulations affecting motor cycles much more comparable to those affecting motor car seats belts. The necessary safety equipment is made available in a car and a passenger can be regarded as criminally responsible if he does not use it. Such responsibility should not devolve to a motor cyclist. The amendment would be a considerable improvement of the law. One of its advantages is that it would leave out the vexed issue of what should be the age of responsibility —14, 16 or 21—as the age of the passenger does not arise.

The amendment obliges the owner of a motor cycle who is in the habit of giving a lift to carry with him a spare crash helmet. If a helmet is attached to the pillion seat, for example, the driver will have discharged his responsibilities. We shall then have provided as we have with motor cars, and it will be up to the passenger to make use of the safety equipment—in this case a crash helmet.

Most passengers who use the front seat of a motor car do up their seat belts. A driver's duty is discharged when the passenger's attention is drawn to the existence of the seat belt, irrespective of whether it is used. Car passengers often do not wear seat belts on medical grounds or because of claustrophobia, for example. However, the driver of a car does not break the law if he carries a passenger who is not wearing a seat belt if one is provided. I hope that my hon. Friend the Minister and the House will accept the amendment.

Mr. Ivor Stanbrook (Orpington): I oppose the amendment, which purports to amend clause 1 so as to make relief from criminal liability dependent upon the availability at the time of a suitable crash helmet. However, as drafted, it would relieve the rider of liability for not using a crash helmet himself if a suitable one was available to his passenger. My hon. Friend the Member for Harborough (Sir J. Farr) seems to have drafted an extraordinary new escape to meet a mischief that is not even found in the original law. That suggests that my hon. Friend does not understand the purpose of the Bill.

The purpose of the Bill is to exempt the rider from prosecution as an aider and abetter if his passenger is not wearing a crash helmet, unless that passenger happens to be a child. It does not exempt the rider or passenger from prosecution if he is not wearing a crash helmet. The amendment would relieve the rider of liability for not wearing a crash helmet himself and is thus, in my respectful submission, misconceived and plain bad.

If my hon. Friend wants to exempt anyone from liability for not wearing a crash helmet or for the passenger not wearing one, where a suitable crash helmet has been provided—I understand that that is what he is saying—it would be better to amend the principal Act and to specify that the regulations allow for the availability of a suitable helmet in every case. But, with respect, it is neither appropriate nor logical to amend the Bill in this way, as it would defeat the whole purpose of the principal Act, which is to make it a criminal offence to ride a motor cycle when not wearing a crash helmet, whether or not a passenger is carried. If the amendment was accepted, it would make nonsense of the Act, and I therefore ask the House to reject it.

The Minister of State, Department of Transport (Mrs. Lynda Chalker): Crash helmets are vital for both riders and pillion passengers, but they have to be the right crash helmets. I understand why my hon. Friend the Member for Harborough (Sir J. Farr) has tabled this amendment, but I also understand only too well why my hon. Friend the Member for Orpington (Mr. Stanbrook), whose Bill this is, has spoken against it. I do not wish to take up the time of the House with drafting objections to the amendment, but hon. Members should note in passing that, as drafted, the amendment says nothing about what is meant by a "suitable" helmet or about by whom the helmet is to be made available. Thus there are two gaps in the information supplied by it.

However, I shall leave those issues aside, as I do not want to be nit-picking. There are more fundamental objections to the amendment, which my hon. Friend the Member for Orpington has outlined. As he has said, the aim of the Bill is to restrict liability to the person actually committing the offence of not wearing a helmet while riding or driving a motor cycle. The amendment would thwart that aim completely by protecting the rider from aiding and abetting charges only where it could be shown that a helmet was available for the passenger to wear.

I am also concerned that the amendment seems to imply an obligation on the rider to provide a helmet for the passenger. That would be of very doubtful road safety value. Although my hon. Friend the Member for Harborough tried to make an analogy with seat belts, the situation is entirely different. Seat belts are permanently fixed in a car. It is true that they are adjustable. Their length is adjustable, and sometimes the angle over the shoulder can be changed according to whether there is a special purpose-made clip.

[Mrs. Lynda Chalker]

However, crash helmets are not fixed. There are many different types of crash helmet, and, as my hon. Friends will know, we have sought to improve their standard so that only suitable ones are worn. The only adjustment that an occasional passenger could make to a helmet that had not been bought to fit his head would be to alter the chin strap or occasionally to make alterations inside. But that is not enough. It is perhaps a truism to say that heads vary in size, but I wager that at least five or six different sizes of crash helmet would be needed for those of us in the Chamber today. That means that there would always be a risk——

9.45 am

Mrs. Gwyneth Dunwoody (Crewe and Nantwich): Small helmets on this side and big ones on the other side.

Mrs. Chalker: I am not sure about that. I think that I and my hon. Friend the Member for Orpington might go for small helmets—*[Interruption.]* However, I shall not be tempted down a path which has nothing to do with the Bill.

A crash helmet that is provided by someone else for the occasional use of any passenger could be very dangerous. If it was too loose it might slip on impact, and if it was too tight it might make problems for the wearer's head. An ill-fitting helmet gives the wearer very little protection, and the rider could scarcely be expected to provide his passenger with a helmet that fitted exactly. Often it is neither practical nor safe for motor-cyclists to travel with a selection of spare helmets.

Mrs. Dunwoody: Perhaps the Minister will emphasise that the change in the design of crash helmets has made an enormous difference to head injuries, and that most accident departments are not having to deal with so many frightening head injuries. An increasing number of deaths occur as a result of necks being broken, but that is a different problem. It is important to stress that as helmets are now much better designed, lives are being saved.

Mrs. Chalker: The hon. Lady is absolutely right. The change in helmet design over the past 10 years is a tribute to the manufacturers and to all those who have worked on the problem. Nowadays, helmets are significantly better. However, anyone who uses a very old helmet may be running a severe risk, because those improvements have now been made. We now know that better protection is afforded by helmets that have been approved, although not by those that have the awful stickers on them which can sometimes make the helmets weaker than they were on manufacture.

Quite apart from the fact that the helmet may not fit, it would be wrong to expect the rider of a motor cycle to have to carry a selection of spare helmets of various sizes. That is why I cannot commend the amendment to the House. Although I have tried to explain what a suitable helmet is, as there is no clear definition of that in the amendment and no clear drafting of by whom the helmet has to be made available, it does not make sense—despite the good intentions of my hon. Friend the Member for Harborough—to include it in a fairly straightforward and sensible Bill.

I therefore ask the House not to accept the amendment, because I think that it would nullify much of what my hon. Friend the Member for Orpington is seeking to do.

Sir John Farr: I am most grateful to my hon. Friend the Member for Orpington (Mr. Stanbrook) and my hon. Friend the Minister for their carefully reasoned arguments against my amendment. Of course, their arguments are convincing, especially the important point made by my hon. Friend the Minister about the condition of crash helmets. My hon. Friend said that not every helmet would fit every passenger. However, there are hon. Members who could not get into a standard seat belt because of their physical proportions. Therefore, that is not a parallel that she can pursue with great success.

More important was my hon. Friend's point about the condition of crash helmets. I enabled a couple of amendments relating to that point and also one on the vital need to wear a chin strap. The latter was prompted by a fatal accident in Loughborough only last week. A girl pillion rider was wearing a crash helmet but the strap was not fastened. When there was an accident she was thrown off the motor cycle, the helmet came off and she was killed.

Although I appreciate that the Bill is not necessarily the vehicle to use, I hope that the important points that have been raised will not escape the attention of the Minister when an appropriate vehicle occurs, perhaps in a road traffic Bill.

In view of that, I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Sir John Farr: I beg to move amendment No. 2, in page 1, line 14, leave out

'a child under the age of fourteen years'

and insert

'under the age of 21 years'.

Mr. Deputy Speaker (Mr. Harold Walker): With this we may discuss the following amendments:

No. 3, in page 1, line 14, leave out 'child' and insert 'person'.

No. 4, in page 1, line 15, leave out 'fourteen' and insert 'sixteen'.

Sir John Farr: The three amendments relate to the age of the passenger. Amendment No. 2 would raise the age from 14 to 21. Amendment No. 3 is consequential on amendment No. 2, because a person of 21 is no longer a child. Amendment No. 4 would raise the age from 14 to 16.

If amendment No. 1 had been accepted, these amendments would have fallen. I wish to concentrate mainly on amendment No. 2. I do not believe that it is proper to provide only for

"a child under the age of fourteen years".

I should like "fourteen" to be replaced by "21". I understand that prior to the Committee proceedings last month the Royal Automobile Club suggested a similar amendment, but specified the age as 16 rather than 21, and that that suggestion was raised indirectly with my hon. Friend's Department.

As my hon. Friend said in her forthright speech in Committee, it would be wrong to change the age of criminal liability for this offence. She explained that the cut-off age of 14 had been chosen because it was the legal age of criminal liability, below which the driver of the motor cycle was responsible for the pillion passenger if he allowed that passenger to ride without a helmet.

That misses the point. The criminal liability of a pillion passenger is not in question. It is the criminal liability of

the driver as the aider and abetter that we wish to alter. I am trying to establish not whether the pillion passenger is criminally liable, but whether he or she should be regarded as responsible for his or her actions. The driver of the motor cycle can justifiably be assumed to be responsible.

The age of 21 is still widely regarded as coinciding with adulthood, but I choose that age mainly because it will cover the most vulnerable age groups, as shown in the accident statistics. I shall give the House details of accident statistics later, and at this point I shall refer only briefly to the road accident statistics for Great Britain for 1983, which are the latest available figures. In that year, 75 pillion passengers were killed, more than 1,000 were seriously injured and more than 3,000 reported injuries of varying severity. The majority of those accident victims were in the age groups up to 19, with the highest number in the group 16 to 19.

If I favour one of the three amendments, it is amendment No. 2, which raises the age to 21. I hope that it will find favour with my hon. Friend the Minister and with my hon. Friend the Member for Orpington (Mr. Stanbrook).

Sir Nicholas Bonsor (Upminster): I support the argument of my hon. Friend the Member for Harborough (Sir. J. Farr) and wish to go one stage further in looking at the reason why we both feel that the age of 14 is inadequate to protect pillion passengers.

We are concerned not with the criminal liability of the pillion passenger, but with whether the rider of the motor cycle should have some responsibility towards that passenger if he or she is aged 14 or over. The most susceptible age for young people to be taken for a ride on a motor cycle for the sheer thrill of it—without duly considering the consequences—is 14 to 19. It is not right to suggest that the rider of a motor cycle should not have responsibility for ensuring that his passenger is properly equipped.

I do not see any logical reason for distinguishing between 13 and 14 years of age. Why should the responsibility for ensuring the safety of a passenger be removed at the age of 14? With the greatest respect to my hon. Friend the Minister, I do not believe that because the pillion passenger has criminal responsibility at the age of 14, which he did not have at the age of 13, it is adequate reason for taking away from the driver the responsibility that he would have for a younger passenger.

I would not necessarily wish to pin my entire case on 21 being the right age. It is possible that 18 is more sensible. Indeed, I should even be happy with the age of 16, which would be an improvement on the present drafting. Fourteen and 15-year-olds suffer from a lesser degree of self-restraint and self-discipline than a 16-year old.

I am extremely unhappy with the legislation as drafted, for the simple reason that it offers inadequate protection to passengers in the age group mentioned.

10 am

Mrs. Dunwoody: I have some sympathy with the thought behind the amendment. While I suspect that the Minister will say that its drafting is defective, she will appreciate that behind it is the fact that motor cycles appeal greatly to youngsters.

I make no excuse for the fact that I went to extraordinary lengths to prevent my three children from riding motor cycles when they reached the age at which they could use them. I succeeded in doing so by a combination of political skills which have stood me in reasonable stead for most of my life.

In discussing the amendment, we are really talking about the danger that results from riding motor cycles. Certainly the age of 21, as proposed in the amendment, is unacceptable; it would have to be younger than that. It is nonsense to say that a person is an adult at 18 but that pillion riders up to the age of 21 should be protected.

The accident statistics are interesting. More youngsters are dying from fractures of the spine than from injuries to the head. Having spent many months being associated with a neurosurgical unit in Scotland, when my father had a stroke, I feel strongly about the need to do all we can to reduce the number of motor cycle accidents.

We should consider how to encourage people to find another form of transport. When one is hard up but must get about, a motor cycle seems not only pleasant but necessary. The amendment would not achieve what its proposers intend, and it might even distract from the real task of persuading people that motor cycles are lethal weapons and should be treated as such.

Mr. Stanbrook: While I oppose amendment No. 2, I should be prepared to support amendment No. 4 if that were put separately. That would retain the liability for prosecution of the rider as an aider and abetter in respect of a passenger not wearing a helmet, that passenger being a child under 16.

I have always regarded that to be a fair point, one which I would have accepted prior to the Standing Committee stage had I been approached in that sense, but I was not, and therefore I left the Bill as drafted. Sixteen is the age at which, at common law, parental rights over children come to an end, and 16 would, therefore, be a more appropriate age in this respect.

It would be wrong if a stranger was responsible for a child of a greater age than the age at which a parent has responsibility. It would be contrary to common sense, therefore, if the age were set at over 16. Thus I reject amendment No. 2, for not only would it be inappropriate, but when the age of majority is 18, it would be absurd to speak of legal responsibility for anyone over the age of majority right up to 21. Indeed, to do so would be offensive to the lobby that suggests that at 18 all persons are capable of taking their own decisions in life, and bearing responsibility for the decisions that they take and should be liable for their own mistakes and folly.

A child, for the purposes of the criminal law, takes us to the age of 14. A young person goes up to 17. Sixteen is, therefore, about right when we are talking of vicarious responsibility for that child on the part of a person who is a stranger in law and happens to be the rider of the motor cycle. A motor cycle rider should have responsibility not only for his wearing of a crash helmet but for his passenger also doing so, if that passenger is a child, and I suggest that 16 would be the correct age for that purpose.

Mrs. Chalker: I appreciate the points made by my hon. Friend the Member for Orpington (Mr. Stanbrook). As I explained in Committee, the age of 14 was originally chosen because it was consistent with the provisions of the seat belt law and because it was in line with the legal age of criminal responsibility.

Hon. Members have pointed out that it is in the age group 16 to 19 that we have the awful peak—it is a

[Mrs. Chalker]

truly awful peak — of motor cycle accidents. They happen for a wide variety of reasons. They sometimes happen because of the daredevil nature of those in that age group. Sometimes they happen when they could be avoided, and that is the saddest thing of all.

Part of that avoidance relates to the proper wearing of helmets, the proper maintenance of bikes and the proper actions of motor cyclists and all other road users. Whatever the age cut-off point, until we achieve a better level of behaviour on the roads on the part of all road users —pedestrians, cyclists, motor cyclists, and car and lorry drivers—we shall not achieve a decrease in the number of motor cycle accidents.

Because the accidents peak between the ages of 16 and 19, amendment No. 2—which, as my hon. Friend the Member for Harborough (Sir J. Farr) said, would give a cut-off point at the age of 21 — would not be appropriate. As hon. Members have said, 14 is the legal age of criminal liability; 16 is the age at which one may start to ride a moped; 17 is the age at which one may start to ride a motor cycle; and 18 is when one may vote. Therefore, to put it as high as 21, three years after the age at which voting is permitted, would go against the excellent intentions of my hon. Friend the Member for Orpington in the Bill. It would deny the benefits of the Bill to those riders who feel most strongly about the aiding and abetting issue, which is the kernel of the Bill. For that reason I could not accept the amendment.

My hon. Friend the Member for Upminster (Sir N. Bonsor) said that there was not much difference whether a child was 13 or 14. I am not a parent, but I have two nieces who are dear to me and I should have been horrified at their using motor cycles, however well protected they may have been, at such young ages. I may have adopted a similar attitude to their riding motor cycles as that adopted by the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) to her children riding motor cycles.

Judgment comes with age. At least, that is what I am frequently advised. These young and intense years for young people often lead them to be tempted into doing things which, with a little more sense, they would not do at a somewhat older age.

That is why I now refer to amendments Nos. 3 and 4 and to amendment No. 4 with some welcome. Amendment No. 3 simply seeks to raise the age from 14. Therefore, it is very much within amendment No. 2. It is not quite right. As my hon. Friend the Member for Harborough does not propose to move it formally, I shall concentrate on amendments Nos. 2 and 4.

Amendment No. 4 interests me greatly. I have had brief discussions with the Royal Automobile Club, which would like a change from the age of 14. I mentioned that we chose the age of 14 because we were seeking to be consistent with other legislation and also the legal age of criminal liability. However, it seems to me that 16 being the age at which one can be responsible enough to learn to ride and take a test for a moped, that is the age when we should most sensibly have a change in the legal age of criminal liability in this case. Therefore, if the House shares my view that 16 is a more appropriate age, it would not be reasonable for me to offer any further objections to amendment No. 4.

However, in the House it behoves us always to remember that at whatever age the responsibility is, it must be enforceable. There is a great problem with that, the point being that under the Bill introduced by my hon. Friend the Member for Orpington (Mr. Stanbrook) the police would stop any biker anyway who had a pillion passenger who was not wearing a helmet. The question of the chin strap is difficult, and some have said that we should make a provision referring to people not properly wearing the helmet. That would be difficult to enforce.

Nevertheless, I believe that we could change to the age of 16 without losing any of the intention in my hon. Friend's Bill. Therefore, I hope that that outcome satisfies those who were not happy with 14, those who would not be happy with 21, and those who feel that there should be some movement in the legal age of criminal liability for not wearing a crash helmet when sitting on the pillion seat of a motor cycle or moped.

Sir John Farr: Once again, I am grateful to my hon. Friend the Minister of State for her convincing arguments.

I should like to correct the record that I placed before the House. The figure for those killed and seriously injured that I gave to the House a moment ago referred only to males. If the total of females is added, instead of the figure of 75 motor cycle pillion passengers killed in 1983, the total becomes 119. Instead of over 1,000 pillion passengers on motor cycles seriously injured in 1983, the figure becomes 1,984. The total for all severe injuries in 1983 of all motor cycle pillion passengers is not the figure that I gave, which was for males only, but 6,473.

I know that my hon. Friend the Minister of State is acutely aware of the problem. The House must keep those statistics constantly before it. I have every confidence in her and her Department monitoring them as closely as possible so that as soon as a change in the age from 16 in an upward direction is justified, she will not hesitate to introduce the relevant legislation to the House. I hope that my hon. Friend will keep an open mind, bearing in mind those horrifying statistics. After what she has said, I have pleasure to beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 4, in page 1, line 15, leave out 'fourteen' and insert 'sixteen'.—*[Sir J. Farr.]*

10.15 am

Mr. Stanbrook: I beg to move, That the Bill be now read the Third time.

I thank my hon. Friend the Minister of State for her kindness and co-operation in assisting me with the passage of the Bill to this stage. It removes some of the burden of criminal liability from a small, usually young and not well-off section of our population. For that reason, I believe that it is a good Bill, and I am happy to commend it to the House.

10.16 am

Sir John Farr: I congratulate my hon. Friend the Member for Orpington (Mr. Stanbrook) on getting as far as he has done with his important Bill on motor cycle crash helmets.

We have had a useful discussion on the various amendments that were selected. I am delighted that the Bill has made progress. It is now in a slightly improved form. It could have been improved still further, but unfortunately that was not possible. I wish the Bill a speedy passage to the statute book.

10.17 am

Sir Nicholas Bonsor: In joining my hon. Friend the Member for Harborough (Sir J. Farr) in welcoming the Bill, I should like to say that the underlying reason for it is extremely good and perhaps can be usefully applied in other spheres of the criminal law.

My hon. Friend the Member for Orpington (Mr. Stanbrook) and I practised together at the criminal Bar for about nine years, and we are both keenly conscious of the unfortunate effects that are often felt by young people who find themselves against the law, mostly without having had the slighest intention of being so and without having any real criminal intent. The Bill will lighten the burden on those who often come from deprived backgrounds or poor families, as my hon. Friend the Member for Orpington said, and get much of their enjoyment from riding their motor cycles, sometimes to the annoyance of other road users, but that is the nature of youth. When I was that age, I briefly had a motor cycle. It was only because I had a motor cycle briefly that I managed to persuade my father to buy me a car. My parents were anxious to get me off two wheels and into the slightly safer environment of four.

Therefore, the reasoning for the Bill is excellent. The improvement made today by raising the age from 14 to 16 will make a significant contribution in ensuring that we do not go too far in removing responsibility from those who have pillion passengers. I warmly welcome the Bill.

10.18 am

Mrs. Chalker: We have made it clear at all stages that this measure has the Government's fullest support. My hon. Friend the Member for Orpington (Mr. Stanbrook) has been right to say, as have others, that it is often young people and perhaps some less well-off people—but by no means all of them—who ride motor cycles. Motor cycling has an excitement and verve for those who become addicted to it. It is even greater than for those of us who have the four sides of a car safely around us. It has a thrill and special impact on its enthusiasts, whatever age they may be, especially young motor cyclists.

We are firmly and fully committed to the helmet law as an indispensable aid to road safety. As the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) has said, the reduction in head injuries, which are those most likely to be fatal, has been dramatic since the law was improved in this respect. Nevertheless, awful injuries still occur, so if we can continue to safeguard at least one part of the body we shall be doing a better job in allowing people to go on enjoying their motor cycles, which is the object of the exercise.

The Transport and Road Research Laboratory continues to undertake research on this and other aspects of road safety and to seek further ways to make motor cycling safer so that other vulnerable parts of the body can also be properly protected. Nevertheless, we should not forget that two-wheeled motor vehicle casualties still include about 1,000 killed and 20,000 seriously injured every year, more than half of them still in their teens. Clearly, we cannot afford to do anything that might increase the risk to motor cyclists.

Helmets are one of the few forms of protection that have really minimised the vulnerability of motor cyclists and their pillion passengers, and I have no doubt that the vast majority of riders wear helmets as a matter of common sense. Inevitably, however, there are just a few who in the absence of legal compulsion or the sight of a bobby on the beat may forget how vulnerable they are and perhaps be tempted to ride with unprotected heads. That is what we seek to avoid and that is why successive Governments have taken the view that helmet wearing must be required by law. This Government in no way depart from that view or intend to do so.

My hon. Friend the Member for Orpington has argued that it is both unnecessary and undesirable, however, that the helmet law should include the facility to bring charges of aiding and abetting against a rider whose pillion passenger fails to wear a helmet, save in cases where the offender is a child, and the Bill now takes that into account. Indeed, the Bill is now more generous in that respect than it was when it left the Standing Committee.

I believe that people who ride motor cycles either as drivers or as pillion passengers without wearing helmets are plain crazy. At 16, they are old enough to know that that is asking for very bad trouble. That is why I believe that motor cyclists should seek to make their pillion passengers more responsible by putting the onus on them. That will be one of the consequences of the Bill, assuming that their Lordships support it as strongly as Members of this House support it. The position of drivers in relation to seat belt law is very similar and it has long been a sore point among members of the motor cycling fraternity that they have been treated differently from car drivers. We are now content that motor cyclists should not be in a different position in terms of the law on safety helmets. The Bill removes an unreasonable and anomalous feature of the law which would have continued to cause annoyance to many perfectly responsible motor cyclists.

It has been necessary to look afresh at the law on the responsibility of the individual, and I was interested to hear the comments of my hon. Friend the Member for Upminster (Sir N. Bonsor) on other adjustments in this respect. I must not, however, be tempted to stray outside my area of responsibility and away from the subject of motor cycling and crash helmets.

I give a clear assurance that the Bill will in no way impede the effective enforcement of the Bill on helmet law. That is most important. I hope that the House will therefore give the amended Bill a Third Reading today. I congratulate my hon. Friend the Member for Orpington on piloting the Bill through the House and I congratulate all Members who have contributed on the part that they have played in ensuring that we have ended up with a sensible measure, however small, which improves the law of this country. I commend the Bill to the House.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Wildlife and Countryside (Amendment) Bill

As amended (in the Standing Committee), considered.

New Clause 5

FURTHER DUTIES OF AGRICULTURE MINISTERS WITH RESPECT TO THE COUNTRYSIDE

'After section 41 of the Principal Act, there shall be inserted the following section—

"Further duties of agriculture Ministers with respect to the environment

41A. (1) In regard to those functions of the Minister of Agriculture, Fisheries and Food which may affect the physical environment, the Minister shall, so far as may be consistent with the proper discharge of such functions, endeavour to secure a reasonable balance between *(a)* the promotion and maintenance of a stable and efficient agricultural industry and *(b)* the conservation and enhancement of the natural beauty and amenity of the countryside, the protection of wildlife habitat, and the conservation of flora and fauna and geological, or physiographical features of interest.

(2) Without prejudice to its generality, the duty under the previous subsection shall apply in particular to—

(a) the making of a scheme under section 29 of the Agriculture Act 1970 (farm capital grants) and the exercise of the Minister's functions thereunder.

(b) the provision of advice under section 1(1)10 of the Agriculture (Miscellaneous Provisions) Act 1944 to persons carrying on agricultural business.

(c) the implementation of any Community obligation in relation to the common agricultural policy of the European Economic Community in so far as may be consistent with any such obligation.

(3) In the application of this section to Scotland, references to the Minister shall, where appropriate, be construed as references to the Secretary of State."'.—*[Dr. David Clark.]*

Brought up, and read the First time.

10.26 am

Dr. David Clark (South Shields): I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss amendment No. 15, in Title, line 1, leave out 'sections 28 and 43' and insert 'Part II'.

Dr. Clark: I am pleased to give the House another opportunity to discuss a vital issue—the protection of our very beautiful and precious countryside. A similar clause was included in the Bill when it received its Second Reading, but the Standing Committee felt it right to remove that clause. I expressed the view that that was an error and regretted the removal of the clause.

Since then, we have had discussions with a view to producing a clause which would achieve the same object, but without the disadvantages which some people claimed were inherent in the earlier clause. As there was some misapprehension about the earlier clause, and as some of the comment on the radio did not match the reality of the situation, it is important that I should state categorically that the new clause has the wholehearted support of the National Farmers Union. Not only have I seen the NFU press release, but I have been in telephone contact to ensure that there is no confusion.

The new clause is supported not only by people working in agriculture but by the other major organisation in this country—the Country Landowners Association, which this morning issued a statement endorsing the new clause. I am happy to bring forward a clause on which there is such unity and consensus and I hope that the House will approve it. Many hon. Members have told me that they support it, and I hope that we shall be able to persuade the Government of the error of their ways at an earlier stage.

I felt that I should bring back a clause of this kind because of the strength of feeling throughout the country, from Lands End to John o' Groats, about the changing countryside of Britain. That concern is felt just as strongly in the towns as in the countryside. Strangely enough, the British people care passionately about their landscape and about the flora and fauna thereon. Members of Parliament have probably received more mail on this subject than on any other issue in this Parliament. That confirms the strength of feeling on this issue throughout the country.

Our constituents find the changes that have occurred in agricultural practice very disturbing. The Under-Secretary of State for the Environment, when he appeared before the Select Committee on the Environment looking into the operation and effectiveness of part II of the Wildlife and Countryside Act, coined the phrase "the engine of destruction". There is no doubt that Ministers appreciate that there are problems, and it is time that we addressed ourselves to these problems and tried to grapple with them. That is why I am introducing the new clause.

I shall highlight some of the key factors that have affected the countryside over the past decade. We have lost 150,000 miles of hedgerows—a quarter of the total of hedgerows in Britain. All of us know that it is not only the visual amenity that has been lost, but the necessary habitat for animals, birds and flowers. The loss of hedgerows has gone too far, and I know that steps have been taken to rectify the situation. However, I recently visited Norfolk, to which I had not been for a while, and I was horrified at the change in the landscape. I had seen the removal of hedgerows from Lincolnshire and other parts of East Anglia, and the landscape is barren there. It is not pleasant to look at, and it does not appear to be part of the British scenery. I saw the same phenomenon in Norfolk, where the banks on which the hedgerows had been planted remain, but are denuded of growth. It is unpleasant to everyone, and we must take some action.

We have lost 50 per cent. of our ancient and semi-natural woodlands. I welcome the moves by the Forestry Commission to rectify that by increased grants for broadleaf planting. We have lost 95 per cent. of our flower-rich meadows and 30 per cent. of our wild and open moors. There is consensus across the Floor of the House that enough is enough and that we have to start working out a way to tackle the problems.

The Labour party recognises the need for a sound and efficient agricultural system. We have this problem today because of the success of the British farming industry. It has done what it was asked to do by Governments of both parties and has produced food. The basis of our agricultural production is the Agriculture Act 1947. It is odd for us to think back and realise that there was a shortage of food then. Quite rightly, it was decided that we should maximise food production. Thanks to modern technology and the EEC, in certain sectors we are over-producing our food. It does not make sense for us to continue to do so, and especially not if we do so at the cost of destroying our environment.

The time has rightly come when we must add another dimension, equal with food production, to our Agriculture

Act, and that is the preservation of our natural environment. With the agreement of the NFU and the CLA, I have introduced a tentative step in this direction by tabling the new clause.

I welcome discussion on this matter, as I think all hon. Members do. I know that the Government are worried about the new clause. They have come up with all sorts of reasons why it should not be passed. I realise that all Government Departments, including the Ministry of Agriculture, Fisheries and Food, must have regard to conservation under section 11 of the Wildlife and Countryside Act, but we must be a little bit more positive than that. Therefore, when we were drawing up the new clause, we went back to the Government's wording in a similar measure on the Forestry Commission. We have adapted that wording to the Ministry of Agriculture, Fisheries and Food. We felt that if the Government found the Forestry Commission section acceptable, they would presumably find a similar clause applying to the Ministry of Agriculture, Fisheries and Food acceptable as well.

The Government sometimes argue that a measure such as this is unnecessary, but I hope I have shown that, with the best will in the world, and with all the moves in Brussels and the efforts on areas such as the Halvergate marshes, there is still a need for Parliament — it is Parliament which determines the broad direction of national policy — to say that we want to go a little further. We want a national guideline and a national signpost, and a national signal going from the House to the Ministry. We realise that it has been constrained in the past, but now we are asking it to have regard specifically to further conservation. I hope that the Government will accept that.

The Government may say that the new clause is unconstitutional, but that is not so. We have sovereignty of Parliament in this country, and it is Parliament, not Ministers, that makes the law. There are precedents for the new clause. For example, section 54(1) of the Transport Act 1968 directs the Secretary of State for Transport, in considering rail closures, to

"have regard to any matters which . . .appear to him to be relevant, including any social or economic consideration".

We are similarly directing the Minister of Agriculture, Fisheries and Food in this new clause.

The Education Act 1944 was an all-party Act passed by the coalition Government. Section 76 places a duty on the Secretary of State for Education, in providing education to do so

"so far as is compatible wth the provision of efficient instruction and training and the avoidance of unreasonable public expenditure."

It is saying there that education must operate under financial constraint. It is laid down in the Act that the Secretary of State for Education must have regard to public expenditure. I can give other examples, but those are two which clearly show Parliament telling a Department to carry on doing its job and meeting its prime responsibility, such as producing food, but at the same time having regard to something else, such as the wider environment.

I hope that what I have said has not been too controversial, and that the House will find the new clause acceptable. I know that there is good will on both sides of the House for this measure, and I hope that we can persuade the Government to accept the new clause.

Mr. Patrick Cormack (Staffordshire, South): I am glad to have the opportunity to congratulate the hon. Member for South Shields (Dr. Clark), not least because I felt constrained not to take part in the Second Reading debate. I was asked to stand by to chair all the Bills in Standing Committee C, and the hon. Member and I expected that his Bill would appear before that Committee. He was skilful in getting his Bill into Committee ahead of the line, and into standing Committee E.

Mr. David Crouch (Canterbury): He was not the only one.

Mr. Cormack: As my hon. Friend says, the hon. Member for South Shields was not the only hon. Member so skilled.

Now, I do not have to maintain a stance of neutrality, and I am glad to have the opportunity to congratulate the hon. Member not only on his initiative in deciding upon this important subject but on his sensitive persistence. It would have been easy for him, having had an understandable disappointment in Committee, to be aggrieved and obdurate. Instead, realising that what he is dealing with is a matter of great moment, he has been skilful and persistent in his negotiations and has now produced a clause that I hope will meet with widespread and general acceptance. It is no mean feat to produce something that has the backing of both the Country Landowners Association and the National Farmers Union. It is the hon. Gentleman's implicit recognition of the fact that farmers have created the British countryside as we know it and as we love and wish to preserve it that has enabled him to reach a conclusion that is acceptable to these two very important and rightfully powerful lobbying bodies.

One statistic above all illustrates the need for the measure that we are debating: the 150,000 miles of hedgerows to which the hon. Gentleman referred as having been lost in the past decade. As hon. Members know, I have always taken an interest in heritage and conservation matters and I should not like it to be thought that my interest is confined to the "built" environment. — *[Interruption.]* My hon. Friend the Member for Lincoln (Mr. Carlisle) interjects with a most unfair accusation. Most certainly it is not. The fact is that this problem has become worse and worse over the past decade.

Mr. Sydney Chapman (Chipping Barnet): I know of my hon. Friend's interest in arboricultural matters. He has requoted the devastating statistic of the uprooting of 150,000 miles of our hedgerows which, as he knows, are the seed bed of much of our rural tree stock. Does he know of another statistic: that it is fairly accurately estimated that during the last 30 years over one third of our ancient woodlands have been felled?

Mr. Cormack: I am most grateful to my hon. Friend for his intervention. He has done a great deal, perhaps more than any other hon. Member, to draw attention to the dangers facing our woodlands. I have done some research into this matter and nine years ago, produced a book entitled, "Heritage in Danger", which dealt with this subject as well as with the threat to our country houses, churches and cathedrals. At that stage it was alarming to have to rehearse the statistics relating to both our broadleaved woodlands and to our hedgerows. The danger is now very much worse. That is why it is necessary for Parliament to take action and for a united message to be sent out from this House.

[Mr. Cormack]

Not the least of the contributions of the hon. Member for South Shields to our deliberations has been the way in which he has been able to maintain all-party consensus on this issue. Such consensus is absolutely necessary upon matters affecting the arts, the heritage and the preservation of our countryside.

Mr. Martin Flannery (Sheffield, Hillsborough) *indicated assent.*

Mr. Cormack: I am very glad that the hon. Member for Sheffield, Hillsborough (Mr. Flannery) is nodding agreement. Although we differ profoundly on many political issues, we are at one in our regard for these matters. It is important that all-party consensus and all-party determination should be maintained in Parliament.

I commend most warmly the new clause. I hope that my hon. Friends on the Treasury Bench will be able to accept it with good grace and, indeed, enthusiasm. It reintroduces the teeth that were extracted from the Bill in Committee. The Bill would otherwise have gone forward as a toothless wonder.

Mr. Crouch: I was unable to observe, because of the position that my hon. Friend is occupying, whether our hon. Friends on the Treasury Front Bench nodded at that point. It would help me greatly in my future activities in this debate to know whether they did nod.

Mr. Cormack: I must apologise to my hon. Friend for being more visible than other hon. Members and therefore blocking his view. However, I can tell him that both of our hon. Friends on the Treasury Bench are looking, as they always do, good-humoured, benevolent and interested. I am sure that their enthusiasm is mounting. I am not sure whether they are nodding at the moment, but I am sure that they will in a few moments. It is very important that this new clause should be accepted. As I say, it puts back into the Bill the necessary teeth. It would be very much of a toothless wonder if it went forward without the new clause. The hon. Member for South Shields—I nearly called him my hon. Friend, and in this context I regard him as a friend in every possible sense—has performed a great service and I wish him well. I urge my hon. Friends on the Treasury Bench to accept the new clause.

10.45 am

The Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food (Mrs. Peggy Fenner): It might be of assistance if I intervened at this stage. Not having been able to catch your eye immediately, Mr. Deputy Speaker, has caused difficulty for my hon. Friend the Member for Staffordshire, South (Mr. Cormack). I have to correct what he said. This new clause does not represent the teeth of the Bill. The teeth of the Bill are the elimination of the loopholes in the sites of special scientific interest.

Dr. David Clark: No.

Mrs. Fenner: I am sorry; it is the hon. Member's new clause and I must not argue with him about it.

Mr. Cormack: There are at least two sets of teeth. This set is a least as important as the other set.

Mrs. Fenner: I must accept my hon. Friend's view, just as I must accept the description of the hon. Member for South Shields (Dr. Clark) of his own clause. I listened with great interest to his introduction. It is a much more sensible measure than clause 4 of the original Bill, which would have caused very severe practical difficulties. I see that the hon. Gentleman is nodding his head and that he is aware of that fact. He has endeavoured generally to follow the wording that was tabled in Committee relating to the Forestry Commission.

Nevertheless, I have to ask the hon. Gentleman to withdraw the new clause. In the first place, it is defective in a number of respects. It would place a duty upon my right hon. Friend the Minister of Agriculture, Fisheries and Food to endeavour to secure a balance——

Mr. Andrew F. Bennett (Denton and Reddish): Will the hon. Lady give way?

Mrs. Fenner: No, I should like to finish my explanation.

It would place a duty on my right hon. Friend to endeavour to secure a balance between agriculture and conservation in regard to all of his functions which may affect the physical environment. However, some of those functions, such as those dealing with fisheries and forestry, have nothing whatever to do with agriculture. My right hon. Friend the Secretary of State for Scotland, to whom this clause would also apply, has an even wider range of responsibilities which affect the physical environment but which do not concern agriculture. Therefore I have to point out the defective nature of its description.

However, it is not only for technical reasons that I must oppose the new clause. The object of the clause, as was made clear in Committee, is based upon the assertion that agriculture Ministers are not sufficiently responsive to the needs of conservation. However, as all the evidence shows, that view of my right hon. Friend the Minister of Agriculture, Fisheries and Food is quite wrong. The hon. Member for South Shields has tried to undermine that evidence, but the most recent is the very successful attempt of my right hon. Friend in Brussels to make European Community agricultural legislation more sensitive to the environment. As we participate in the common agricultural policy, I am sure that my hon. Friends recognise that this is a very important new initiative.

My right hon. Friend has already begun consultations with the Department of the Environment and the statutory conservation agencies about how the special agricultural measures to be applied in environmentally sensitive areas should be implemented. An experimental scheme for the Broads has recently been announced. This is aimed at safeguarding the Halvergate marshes and their environs and is a joint initiative of the Ministry of Agriculture, Fisheries and Food and the Countryside Commission.

I could quote many other examples of the commitment to securing a proper balance between agriculture and conservation which have been demonstrated by the Ministry of Agriculture, Fisheries and Food. The new clause would not create that commitment. It is already there. The new clause is therefore unnecessary and is also anomalous in singling out one Ministry from all the others, many of which doubtless have less commendable records than the Ministry of Agriculture, for special treatment in this way. Basically, it is defective and I hope that the hon. Gentleman will feel able to withdraw it.

Mr. Flannery: The question of nodding in the House is assuming titanic proportions. It was singularly absent when the hon. Member for Staffordshire, South (Mr. Cormack) was speaking. There were no nods from the Treasury Bench, and it has now emerged why. It is sad that a request has been made to withdraw a necessary clause, on which I congratulate my hon. Friend the Member for South Shields (Dr. Clark) for persistently working towards.

Like the hon. Member for Staffordshire, South I am a conservationist. I am a city man, but I spend my leisure moments in the countryside as a member of the Ramblers Association. I work jealously to preserve what there is in the countryside.

The new clause has wider connections with what is happening and what has happened. I worry, and I hope that all hon. Members worry, about the rain forests of the world. I wonder how many realise how the whole of our planet is being steadily denuded and how deserts are being created where at one time cities existed, many of them now under sand.

We are surely more aware than our ancestors were of the terrible problems that we are facing, not only on the planet as a whole, but in our countryside. The denuding of various aspects of the countryside in the past few years is the biggest event since the enclosures. The destruction of woodlands and trees is possibly the greatest destruction since the Norman Conquest. Somebody must cry halt, and I was hoping that the Government, after watching what has happened, would help us cry halt and lend their immense strength to the cause which my hon. Friend the Member for South Shields has so persistently and consistently pursued.

I went through east Yorkshire recently, where I was stationed during the war, and I was horrified at what I saw. Areas which I had not visited for many years had literally become prairies. Last time I spoke I said that the "prairie-isation" of the British countryside was going on apace. Somebody must stand up and point out regularly, with intensity and conviction, that if it goes on much longer we shall not merely be altering the habitat of many creatures, but that we shall, in the long run, create dust bowls and similar conditions which in time will not be conducive to good agriculture.

Much money has been made from the drive for food, but now we have a surplus. I regret the cash nexus that has developed on a grand scale and made many millionaires out of many farmers. They are not, I hasten to say after my surgery last Saturday, in my constituency, where I have poverty-stricken milk farmers coming to me about milk quotas.

As I went through east Yorkshire I was positively alarmed. The noise of the chain saw has hardly been out of the ears of ramblers in south Yorkshire and Derbyshire —areas which I know and love so well. What my hon. Friend the Member for South Shields said about Norfolk is profoundly true, but if one takes the train from King's Cross to Edinburgh one sees vast areas not only in southern England but in Scotland where the drive for food and wealth has had its impact.

I should have thought that my hon. Friend's new clause would be acceptable to all of us. Cross-party consensus has been mentioned and, when protecting our countryside, which is so dear to us, I hope that we can all join hands. I am sad that the new clause is being opposed by the Government Front Bench.

When one thinks of the number of hedgerows which have disappeared which were once so familiar, and the wildlife whose main roads those hedgerows are, the copses and woodlands, the walls and so on, one realises that the situation is appalling and that one must cry halt somewhere.

I beg Conservative Members to join hands with us and my hon. Friend the Member for South Shields to defend the countryside by passing the new clause.

Mr. Kenneth Carlisle (Lincoln): I have great sympathy with the new clause. It is fair to accept that everyone on both sides of the House wishes to seek a better balance between conservation and agriculture. There is certainly a great need for that in our countryside. The destruction of habitat and valued aspects of our landscape has been described on many occasions. Therefore, we all accept the need for action.

In addition, there is a huge feeling around the countryside in support of conservation and further measures to protect our natural heritage. The hon. Member for Sheffield, Hillsborough (Mr. Flannery) was right when he said that that feeling exists not only in the countryside but perhaps even more strongly in urban communities. There has been a huge expansion in interest in wildlife and conservation on television and in the membership of groups such as the Royal Society for Nature Conservation, the Royal Society for the Protection of Birds and the National Trust, which shows how close the subject is to the hearts of people in Britain.

Therefore, I understand why the hon. Member for South Shields (Dr. Clark) has brought forward the new clause. However, I must return, as I did in Committee, to the principle that on a private Member's Bill one must often adopt different tactics. One must be specific and exact and avoid controversy. We must be clear about our objectives. If one tries to make grand gestures in a private Member's Bill, it may become controversial and fail. Therefore, if the House wishes to be effective and practical on private Members' Bills, it has a duty to impose a self-denying ordinance on itself.

Like my right hon. Friend the Minister, I believe that the most important aspect of the Bill is the closure of the two loopholes in the Wildlife and Countryside Act 1981. The countryside and habitat are protected by a series of practical measures and, in my heart, I do not see how a vague duty placed on the Minister will make more likely the saving of habitat or the protection of various species. I understand that it will in many ways help the general climate, but the way to make progress in this Bill is by closing two loopholes which will save habitat and protect species.

Mr. Andrew F. Bennett: The Government had the opportunity to close those loopholes 12 months ago when my hon. Friend the Member for Wentworth (Mr. Hardy) introduced a Bill, but refused to do so. That could have gone through the House quickly, but the Government ignored that opportunity. This Bill was intended to go considerably further, and it is sad that on occasions such as this the farmers on the Conservative Benches are again trying to stop us making major progress in defending the countryside.

11 am

Mr. Carlisle: That was an unnecessary and extravagant intervention, introducing the type of emotion and grand gesture that must be avoided in a private Member's Bill if practical advance is to be ensured.

Without any doubt, the loopholes in the Wildlife and Countryside Act have led to the destruction of habitat and to the ploughing up and drainage of sites of special scientific interest and other special sites. We know that; the evidence is catalogued. By closing those loopholes the Bill will protect habitat and take a firm step towards the protection and conservation of the countryside for future generations. I do not want that progress to be put at risk by opening up the Bill to all sorts of objections. That is why I reiterate that it is important for a private Member's Bill to be concise and practical.

At the same time, it is fair to accept that there has been a change of attitude in the Ministry of Agriculture, Fisheries and Food. In the past 18 months it has changed substantially its attitude to farming and conservation. I welcome the various steps—I listed them in Committee — which the Ministry has taken in regard to conservation interests. However, I hope that the Minister of Agriculture, Fisheries and Food will take clear note of the new clause, because it represents the strong desire of people throughout the country that he should go even further in recognising the valid interests of conservation and the need for balance in the countryside. There is even more need for that desire to be taken into account by the Scottish Office. Many of its attitudes have been far less progressive than those of the Minister of Agriculture, Fisheries and Food, and I particularly hope that the debate will be read by the Scottish Office.

Mr. Crouch: It is one thing for the Ministers and others to read the debate in the *Official Report*, but it is what is written into a Bill that eventually becomes good or bad law, is applied in the courts afterwards, and affects the way that we protect the countryside. I recognise the genuine way in which my hon. Friend is speaking, and that he has a great deal of knowledge, but surely it is what is written in the Bill that counts.

Mr. Carlisle: Absolutely, but before a Bill becomes law it has to go through Parliament, and there is a danger of not even closing the loopholes which have so often led to the destruction of habitat. Therefore, I emphasise that it is important to be practical if we have a real concern for the needs of the countryside.

Mr. Cormack: Will my hon. Friend give way?

Mr. Carlisle: No, I am sorry. My hon. Friend has had his chance.

I should like to mention four matters to which the Minister of Agriculture, Fisheries and Food should pay greater attention in the coming year. First, I hope that the Ministry will reintroduce pre-notification for agricultural works which attract grants. Without any doubt, the changes made in 1980 have been detrimental. To bring back the system of pre-notification would not be very bureaucratic, and it would certainly help to protect certain aspects of habitats. I understand that since the change in the system no grants have been refused by the Ministry, yet without any doubt the habitat has been damaged and destroyed by grant-related work.

Secondly, I particularly welcome the consultative paper which the Ministry has produced on drainage, and the suggestion in it that the cost-benefit analyses for large schemes will be subject to public scrutiny. That is a welcome advance, but it is necessary to go further and not to have grants for drainage, because drainage is destroying habitats and bringing new land under the plough, only to add to surpluses. That is a misuse of public funds. There is further progress to be made in that respect, and I am glad that the Ministry is moving in the right direction.

Thirdly, I welcome the extension of EEC grants to systems which bring about a proper balance between farming and conservation. That policy is in the early stages of development. We shall be watching carefully to see that the grants are used in an imaginative way. Much work has to be done on how to achieve a practical system which balances the interests of farming with those of conservation. It is easy enough to talk about integrated farming, but it is very difficult to achieve it effectively in practice.

Finally, much more needs to be done about the control of chemicals. In the past year I have become convinced that the use of agricultural chemicals is doing more than anything else to damage wildlife in the wider countryside away from the special sites. The Bill deals to a certain extent with the problem of chemicals, but in setting the direction of our research, in the development of new techniques and products, and in the general education of those in the farming industry, we must concentrate especially on the problem of chemicals, because it is the most dangerous problem facing the countryside, and we are too complacent about it.

Clearly, there is much for the Ministry to do. As I wish the Bill to proceed so that the loopholes may be closed, I shall not vote against the Government today, but I remind them that in conservation matters there will be a great deal of public scrutiny. They have much still to do in furthering the genuine wishes of many people in the country.

Mr. Simon Hughes (Southwark and Bermondsey): I found the intervention of the Parliamentary Secretary to the Ministry of Agriculture, Fisheries and Food reactionary and appalling. *[Interruption.]* I say clearly to the hon. Lady that it was totally unacceptable.

The hon. Lady said that there were technical objections to what is already a retreat from the best position, which is that advocated in the Bill as originally drafted. She knows perfectly well that it is a compromise proposal, trying to insist that the Department in which she has ministerial responsibility has a duty to look after the conservation interests set out in the clause.

Even if there are technical objections—if there are, I do not believe that they are overriding or sufficient to make the Bill technically invalid—the hon. Lady could at least have shown some sign that the Department felt the need to respond to the pressures on it. I will tell the hon. Lady why the duty should be imposed on her Department. The Ministry of Agriculture, Fisheries and Food is responsible for 80 per cent. of the land that we are talking about this morning; it is responsible for what goes on in 80 per cent. of our natural heritage. Therefore, if we are to start with one Department, it is right to start with the Ministry of Agriculture, Fisheries and Food. There is no argument about that. The House knows my view that agricultural land should also be subject to planning consent and planning control, in the way that all other land should be.

We have to slay the dragons that are emanating from the Ministry, in alliance with the so-called Department of the Environment. It was argued in Committee by the Under-Secretary of State for the Environment—the hon. Lady made the same point this morning—that there is a constitutional objection to imposing on a Government Department duties such as those set out in the new clause. I wonder whether either Minister has considered the role of the Department of the Environment in the Netherlands. That Department sees itself as having a duty to argue for the environment and not to seek to do as little as the Government can get away with, given the pressures from Europe as well as national pressures.

It might be thought that the vested interests—the National Farmers Union and the Country Landowners Association—are the reason for the Ministry being so resistant, but that is not so. Both bodies have said that they are in favour of the clause. It is totally unacceptable that the only remaining vestige of reaction, caution, and unwillingness to respond is to be found in the Ministry of Agriculture. What right has the Ministry to say that it is the best judge of these matters? The unions representing farming interests, the association of those who own much of the land and the conservation groups all [illegible] that the duty should be imposed.

About 53 per cent. of the sites of special scientific interest that have been lost were destroyed by intensive agriculture and the Government did not respond by closing the loophole. Indeed, in May last year the Under-Secretary of State for the Environment said that there was not a particularly good case for doing anything about the 1981 Act because it had not been proved to be failing.

It is because of the unwillingness to accept the evidence—Ministers know the statistics and how much of our heritage has been irretrievably lost—that we must act now. I hope that hon. Members will put their duty to the country ahead of the need to bail out the Government when they need support.

The hon. Member for Lincoln (Mr. Carlisle) has a good record on conservation matters, but it is ludicrous for him to argue that merely because a private Member's Bill does something controversial and important it should be watered down. The history of this place is not that the Government dictate what legislation goes through; Parliament dictates that, and hon. Members have a right to introduce legislation. Private Members' Bills are an important part of our constitution. The fact that the Government may not like them does not mean that controversial matters should not be debated. Some of the best legislation ever passed in this country has got through because of the persistence of Back Benchers.

I pay an unreserved tribute to the hon. Member for South Shields (Dr. Clark). He did not respond to the kicking that he was given by Ministers in Committee by giving up, but sought cautiously and responsibly to ensure that he carried with him as many influential bodies as possible. It is not good enough to say that if the Government say no on a controversial matter, hon. Members should give up.

I do not propose to give up and I think that many other hon. Members will not give up. If this House cannot get what it wants, I am sure that the other place will try to make sure that we get the Bill right.

Mr. Michael Colvin (Romsey and Waterside): I thought that the hon. Gentleman would return to a subject that he mentioned earlier and on which I should like clarification. He said that agriculture should be subjected to the full rigours of planning control. I understand that that is Liberal policy. Will the hon. Gentleman expand on that?

Mr. Hughes: That is Liberal policy. I know that we have to win the argument with some of the vested interests. The anomaly has existed for a long time. The production of food is an important activity and I pay tribute to our agriculture industry for doing its duty so well. However, I do not agree that that industry should be treated differently from any other.

Sir Nicholas Bonsor (Upminster): I fear that the hon. Gentleman is about to move on without clarifying Liberal party policy. Is he talking only about planning permission for buildings or about planning permission for land use? Will a farmer have to apply for planning permission to change from milk to cereals or when he alters the size of his fields? Will the hon. Gentleman tell us exactly what is Liberal party policy?

Mr. Hughes: The planning permission requirement would not apply to changes of crop or a change from crops to dairy farming. It would apply to buildings and, for example, to the removal of hedgerows and woodlands. Perhaps I shall excite the hon. Member for Upminster (Sir N. Bonsor) if I tell him that, although the first arrangements have not been made, I understand that our joint Liberal assembly this year will include a major debate on that, which will put some of the details into our policy. A document that is recognised as valuable and valid by planners throughout the land has been produced and will be the basis of the discussion in September. I shall send the hon. Member for Upminster a copy of the report of that debate and the text of the resolution.

11.15 am

It should be the duty of the Ministry of Agriculture to have an overriding consideration for the whole environment, of which it is a principal steward. That is why the provisions of the Bill, closing the loopholes in the legislation affecting sites of special scientific interest——

The Parliamentary Under-Secretary of State for the Environment (Mr. William Waldegrave): The hon. Gentleman has tied up farming with detailed planning controls. As I have some responsibility for rates, will the hon. Gentleman confirm whether it is also Liberal policy to re-rate agriculture?

Mr. Hughes: I suspect that you, Mr. Deputy Speaker, would rebuke me if——

Mr. Deputy Speaker (Mr. Harold Walker): Indeed.

Mr. Hughes: In that case, I shall not respond to the Under-Secretary.

The duty to ensure the conservation of our environment cannot be put off any longer. The ravages that have occurred since the war are on the record. I assure the House that the feeling outside is that it is about time that Parliament responded to the increasing desire of our fellow citizens to make sure that conservation is regarded as being as important as any other task of Parliament in 1985.

Mr. Chapman: I am privileged to be a sponsor of the Bill and I pay tribute to the hon. Member for South Shields

[Mr. Chapman]

(Dr. Clark) for introducing a sensible and balanced new clause which is an effort to seek reconciliation and the support of many diverse interests.

I declare an interest as president of the Arboriculture Association and vice-chairman of Wildlife Link, an umbrella organisation for 33 environment groups interested in our flora and fauna. I have to add that, using that dreadful modern terminology, they wanted to make me the vice-chair, but I reminded them that I prefer to be called Mr. Chapman than Mr. Chap, and they took the point.

It is a humbling experience to understand the dramatic changes that have taken place in our countryside in the past three decades. We should not preserve our countryside in aspic, because it must respond to changing agricultural demands. However, the frightening pace of the change over the past 30 years has caused justifiable anxiety among many people. Hundreds of thousands of miles of hedgerow have been uprooted, many acres of lowland heaths have disappeared and many upland heaths have been destroyed. More than half our fenland has been drained. The sheer scale of what has happened is frightening.

The Select Committee on the Environment, of which I am a member, investigated the effectiveness of the 1981 Act. We came to conclusions that were reached by the Minister, and part of the present Bill seeks to close the loopholes. We also came to the conclusion that we did not believe that planning controls on land use in the countryside would be relevant. We noted the heartwarming increase in the farming community's awareness of, and co-operation on, conservation matters. It is because of that change that I believe that the new clause nicely anticipates a feeling that is growing among all our constituents, whether they live in the country or the town. This is not just a matter for countrysiders. Sensible conservation of the countryside is a matter of deep concern to urban dwellers too.

If I were less charitable, I might opine that the last refuge of a Minister on a weak case is to say that a clause proposed by someone else—not by the Government; those can be changed in Committee—is defective. If it is—and the last thing that I want to do today is to delay the progress of this modest and sensible Bill—I hope that the Government will use their good offices to try to remedy the defects when the Bill is considered—as I hope that it will be—in another place.

I believe that the new clause reflects what our constituents want to see—all our constituents, as well as those who are farmers and members of the National Farmers Union. I hope that the Government will have second thoughts. If it is necessary to withdraw the clause at this stage, I hope that it will reappear, without defects, at a later stage.

Mr. Chris Smith (Islington, South and Finsbury): It is always a pleasure to follow the hon. Member for Chipping Barnet (Mr. Chapman) who is, jointly with me, a vice chairman of Wildlife Link.

I also wish to express support for the new clause of my hon. Friend the Member for South Shields (Dr. Clark), and my deep sadness that the Parliamentary Secretary felt unable to accept it. The Government have advanced various arguments for not accepting the new clause. First, they spoke about defective legislation. As several hon. Members have pointed out, that is not an argument against the principle of the clause. It is an argument for tightening up the wording. If the Government had been keen on the principles behind the clause, they could easily have suggested their own phrasing. I hope that if my hon. Friend feels that it is necessary to withdraw the clause because of its technical defects, the matter will be pressed further in another place and the defects remedied.

The Government's second argument was that the teeth of the Bill were designed to deal with the sites of special scientific interest and the closing of loopholes, rather than the principles of conservation as they relate to the Ministry of Agriculture. That is nonsense. Parts of the Bill are about tightening up loopholes, but when the Bill was passing through its earlier stages, with very broad support on both sides of the House, it was regarded as doing more than close some precise loopholes. If the Government had simply been concerned with closing loopholes, they could have done it 12 months ago and some of the 451 SSSIs damaged since my hon. Friend the Member for Wentworth (Mr. Hardy) introduced his private Member's Bill on the matter could perhaps have been saved. However, the Government did not take that opportunity. That was sad, and for the Government to say now that the Bill was primarily concerned only with that matter is, frankly, cheek.

Thirdly, the Minister complained that her Ministry was being singled out for special treatment. Of course it is. No other Government Department has the same power to have a potentially damaging impact on the countryside heritage. It is precisely because of the power vested in the Minister that the new clause seeks out the Ministry for special treatment. The Minister's argument misses the whole point of the issue of the balance between conservation and food production.

The Minister's fourth and major argument was that the clause had been tabled because it was thought that agriculture Ministers were not being sufficiently responsive to the needs of conservation, and that the commitment was already there and the clause was therefore unnecessary. Again, that is not an argument against the principle of the clause. If the clause was not strictly needed because the work was already being done, the Government could have said that, in order to demonstrate clearly to the people that they were already doing all that was necessary, they would accept the principle of the new clause and the duties that it imposed on them. If they were already carrying out those duties, why should they complain if they were laid down in legislation?

Although there have been dramatic improvements in the past few years in the practice of the Ministry of Agriculture and in the attitudes of the farming community towards conservation and its activities, not enough progress has been made. The Parliamentary Under-Secretary of State for the Environment himself, when he addressed the Select Committee, spoke about the engine of destruction. We have only to look at what has been happening on Exmoor, at the ploughing up of wild land and the impact of agriculture on many parts of the countryside, to see that in some respects and in some instances we have not yet got the balance right. That was why my hon. Friend introduced his new clause.

His original new clause was, sadly, deleted in the Standing Committee. It was much stronger. It sought to give the Ministry a firm duty to further the cause of

conservation. My hon. Friend then produced a watered-down version that, in the mildest and most reasonable form, seeks simply to state that the Ministry of Agriculture must preserve "a reasonable balance" between the interests of conservation and agriculture. Nothing could be milder, more responsible or more sensible than that. Yet, even though my hon. Friend has gone to great lengths to make it possible not just for the farming community but for the Ministry to accept the principle of reasonable balance enshrined in his new clause, the Parliamentary Secretary still says that she is unable to accept it.

I am deeply disappointed and saddened by the Government's failure to accept my hon. Friend's proposal. If the new clause, or a similar new clause, is not reinstated in the Bill in another place, it will be a sad day for our countryside. There will be continuing destruction that could perhaps have been prevented if such a clause had been added to the Bill.

Mr. Richard Tracey (Surbiton): The hon. Member for Sheffield, Hillsborough (Mr. Flannery) told us that he is a townsman who frequently rambles in the countryside and therefore feels strongly about it. It is a shame that there are not more Opposition Members present to support him.

I also am an urban Member of Parliament and can speak with some feeling because I have received correspondence from constituents on this worthy measure. However, I cannot claim that my postbag has been anywhere near as large as on the Bill presented by the right hon. Member for South Down (Mr. Powell), which we are to discuss next Friday.

Feelings in urban areas about Bills such as this are often mixed and muddled. The conservation lobby, which is worthy but sometimes a tiny bit fanatical, brews up feelings that lead to statements which are essentially overkill. There was recently some correspondence in *The Times* about the alleged massacre of some hedgerow in East Anglia. The editor of that newspaper received many letters, not least from members of another place and conservation campaigners. Eventually, the farmer under attack listed the conservation measures that he had taken, such as the planting of hedgerows and spinneys and works related to water and wetlands. It would have been gracious of many of the correspondents to return to their pens to congratulate him on what he had done. We should consider this matter rather more coolly than we often do.

11.30 am

Although urban constituents urge on us the need for planning measures, as, it seems, does the Liberal party, they also call for greater and cheaper food supplies. They are thus putting a great onus on farmers to farm as efficiently as possible. There is a muddle and I fear that the new clause is moving in that direction.

It is difficult for any hon. Member to deny that Britain still has the finest and most varied wildlife and countryside in the world. Although I am now an urban Member of Parliament, I was born in rural Warwickshire, which is one of our finest counties. I have spent half of my life in London only because of work, so I suspect that I can speak with as much authority as the hon. Member for Hillsborough.

I hope that the hon. Member for South Shields (Dr. Clark) will consider what he has said and not tend towards planning such as we have heard advocated by the Liberals. I hope that the hon. Member for Southwark and Bermondsey (Mr. Hughes) and his colleagues will make themselves a bit clearer before next Thursday's county council elections or they might suffer for what they have said in passing this morning.

My hon. Friend the Minister should consider our policies and give greater financial support to the Agricultural Development and Advisory Service and the farming and wildlife advisory groups. We must move forward through co-operation and good will. We must recognise that the farming community has contributed a great deal to conservation. The countryside rests in its hands and it is much more sensitive to these issues than the 85 per cent. of us who live in urban areas but nevertheless scream loudly.

Mr. Crouch: Can my hon. Friend advise us what to do about new clause 5? It merely asks for the Minister to have a duty to observe the balance between food production and the conservation of the environment. My hon. Friend has spoken in favour of both. Presumably he wants the balance. Does he not want the new clause? What is wrong with it?

Mr. Tracey: I have urged co-operation and good will rather than the slightly rigid ideas in the new clause. I hope that the hon. Member for South Shields will accept the drafting advice of the Government once again and will withdraw the new clause, perhaps with a view to provision being made in another place.

Sir John Farr (Harborough): I congratulate the hon. Member for South Shields (Dr. Clark) on introducing his new clause. I understand the reasons for it, but I cannot support it because, as my hon. Friend the Minister said, its drafting is defective.

The hon. Gentleman might be a little ambitious in trying to secure a major change of direction in a massive Ministry by adding a clause to a private Member's Bill. Nevertheless, I wish the Bill all good fortune. It was originally a seven-clause Bill, and it is now a five-clause one. The original Bill covered the protection of sites of special scientific interest — we all want that — the mapping of national parks, marine nature reserves, the direction of the Minister of Agriculture, Fisheries and Food, which we are discussing now, the role of the Forestry Commission, moorland and badgers.

It is a little ambitious to expect the new clause to be added to the Bill. If there is a case for the role of any major Government Department to change, there can be change only after the preparation of a Green Paper and a White Paper. The role which the Ministry of Agriculture, Fisheries and Food plays today is different from the one that it played yesterday, and it will be different again tomorrow. The type of crop needed today is different from the type of crop needed yesterday, and it will be different again tomorrow. The point is that it is not for any Back Bencher to expect a new clause which seeks to shift the whole balance and direction of a Ministry to be accepted.

There are three or four Bills before us today. We have already talked about the Bill relating to motor cycle crash helmets, and that has made good progress. However, my hon. Friend the Member for Orpington (Mr. Stanbrook), who successfully steered it through the House, did not seek to change the whole role of the Department of Transport. Had he sought to do so, he would not have got very far with the Bill. The next Bill for consideration today, the Gaming (Bingo) Bill——

Mr. Deputy Speaker: Order. The hon. Gentleman should wait until we reach that Bill. He must take one Bill at a time, like the rest of us.

Sir John Farr: I was merely trying to point out that it is grossly ambitious and imaginative of the hon. Member for South Shields to expect to achieve a major shift in direction in the Ministry via a Bill which fundamentally seeks to achieve the essential protection of SSSIs and of badgers, which we all demand.

I am particularly worried that hon. Members on both sides of the House apparently do not realise what the Ministry is doing for conservation. My hon. Friend the Member for Staffordshire, South (Mr. Cormack) rightly referred to the tragic loss of many of our forests and broadleaved woodlands. However, I have with me an article from a magazine which he may well take, the *London Conserver*. Three pages of its May issue are devoted to the work which the Forestry Commission has done for conservation. It is said that its work could not be better. The same applies to the Ministry——

Mr. Cormack: I should be the last not to give credit where credit is due, and I have frequently paid tribute to the Ministry and to the Forestry Commission for their achievements, particularly in recent years, but I am a native of Lincolnshire and spent the first 28 years of my life there. In that county I have seen the most terrible despoliation of one of the most beautiful areas of England. Therefore, I do not think that it is over-ambitious of the hon. Member for South Shields (Dr. Clark) to seek to provide some extra powers. There have certainly been good developments during recent years, but we have also lost much that is totally irreplaceable. My hon. Friend must recognise that.

Sir John Farr: Once again, I am grateful for that intervention. My hon. Friend has made a sensible intervention, and knowing him as I have done for so long, I know that he treats this matter seriously and is concerned, as we all are, for good reason. However, there are some hon. Members on both sides of the House who have implied that the direction currently taken by the Ministry is hopeless. That direction may need changing, but a private Member's Bill is not the vehicle for that. My hon. Friend the Member for Staffordshire, South, must surely accept that.

Much is now being done. However, I shall be brief, as I want the Bill to make progress. Mention has been made of the farming and wildlife advisory groups which have been set up by the CLA and the NFU. There is a network of them, funded entirely by farmers and landowners, and they are working well. For years, farmers have been receiving descriptive leaflets from ADAS on how to make use of the odd, neglected corner of the farm to promote conservation, and I welcome that.

No doubt my hon. Friend the Minister will later tell the House in which direction the Ministry is moving, but perhaps now is not the right time.

11.45 am

Mr. Nicholas Lyell (Mid-Bedfordshire): I am glad that we have had an opportunity to discuss this broad subject, It is right, however, that the House should concentrate on specific issues and that a private Member's Bill should not be over-ambitious. We are looking for practical measures to benefit the environment. Consequently, we must ensure that this Bill, with its limited objectives, reaches the statute book and achieves them in respect of badgers and, above all, the three-month loophole. We must ensure that it is not lost on the plains of the grand gesture.

The Liberal party has said that it intends to introduce planning controls for farming in relation to buildings, woodlands, and hedgerows. We take note of its approach towards the countryside, but I believe that its attitude is mistaken. We should instead urge the Ministry to accept certain specific points. It is important not that the Ministry should be saddled with more duties that can easily be fudged but that it should take into account certain specific considerations.

I strongly support the points made by my hon. Friend the Member for Lincoln (Mr. Carlisle), who not only has a good track record on this subject — as the hon. Member for Southwark and Bermondsey (Mr. Hughes) was kind enough to say—but who has promoted some very constructive changes that are likely to have practical effect.

We must return to pre-notification of applications for grants. We cannot have grants going through after the work has been done and after any adverse conservation effects have been felt. Secondly, we must have publicly available cost-benefit analyses in relation to drainage schemes, so that we and interested bodies can check them to see whether we are benefiting farming and the countryside generally, or whether we are continuing to destroy habitat—as we have done far too often in the past—and to increase surpluses in a way that no farmer using his own money without subsidy would do.

Thirdly, we should encourage the Common Market in its provision of grants towards a balanced programme of farming and conservation. Fourthly, we must take action over chemicals. My hon. Friend the Minister will no doubt tell me if I am wrong, but if we are indeed now putting about three times as many chemicals on the land as only four years ago, that should be the subject of urgent and detailed research. Bodies such as the Game Conservancy are carrying out research, and the farming and wildlife advisory groups are also playing an important part. But the problem is so great that it cannot be overcome unless the Ministry takes the lead with a crash programme.

There should be a more specific use of chemicals, and we need to know more about the methods of application so that they can be more effective and so that fewer chemicals are put on the land. In that way, fewer costs need be incurred and less damage will be caused.

There are always fashions in these matters. Although I strongly support the move towards conservation, I do not support the farmer bashing that is becoming far too widespread and indiscriminate.

Farmers are entitled to complain that only 10 years ago everybody thought that they were angels; now everybody thinks that they are devils. They are neither. However, we depend upon the farming community more than on any other to preserve our heritage and to keep a balance in farming and conservation.

Dr. John Marek (Wrexham): Does the hon. Gentleman agree that all grants should be checked to ensure that they are spent for the purposes for which they were originally given?

Mr. Lyell: I have no evidence that they are not, but if there is such evidence I would agree with the hon. Gentleman. I am not an expert on that point. No doubt the hon. Gentleman will develop it if he thinks it important.

Most farmers are conservationists. They take an enormous amount of trouble about the landscape. Often, they need to be helped to do so, which is why I pressed the point about research into chemicals. Most farmers care for the countryside. I regret that there are some serious lapses from the generally reasonable and often high standards, and we must discourage such lapses for all we are worth. But the object of the Bill should be to close the three-month loophole and to make other comparatively limited gains. We must not let the Bill founder on the grand gesture. I ask the Minister to take most seriously the points that I have raised. If she has any objection to my comments, perhaps she would write to me.

Mr. Robert Key (Salisbury): I am in some difficulty with the new clause. My hon. Friend the Member for Harborough (Sir J. Farr) said that it is ambitious and imaginative. It is, and should be. My hon. Friend the Member for Chipping Barnet (Mr. Chapman) suggested that the new clause could, perhaps, be reinstated in another place without its defects. That is an interesting line, but I doubt whether it will happen. The new clause does not deal only with hedgerows, nor is it only about the Ministry of Agriculture, Fisheries and Food. Our environmental policy is in some confusion.

The new clause is also about water meadows. We have been told that the public must have access to cost-benefit analysis on drainage schemes. Some of the most ancient traditions in lowland farming are being expunged from the environment before our eyes because of drainage policies and commercial pressures on farmers. Indeed, sometimes the Nature Conservancy Council has turned down requests for the preservation of water meadows on the ground that the land has already been spoiled by the use of herbicides. My hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell) spoke of the attention that we need to give to chemicals used in agriculture. It is absurd that water meadows cannot become sites of special scientific interest because chemicals have destroyed some flora. That is a phoney argument.

Fish farming and chemicals, too, have changed the face of the land. MAFF should have more responsibility for that, and that would be encouraged by the new clause. Although water authorities usually say specifically that no antibiotics may be used in fish farms where water is put back into the drainage system of a valley, in fact fish farmers tell one, "Oh, everyone does it." Antibiotics are used as a preventative measure, not a curative measure, in fish farming.

There is confusion in our environmental policy on trees — for example, our broadleaf policy. We also have difficulty with many other aspects of countryside management. However, for the first time a wide range of interests agree with the aims of the new clause, and have written to us and said so. The Council for the Protection of Rural England, the National Farmers Union and the Country Landowners Association all agree with the aims of the new clause. The farmers are conservationists and farmer bashing is a fruitless activity.

In my part of the world, a large proportion of the land is used as military training areas, which are also important areas of conservation. All areas, whether military, farming, plain or valley, need a positive environmental policy to protect them. That also applies to land owned by the new National Heritage Commission. I wholly support the steps that it is taking to encourage the National Trust in the protection of Stonehenge. It is all very well *The Times* today printing emotive pictures on its back page of barbed wire surrounding Stonehenge, but at the Stonehenge so-called free festival last year the free-living, liberal-minded participants cut down more than 1,000 trees on Salisbury plain, no doubt under some misplaced belief in a right-to-fuel argument. I understand that a similar act of vandalism was carried out by the same people at Molesworth.

Is it fair to place responsibility only on MAFF? Perhaps it is not. The Department of the Environment is also involved, and I am glad to see its Minister on the Front Bench today. He has already mentioned rates and his responsibility for that. I must press the hon. Member for Southwark and Bermondsey (Mr. Hughes)—if I could have his attention for a moment—on his party's policy on rates. Does he speak for the SDP also? This is not some cheap line; it is crucial. If there is to be re-rating of agricultural buildings, let alone woodlands, hedgerows and land, there will be a severe impact on conservation and on the cost of conservation. The new clause would ensure that the Minister takes a positive line.

I repeat that we have a confused environmental policy. I understand that trees, which may have an impact on agricultural policy — there has been a great deal of controversy about that — are the responsibility of the Secretary of State for Scotland. The improvement of marginal land and the conservation of land on the edge of, for example, the New Forest, which we might think would be the responsibility of MAFF, is in fact not its responsibility. I recently tabled a parliamentary question to MAFF on the improvement of marginal land through the use of natural fertilisers such as sewage sludge. The question was transferred to the Department of the Environment, which sent me a letter supposedly telling me what MAFF was doing—except that it did not say what MAFF was doing. The new clause would place a clear and sensible responsibility on one Minister.

I urge conservationists not to pull the rug from under the feet of those who are trying hard to move forward in the cause of conservation. Conservation is not preservation. We must look to the future. The message of the new clause is clear — we must start somewhere. This is a private Member's Bill. I am sorry that MAFF has drawn the short straw, which is of no comfort to my hon. Friends on the Front Bench who I know have moved very far in supporting the Bill. I shall listen to the comments of the hon. Member for South Shields (Dr. Clark) with great interest.

12 noon

Mr. Waldegrave: I shall be brief, though that will be difficult, as I am tempted to go into a number of issues because the debate has ranged widely. There were moments when you, Mr. Deputy Speaker, seemed to be signalling that it might be getting too wide, so I shall not even mention Liberal policy on re-rating agriculture.

My hon. Friend the Member for Staffordshire, South (Mr. Cormack) got involved in a dental argument about whether there were teeth in the Bill. I shall not follow him in his expertise in that matter. It has been fascinating to examine the large volume of correspondence that we have

[Mr. Waldegrave]

had about the Bill. The emphasis has shifted from the writers originally expressing views on what they called the "loophole Bill" to what they are now describing as the "MAFF duty Bill." That is fair enough, and there is no reason why the hon. Member for South Shields (Dr. Clark) should not press for other changes which he wants made. Let us remember that the Bill contains an important central part. Nothing that we do must endanger the loophole-closing aspect of it.

With respect to a number of extremely good speeches, I thought that the most thoughtful was made by my hon. Friend the Member for Harborough (Sir J. Farr), because what he did not say was just as interesting as what he did say. He is a powerful representative of agricultural and countryside interests, and he argued against such a duty as the new clause would impose being placed on the Ministry of Agriculture, Fisheries and Food.

My hon. Friend pointed out—my colleagues at the Ministry of Agriculture are well aware of it—that we are at a time of transition and flux in agriculture. It may be that in due course my right hon. and hon. Friends in that Department will present White Papers or Green Papers on the whole subject. I note, for example, that the chairman of the Countryside Commission has urged such a course. It may be that a whole land use or estate use White Paper will be introduced in which we map out the policies towards land use in the round in this country.

My hon. Friend the Member for Harborough pointed out that, although it is understandable that the House wishes to emphasise aspects of that debate at an early stage, we need to take a more fundamental look, at greater leisure, at the whole issue, and that should involve the whole collective force of the Government over some time to ensure that we get it right. I say that because I am not sure that the best way to proceed is to approach one aspect of it in a private Member's Bill.

The hon. Member for Sheffield, Hillsborough (Mr. Flannery) made an attractive reference to his country seat. I hope that he was not thinking of moving to another place, because that would be a great loss to this House. I strongly agreed with him when he said in an eloquent speech—although he was arguing the other side of the case—that he wanted the great strength of the Government, as he described it, to be behind the conservation cause as a whole.

That is part of our argument for saying that the addition of specific duties does not necessarily address the point, because if it is not collective policy, with senior Ministers behind it, it is nothing, whatever duties may be laid on Departments. However, my hon. Friend the Parliamentary Secretary and I are not saying that we do not understand the concerns which led to the introduction of the new clause, and the remarks of my hon. Friends may carry weight with Ministers as they approach these issues.

Mr. Cormack: The Parliamentary Secretary made great play of the technical deficiencies of the clause, and I would not challenge what she said. May we take it from what my hon. Friend is now saying that detailed consideration will be given to all the points that have been made today with a view to introducing something in another place?

Mr. Waldegrave: No, that is not what I said. I am arguing that if there is a case for making such changes, there is a case for making them in a wider context than in this Bill. I said that that context might produce documents about the future direction of agriculture and of land use as a whole, the sorts of subjects to which the uplands report of the Countryside Commission addressed itself, and there are other, wider issues to be considered.

The Parliamentary Secretary made the fair point that it is sometimes forgotten that the Ministry of Agriculture is also the Ministry of Agriculture, Fisheries and Food, and that the Scottish Office, which is tacked on to the end of the new clause, is an even wider Department. It is equally fair to point out that provisions of this type are extremely difficult to draft.

My hon. Friend the Member for Lincoln (Mr. Carlisle), my hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell) and my hon. Friend the Member for Salisbury (Mr. Key) in a sense made speeches which fitted together. They are all formidable proponents of the countryside and practical measures to improve it, and they all made eloquent speeches.

The Food and Environment Protection Bill, which is at present in Committee, is relevant to some of the concerns of my hon. Friend the Member for Lincoln. In due course, regulations will be introduced under that Bill and I am sure that he will cross-examine them closely. He and other hon. Members made important points about changes which they would like to see, and their remarks are part of the discussion that we need about environmental policy. Their remarks, in particular the way in which they bite on agricultural policy, were of course heard by my hon. Friend the Parliamentary Secretary.

Although the hon. Member for South Shields and I have been in disagreement about some aspects of what is proposed, we have managed to avoid personalising the matter. I regretted, therefore, the slightly venomous tone of the remarks of the hon. Member for Southwark and Bermondsey (Mr. Hughes). We were, however, interested in his commitment to planning controls. Poor old Gladstone must be spinning in his grave. But, then, I suppose that he has been spinning ever since his poor Liberal party became a subsidiary of the SDP.

The hon. Member for Southwark and Bermondsey mentioned what he described as his great commitment to conservation, a commitment which I would not dare to challenge when expressed by the hon. Members for South Shields or for Islington, South and Finsbury (Mr. Smith). For that reason, I looked in Dod to find what major contributions the hon. Member for Southwark and Bermondsey had made, and I discovered that he has a long list of special interests. Indeed, his interests are much wider than those of anybody else, covering human rights and civil liberties, youth affairs, social injustice, housing, Europe, devolution, Anglo-Irish relations, recreation, music, theatre, history and sport. There was not a mention in that lengthy entry of his interest in today's issues. I thought, therefore, that what I really heard from the hon. Gentleman was the well-known sign of a politician getting on to somebody else's bandwagon.

The hon. Member for Surbiton must be a brave man. He said that he had muddled constituents. I do not have such constituents, nor does anybody else. I am sure that our constituents, like customers in the market place, are always right. However, the hon. Gentleman rightly pointed to the way in which we sometimes have difficulty in explaining to our constituents conflicts that arise, and

on that he made some fair comments, such as the way in which people want cheap and reliable food, but in some cases wish to put constraints on farmers.

My hon. Friend the Member for Chipping Barnet (Mr. Chapman) and the hon. Member for Islington, South and Finsbury made speeches which went well together. Their co-operation on the Select Committee might have been behind their similarity of interests, and we respect their views on those issues. We share their concern for the intentions which lie behind the new clause, although we do not think that this is the right way, or place, to pursue them.

A number of other Departments, from the environmental point of view, have a major impact on the countryside. The hon. Member for Southwark and Bermondsey is a great enthusiast for reducing smoke emissions and air pollution. That is why I say that other Departments — responsible for transport, energy and industry, for example — have a major impact on the environment.

In view of the dramatic progress that has been made by Ministers concerned with agriculture in the past two years, it seems unfair to single them out. On those grounds, we do not welcome the new clause and I hope that it will not be forced to a Division.

Dr. David Clark: I shall follow the example of the Minister and be brief. Having listened with interest to the remarks made by hon. Members on both sides, it is clear that we have had an interesting and illuminating debate, one which reflects the concern in the country that we must get the balance right in agriculture, and the Minister of Agriculture, Fisheries and Food, despite what the Under-Secretary said, has an overwhelming interest in the affairs of the countryside.

It is interesting to note that the discussion is taking place not only in what might be called the middle-class and upper-market press but elsewhere. For example, I was delighted in recent weeks to see the involvement of the *Daily Mirror* with its "Living Britain" campaign. I wish Robert Maxwell as much success with that campaign as he has had with Oxford United. It does an enormous amount of good for such a newspaper to try to sell, in simple terms, interest in the problems that we are now discussing.

I listened closely to what the Parliamentary Secretary to the Ministry of Agriculture said. I take on board her point about the defective drafting. It is always a great problem for a private Member in particular to try to draft a complex and detailed clause. I am grateful for the help that I had from the CPRE and also from the National Farmers Union and the CLA.

I hope that the Minister listened to the united message that came from the Opposition. It came in a more or less united form from Conservative Benches. The exception was the hon. Member for Lincoln (Mr. Carlisle), whose change of attitude was disappointing. However, the almost united message from Conservative Members was that they wanted to have a look at the matter. They wanted some Government action along those lines.

We have talked about reconciliation and co-operation. This is not the last chance for this Parliament to look at the Bill. In view of what the Minister said about the defective drafting, I still maintain that, because of its spirit and purpose, it was right to move it. I should like the Bill eventually to end up with that clause in it. I hope that the Minister has taken note of the messages from both sides of the House and that in some way or another the Government will look at the matter in the next few months when the Bill is still before Parliament. Personally, I hope that in another place the noble Lords will take note of my comments and that they will wish to discuss the matter again.

In that spirit, I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Clause 1

AMENDMENT OF BADGERS ACT 1973 S. 1

Dr. David Clark: I beg to move amendment No. 1, in page 1, line 7, leave out '(2)' and insert '*(a)*'.

Mr. Deputy Speaker: With this it will be convenient to take the following amendments: No. 2, in page 1, line 9, leave out from beginning to end of line 18 and insert—

'*(b)* before subsection (2) there shall be inserted—

"(1A) If, in any proceedings for an offence under subsection (1) above consisting of attempting to kill, injure or take a badger, there is evidence from which it could reasonably be concluded that at the material time the accused was attempting to kill, injure or take a badger, he shall be presumed to have been attempting to kill, injure or take a badger unless the contrary is shown.".'.

No. 3, in page 1, line 18, at end insert—

'(2) Section 2 of the Badgers Act 1973 (digging for badgers etc.) shall be amended as follows—

(a) before "If" there shall be inserted "(1)";

(b) at the end there shall be added—

"(2) If, any proceedings for an offence under subsection (1)*(c)* above, there is evidence from which it could reasonably be concluded that at the material time the accused was digging for a badger, he shall be presumed to have been digging for a badger unless the contrary is shown.".'.

No. 17, in title, line 2, leave out 'section 1' and insert 'sections 1 and 2'.

Dr. Clark: The Bill has been called many things. On new clause 5, it was called the MAFF Bill. There has already been reference to the "closing the loopholes Bill". For many of us, it has been the badgers Bill. In the early stages, most heat was generated on that issue. It is an emotive issue. I am sure that not a single person in the House could support the cruel pastime of badger baiting. I think that the whole House is united in that. I am pleased to be able to say that from this Dispatch Box. We have no time at all for the cruelty involved, when people dig for badgers, take them, possibly blinding them or breaking their limbs, and then set dogs upon them. That is vicious and immoral, and the House condemns it.

12.15 pm

The real point is how we try to ensure that that "pastime" does not take place. When, back in 1979, I co-sponsored the Bill on badgers of my hon. Friend the Member for Wentworth (Mr. Hardy), we thought that we had overcome the problem. Sadly, ingenious and detemined people have shown that that Bill, although effective, has not been as effective as it should have been. Undoubtedly, there are many cases where prosecutions are not brought because of a weakness that has become apparent in the law.

With that in mind, along with several bodies, particularly the Royal Society for the Prevention of Cruelty to Animals, the Royal Society for Nature Conservation and the League Against Cruel Sports, I

[Dr. Clark]

entered negotiations with Ministers at the Home Office to tackle the problem. It was with the best will in the world that we approached those discussions. We thought that we had come up with an approach when we originally drafted the Bill. I accept that there may have been drafting inadequacies in that first clause. It was also intended that that clause would be altered if it was found to be incorrect. I do not want to regurgitate the history, but we were surprised when the Government tabled an amendment in Committee. We are disappointed with it. I shall say no more about that. It was a genuine attempt and I think that the Home Office thought that it was pursuing the right course of action.

All our legal advice has been to the contrary. I have further confirmation of that today from one of the leading counsel in the country. Talking about the previous amendment, which I am seeking to change through this series of amendments, he said:

"The amendment makes it essential that a badger is actually either killed or injured. This means, I think, that the Prosecution might have to produce a dead or injured badger"—

the hon. Member for Derby, North (Mr. Knight) said that in Committee——

"so the case might well be far more difficult to prove. Therefore in my opinion it is a retrograde step and the amendment should be resisted."

That opinion was given by John Mortimer, QC. A similar opinion was given by Lewis Blom-Cooper, who said that, although in the strict matter of the law the Under-Secretary of State for the Environment was correct in what he said in Committee, in practice it was his view that it would weaken the present legislation.

Mr. Lyell: This matter has caused a great deal of trouble. Does the hon. Gentleman accept, despite what he quoted from those letters, that it is a fact that what was added in Committee was a new offence, and that it in no way weakened the existing law? It provided an additional protection, albeit that we may now have found further protection to add.

Dr. Clark: The great difficulty is that, once one starts down that route, one gets drawn on to tangential lines. I half accept what the hon. and learned Gentleman said. The second leading counsel's opinion was:

"What I do think is that Magistrates' Courts, in applying the law after the passing of the Wildlife and Countryside (Amendment) Act 1985, may be inclined to impose a stricter interpretation on what constitutes an attempt than hitherto; they would do so by concluding that the relevant acts or omissions were not sufficiently proximate to the killing or injuring to constitute an attempt in law. In so doing they would be wrong in law, but one cannot escape the feeling that Parliament's intention in section 1A might be interpreted as requiring an actual killing or injuring before anyone could be convicted of an attempt under section 1."

I take the hon. and learned Gentleman's point. The amendment was moved with good intent. I am just saying that in practice the leading opinions that we sought suggested that the situation would not have been interpreted that way in the courts. I believe that today's amendment overcomes those obstacles. I do not want to pursue too much of the history.

Mr. John Golding (Newcastle-under-Lyme): Would it not be better for the debate not to be an inquest — *[Interruption.]* It would seem to be better to debate the amendment that is on the Notice Paper.

Dr. Clark: I take my hon. Friend's point. I think that I have done enough of my inquest. I hope that the Under-Secretary of State for the Home Department accepts that I have been fair and frank, and have tried to outline what happened. There has been a difference in interpretation of the law. The Government have put forward their interpretation, and we have put ours. We have had a meeting of minds. I hope that the amendment that I recommend to the House will find approval.

Mr. Lyell: I agree that we should get on to the new clause, but, in view of the wide circulation of misleading leaflets, it is important that the promoter should publicly recognise the constructive help that he has received from the Government and from the British Field Sports Society in producing the new clause and in seeking to promote the Bill at every stage.

Dr. Clark: The hon. Gentleman pre-empts what I am about to say, but I have been giving way in an attempt to be helpful. There have been a large number of misconceptions, misunderstandings and disputes about the law and we do not want any more. That is why the Bill is before Parliament, inadequacies having been found in both the 1981 and the 1973 Acts. Last week, a meeting was held with the Home Office, the British Field Sports Society and the Master of Foxhounds Association as well as with representatives of the amenity bodies. We all know that the League Against Cruel Sports is against hunting, but in a spirit of compromise it has dropped that objective in this instance and sought to work, almost uniquely, alongside the British Field Sports Society and has recognised that the interests of legitimate field sports must be protected. That is a step forward and I am sure that the House is grateful for the co-operation.

Sir Nicholas Bonsor: I am sorry to press this, but since the Committee stage Conservative Members have been inundated with literature accusing us of putting in a clause which deliberately sought to make the prosecution of offenders more difficult. As I believe that the League Against Cruel Sports was undoubtedly behind the wording of that literature, I cannot accept that that body has co-operated in a full and fair manner either with the British Field Sports Society or with those of us who have been adamant throughout that we must find a satisfactory clause. I hope that the hon. Gentleman is right in saying that that has now been achieved, but one cannot simply pass over the way in which the matter has been misrepresented to the country.

Dr. Clark: The hon. Gentleman has made his point forcefully and now, at the last moment, an amendment has been agreed. I am grateful for the assistance of the Home Office in the drafting as this was an incredibly difficult maze to negotiate, given that we did not wish to injure the interests of legitimate field sports.

Mr. Cormack: It is important to put it on record that many people who are not opponents of field sports are extremely concerned about this. For instance, the great naturalist Phil Drabble, who is a personal friend of mine, knows as much about badgers as anyone in this country and he is extremely concerned, so it is not just a question of representation by certain antagonistic bodies.

Dr. Clark: The hon. Gentleman has an excellent record in this area. It is sometimes easier for him to make these things clear to the House and I am grateful for his assistance.

Mr. Nicholas Baker (Dorset, North): I have come to listen to the debate because I am as concerned as anyone about the badgers and I respect what the hon. Member for South Shields (Dr. Clark) is trying to do. My constituents have been extremely disturbed by the leaflets and stories that have been circulating. The hon. Gentleman quoted the view of a playwright, or perhaps it was a barrister, but that is not a statement of the law. That opinion concerned the way in which a magistrates court—a very low level court—might interpret the law in practice, but that is not an opinion as to the law itself.

Dr. Clark: I have been giving way not only in an effort to be helpful but in the hope that if hon. Members are able to raise points in interventions fewer of them will wish to make speeches and time will be saved later. I take the thrust of the Gentleman's comment, but we are concerned about the protection of badgers and the first level of legal protection is prosecution in a magistrates court. I was not disputing the purity of the law. I was quoting an opinion as to the protection that the law would give to badgers in practice. The object is to protect the badgers and I am sure that the hon. Gentleman joins me in that aim.

The amendment to section 1 of the Badgers Act would oblige defendants to show, regardless of the methods being used, that they were not after a badger. At present the prosecution has to prove that the defendants were after a badger, so the attempt provisions are strengthened.

The amendment to section 2 would oblige defendants to show that they were not digging for a badger. Currently, the prosecution has to prove that the defendants were digging for a badger, so here, too, the attempt provisions will be strengthened. In that sense, the provisions follow the line adopted in section 1(3) of the Wildlife and Countryside Act.

This is a very complicated matter, but for my own benefit I shall describe it in simple terms. At present, many people caught digging around badger setts, often with badger baiting equipment, have said that they were digging for foxes, which was quite legal. Because it was impossible to prove that they were not digging for foxes, prosecutions too often were not brought and it was clear that a shift in the onus of proof was needed. Defendants will now have to prove that they were digging for foxes and not for badgers, which safeguards the interests of legitimate field sports such as fox hunting.

I believe that this is a sensible amendment and I am delighted to put it forward with the backing of the British Field Sports Society, the Masters of Foxhounds Association and, I hope—no doubt the Minister will wish to say something on this—the backing of the Home Office. The arguments have been well rehearsed and I hope that the number of interventions that have been made will considerably reduce the number of speeches.

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): I am glad to give the Government's view on this important issue, which has become even more important as a result of the public debate — much of it, unfortunately, not too well informed — surrounding the various discussions and negotiations.

I should make it absolutely clear at the outset that I speak in favour of accepting the amendment for one clear and unsurprising reason. The amendment was thought out by my officials and presented to a meeting of the various interest groups last week. When the substance of it seemed to be acceptable, the amendment was then drafted by parliamentary counsel on the instructions of the Home Office and presented to the hon. Member for South Shields (Dr. Clark). I therefore stand at the Dispatch Box as the parent of the amendment and not as one dragged along behind an amendment thought out and pressed by others. It is the Government's amendment and the hon. Member for South Shields has been kind enough to accept it and put it forward in his name. If there is any praise or blame to be attached to the amendment, it should be directed to the Government.

I am as appalled as anyone at the thought that, in this day and age, people can go out into the countryside with dogs, sticks, spades, or some combination of all three, and take the pleasures of the countryside as being to dig into a badger's sett and capture the badger to use it in some sport or to beat it to death. That is utterly disgraceful. It was plainly the intention of Parliament in the 1973 Act to outlaw such behaviour. I condemn such behaviour unreservedly on behalf of the Government. If the law is defective, I wish to recognise that and to put the full weight of the Government behind proposals to change it.

12.30 pm

I make it clear that that is a pious aspiration which I share not only with the hon. Member for South Shields but with a number of those concerned with wildlife matters. Some of these people have been traduced by those who seek to exploit the badger, not by beating him over the head, but by using him for partisan ends to make tendentious and wholly wrong attacks on the Government and on some of those who believe that it is legitimate for country folk to involve themselves in legitimate country sports. No one involved in such legitimate country sports, any more than someone who abominates all forms of hunting, wants anything to do with the killing or torturing of badgers.

In assembling my thoughts on this matter I have been enormously assisted by the British Field Sports Society and the Masters of Foxhounds Association, who have always been ready to work with the animal welfare group, to whose views I also attach importance. I commend in particular the approach of my hon. and learned Friend for Mid-Bedfordshire (Mr. Lyell), who has brought his considerable skills in the detail of the law to bear on this matter, and has been of enormous help.

The debate, both in the House and outside, has been long on tendentious but rather short on the detailed thinking that needs to be done to translate pious aspirations into effective statute law. In that regard, apart from the advice that I have received from my officials, my hon. and learned Friend the Member for Mid-Bedfordshire stands alone. Many of those who have been most vocal in advocating the cause of the badger have been extremely limited when it has come to putting forward drafts which would be workable and made sense in the courts.

When people come to allocate blame out of what has been an unhappy story, they should perhaps give most of it to those who have sought to blacken the characters of others whose only intention has been to find a proper way out. They have aimed to find a solution which ensures that

[Mr. David Mellor]

an individual walking through the countryside with his dog does not run the risk of being hauled before the magistrates. Nobody who cares about the countryside wants to stop legitimate enjoyment of it by those who are playing their part, as people have done for centuries, in enjoying the countryside and appreciating our rural heritage.

Some matters need to be put on the record. My task is not only to commend the amendment to the House as I intend to do, but to set it in the context of the debates that have taken place. I am not in favour of seeing my hon. Friend the Member for Bristol, West (Mr. Waldegrave) traduced in the way that he has been in some of the literature, or of seeing colleagues' postbags full of some of the most malicious assertions about the Government, none of which is grounded in fact. I put on record our involvement in this matter, and in doing so I shall go through the three drafts which have appeared before the House in order to set them in their context.

Just as I have challenged some individuals whom I have met privately to come forward with any assertion that they may wish to bring about bad faith and so on, so I shall happily give way to any hon. Member who wishes to pursue an assertion of bad faith. I do that so that I can deal with these points fairly and openly in the presence of those who will later bring our debates to a wider public knowledge.

Long before the hon. Member for South Shields had the good fortune to be drawn high in the ballot, this matter was raised with my right hon. and learned Friend the Home Secretary and myself by that most distinguished battler for animal welfare, Lord Houghton. It is no secret that I have worked closely with Lord Houghton on a number of matters in our plans to reform the law on animal experiments. We worked together on the extremely successful venture, which perhaps passed without notice at the end of the last Session but should not have done, on the sale of pets in open street markets. The law was changed to prevent the scandal of places such as Club row. That began with an initiative by Lord Houghton, and it was taken up by my hon. Friend the Member for Plymouth, Drake (Miss Fookes) and me.

When Lord Houghton said that he was unhappy about the working of the Badgers Act, I was glad to meet him. My right hon. and learned Friend and I met Lord Houghton and Mr. Richard Course. My right hon. and learned Friend made it clear that we would look favourably at any provision to tighten up the law on badgers, with only one caveat—that it should not be used as a stalking horse to make unlawful what was legitimate field sport. Provided that that distinction could be maintained, my right hon. and learned Friend was wholly in favour of making these changes. That happened on 12 November 1984.

On 19 December, just before Christmas, I had a further meeting with Lord Houghton, at which I indicated my view that if the mischief which he wished to address was that of dogs going into subterranean refuges and the difficulty of proving that when a dog entered a subterranean refuge its owner wilfully intended to take a badger, the proper way to address it would be to import the element of recklessness into that conduct so that whether or not somebody could demonstrably be proved to have intended to take a badger by putting a dog down a hole, if a reasonable person knew, as a reasonable person would be deemed to know, that the hole concerned was a badger sett and not a rabbit warren, the element of recklessness would make it easier to prove the offence.

It is important for the House to recognise that the problem being drawn to our attention was that of dogs entering subterranean refuges. The problem, however, which needed to be addressed was that the requirement in section 1 of the Badgers Act 1973 that wilfulness was required in relation to intention to take a badger was too high a fence for the prosecution to leap over. On that basis I suggested in good faith to Lord Houghton that a provision for imported recklessness would be the way forward.

I welcome the involvement of the hon. Member for South Shields in these matters. Leaving party politics on one side, in general he has been prepared to accept the good faith of the Government, subject only to one caveat, to which I shall turn later. On 20 December 1984 I met the hon. Gentleman and the hon. Member for Wentworth (Mr. Hardy) at which I offered drafting assistance on any proposal that he might wish to make relating to the badger. The difficulty that faced us at that time about the hon. Gentleman's Bill was that he had committed himself to amending the Wildlife and Countryside Act. His short title so provided.

It seemed logical to me that to amend an Act which did not deal with the badger when there was already a specific Act dealing with the badger on the statute book made very little sense and that the appropriate course to take was to amend the Badgers Act. This was discussed at a meeting between Lord Houghton, the hon. Member for South Shields and myself on 16 January 1985, at which Lord Houghton suggested that an amendment to the Wildlife and Countryside Act might be a marker and that later it might be converted into an amendment to the Badgers Act, either in the House of Lords, whose rules are more flexible than ours, or in the House of Commons. At that stage, however, we doubted whether the Badgers Act could be amended in this House, on the basis that it would be outside the scope of a narrowly drawn short title which set out only to amend another Act.

At that point we were troubled by the intervention of the dog and the difficulty of proving intent where a dog was allowed to go down a hole, whatever dark suspicions one might have. I stress that point only because the condemnation that was seen to rain down upon our unprepared heads dealt with a totally different point. One of the interesting aspects of the argument is that, like the sands of the Sahara, it has shifted as the winds have eddied and flurried. In no sense have we had at any successive point to meet precisely the same argument. However, at this point we were dealing with dogs. Therefore, when the hon. Member for South Shields drew up his Bill, he included an amendment to the Wildlife and Countryside Act 1981, being fully aware that in due course it would have to be changed into an amendment to the Badgers Act 1973.

The hon. Gentleman is a generous person, and he was typically generous in his Second Reading speech on 8 February when he said:

> "I am pleased to say that the Home Office has helped me. The Home Secretary saw a deputation of which I was not a member, and offered general support to try to tighten up the legislation. The clause was given to me by the Home Office. I am grateful for its assistance and the time it gave me to get this point right." —[*Official Report*, 8 February 1985; Vol. 72, c. 1239.]

I appreciate that the hon. Gentleman was trying to make his Second Reading speech quickly, and I do not criticise

him for that, but he was inaccurate to suggest that we had handed the amendment to him. We had not, but we had said that the importation of the concept of recklessness was important and we had promised to assist in making the amendment to the Badgers Act 1973 in due course.

Dr. David Clark: It is important that that point should be cleared up. If that is the case, I was under a severe misapphrension on that occasion. I still have in my possession a draft of the amendment on ministerial notepaper, which I thought had ministerial backing. Therefore, if I have misled the House it was because I misunderstood the situation, as, indeed, I think most of the amenity societies misunderstood the situation. If that is the case, I apologise to the Minister for what I said on that occasion, which appears to have been inaccurate.

Mr. Mellor: I ask the House to believe that, apart from one quibble about the suggestion that the hon. Gentleman may have made at his press conference yesterday that the Government had made a U-turn, I wholly exonerate the hon. Gentleman. It is to others that I am directing my remarks. The hon. Gentleman is in a difficult position, being committed to the countryside and being drawn into the necessary partisanship of being an Opposition spokesman. He has not much for which to stand condemned. However, it is necessary to make those points clear.

The original Bill said that the prohibition should be on using

"a dog undergrbund, (whether actually or ostensibly in search of another wild animal) to take, injure or kill, or to attempt to take, injure or kill a badger if he knows or has reasonable cause to believe that it is likely to do so".

We are here dealing only with the use of a dog. That is important to the points that are soon to come.

Further consideration was then given to what the shape of the Bill should be. At that point others entered the fray, at a meeting on 19 February 1985, at which Lord Melchett and others proposed to my officials a different badger clause. It was at that point that a number of other considerations, such as the protection of the badger's sett, began to enter into the arrangements, when that had never been part of the original proposal.

I then engaged with my hon. Friend the Member for Bristol, West, who has only wanted, as I have, to try to make progress on this matter, to draw up a clause which would be an amendment to the Badgers Act, not to the Wildlife and Countryside Act 1981, which would have had the consequence of bringing into law a legally cogent way of expressing the intentions which had been agreed between myself and the hon. Gentleman.

We then came to a difficulty upon which a great deal of the propaganda hangs, so I shall expose it for a moment if I may. The original clause drafted by the hon. Gentleman suggested that it was possible recklessly to attempt to commit an offence. One does not need to be a lawyer to appreciate that "recklessly to attempt" is a contradiction in terms because to attempt to do something one must have an intention to do it and then to fail. The attraction of "recklessness" in the scheme of things which the hon. Gentleman and I worked out was that it is not a settled intention. One would not have to establish a settled intention to take a badger, only that someone was reckless but that what he did would have affected a badger. To put it another way, a reasonable person would not have done it because he would have appreciated the consequences to the badger, whereas a reckless person would have blundered on.

Much turns on this. If one looks at the leaflets with which we have been showered, one sees that they all fail to recognise that one crucial point. In law one cannot recklessly attempt an act. Therefore, to give effect in legal sense, and not to commit a contradiction in terms which even Parliament, which has sometimes put the most unusual things into statute, might subsequently have cause to blush with shame about, we determined that the appropriate thing to commend to the Committee, and my hon. Friend did so, was to remove the attempt, on the basis that we wanted to keep recklessness. That passed the Committee and has been traduced in a number of documents that have been before the House.

Let me make it completely clear that it cannot be the case that, if a new offence is set alongside an existing offence, that can weaken the law. One may argue that the amendment does not do all that one wants it to do, but the idea that the amendment in some way derogates from a quite separate, free-standing offence that is already on the statute book is again legal nonsense.

12.45 pm

The assertion contained in the badger factsheet that a conviction in Derbyshire in 1984 would not have occurred under the Bill as it left Committee is nonsense. If, when a person uses a dog, it is clear that a court is prepared to impute that that person had formed an intention to harm a badger and was attempting to do so, the prosecution would proceed under the 1973 Act and would be untouched by the new subsection (1A) which was inserted into the Bill by the Standing Committee of this House. That subsection would come into effect where it was not possible to prove an intention, but where recklessness in the use of a dog could be imputed.

Although much has been made of legal opinions, we have never to this day seen a legal opinion in writing which backed up any of the assertions. I say this in all gentleness to the hon. Gentleman. What he read out, as he acknowledged in the course of a vigorous cross-examination by my hon. and learned Friend the Member for Mid-Bedfordshire—a man to whom, if one could sign a big enough cheque, one should always turn if in trouble in the courts—was not a legal opinion to suggest that we had derogated one whit from the strength of the law. It was a tendentious assertion that the courts might be confused, based on the rather patronising view that some lawyers take of magistrates—a view with which, on the whole, I am not inclined to agree.

Mr. Cormack: My hon. Friend is deploying his case with clarity and vigour, as we would expect, and I can completely understand why he feels aggrieved and that certain people might have behaved irresponsibly. May I suggest to him, in all humility, that the tone that he is adopting could be misinterpreted outside this House, because—I say this as a friend of my hon. Friend and not just in a technical sense—the people who have been showering us with the leaflets have been genuine in their fears. It is important to recognise that fact.

It is also important to recognise—as my hon. Friend has—the good faith of the hon. Member for South Shields (Dr. Clark), and the fact that, when he reads out letters from people such as John Mortimer, he is genuinely believing that, because they are eminent lawyers—as

[Mr. Cormack]

well as eminent playwrights and so on—their views have some validity. Therefore, I urge a little charity on my hon. Friend.

Mr. Mellor: I think that my hon. Friend has a point about the badger factsheet leaflet. I do not say that that leaflet was issued in bad faith. I say that its authors were misled and that they have now sought to place the blame wrongly. I hope that anyone who subsequently reads what I have to say—I am grateful to my hon. Friend for saying that it was clear; that is always an advantage—may feel, like me, that it was misleading. My venom is directed at another document which I am about to read to the House. The badger factsheet is merely misleading.

Let me state my position clearly before I move on to the other document. The Derbyshire case would certainly not have been decided differently if the law had remained as it was when the Bill left Committee, and that is an important point. I believe that the case in Retford will be dealt with by the new amendment which we shall be discussing later. That is why it will be a considerable step forward.

Mr. Golding: Will the hon. Gentleman give way?

Mr. Mellor: Not for the moment. I shall give way in due course, but I should be given the opportunity to give way when I feel like it, rather than when the hon. Gentleman thinks I should give way.

Even my hon. Friend the Member for Staffordshire, South (Mr. Cormack) who wants to impute good faith to everybody—as I generally do—would have objected to the letter circulated by the League Against Cruel Sports. At a meeting in my Department last week, I challenged Mr. Course of the LACS to say whether he thought that anyone at the Home Office had acted in bad faith, and he did not pursue the matter. However, he sent out a leaflet urging his members and others to write to hon. Members. The leaflet said:

> "However, the pro-hunting BFSS puppet MPs who initially indicated their 'full support' for a crackdown on badger baiters have resorted to their usual dishonest and treacherous tactics. They persuaded another of their puppets, Mr. William Waldegrave, the Government Minister from the Department of the Environment, to propose an alternative clause on badger baiting which would, if passed, effectively wreck Dr. Clark's measure and worse still, actually weaken the existing 1973 Badgers Act. Because this was a Government Amendment, the Conservative MPs on the Committee supported Mr. Waldegrave's Amendment."

That is false and, I have reason to think, is known to be false. It is grotesque, and I am glad to see my hon. Friend the Member for Staffordshire, South nodding in agreement. As I have made clear, the Government amendment adds to the law and does not detract from it.

In so far as a gap in the law has been revealed by the Retford magistrates court case, the gap would have remained as yawning if we had left the Bill as drafted. It should be understood that the only difference between the Government amendment and the original proposal was that the amendment made legal sense and the original proposal did not. Their ambit was the same.

Mr. Simon Hughes: Nonsense.

Mr. Mellor: The original proposal sought to impose responsibility for reckless attempts and would not have assisted clarity of the criminal law.

As I replied in the House last week to two important Bills on glue sniffing and on drugs, in the absence of any alliance Member, the fact that the hon. Member for Southwark and Bermondsey (Mr. Hughes) is here makes me feel sufficiently warmhearted to give way to him.

Mr. Simon Hughes: If I were shadow spokesman on home affairs, I would have been here last week. I am here to deal with an environment Bill.

If the 1973 Act had remained, without this Bill it could be argued that using an animal was covered by that Act. However, as the Bill specifically relates to animals and the use of dogs in setts, it is possible that the courts could —rather than would—have interpreted that to mean that the 1973 Act did not cover the use of animals and dogs down setts. That would have weakened the law.

The amendment proposed by the Government—at 11.15 pm on the night before the Standing Committee met —required the production of an animal at the end of the exercise. That was not in the Bill. There was ambiguity. The office of the League Against Cruel Sports is in my constituency, but I do not argue the league's case without judging its merits. There was ambiguity in the last-minute amendment of the Government and there was a risk that it could have weakened the 1973 legislation.

Mr. Mellor: If one is looking at the intention of the individual rather than of the dog, who is not on trial anyway, it is possible to rely on the 1973 Act. One would move to the amendment of the hon. Member for South Shields or of my hon. Friend the Under-Secretary of State for the Environment only if one needed to rely on something which was not a settled intention, but was recklessness involving the use of a dog.

The hon. Member for Southwark and Bermondsey is saying that, at most, this is a matter about which lawyers could squabble over a glass of port and a piece of Stilton. It is not the sort of error which could have led to all my hon. Friends who do not think that fox hunting should immediately be made illegal being impugned as "dishonest and treacherous" and so on. The hon. Member for Southwark and Bermondsey is not attempting to defend what seems to me to be a wholly gratuitous insult directed against my hon. Friends. If others were as prepared to lay their interests aside and join in discussions to resolve problems with as much willingness as those of my hon. Friends who are interested in field sports, the House might make much more progress on a number of other pressing problems.

The amendment was proposed after my meeting on 17 April 1985 with the hon. Gentleman and representatives of a number of wildlife groups. I made it clear at that meeting that I was prepared to instruct my officials to make every effort to resolve the problem. There was a further meeting on 23 April, which the hon. Gentleman attended, as did representatives of the animal welfare groups and the British Field Sports Society. At that meeting, my officials suggested a way forward which would have involved requiring an individual to give an account of himself once a prima facie case had been established that he was attempting to take a badger. I am glad to say that that idea has found favour with the groups and is acceptable to the British Field Sports Society and to my hon. and learned Friend the Member for Mid-Bedfordshire. Parliamentary draftsmen were then

instructed to do the work, and the amendment comes before the House with unanimous support. I hope that where there was discord there will now be concord.

The amendment affects the case where someone is digging at a badger's sett, or putting a dog down the sett, and the person who sees him apprehends him—as he may very reasonably wish to do—before that person has had a chance to ascertain whether there is a badger there or to catch it. Once that evidence has been proved before the court, the man will be required to rebut the presumption that he was after a badger. Under the present law, the situation is quite different. Unless it can be shown that someone has wilfully set out to take a badger, he cannot be successfully prosecuted. If he said—even with a smirk—"I was after foxes, Guv", that might wash under the present law. It will not wash under the amendment.

I have been concerned to ensure that someone whose dog suddenly runs down a hole is not put to proof in a magistrates court, that people legitimately engaged in clearing out vermin are not caught, and that legitimate field sports are not inhibited from finishing off a hunt. I am wholly satisfied that, in all those circumstances, the necessary evidence to determine a prima facie case that the man was after a badger could not be established. It is only those who cannot demonstrate any right to be where they are, or any interest in being there, who are actually acting against the badger sett. The arguments over the past two months have been not about dogs but about the protection of the badger's sett. I suspect that it is only in the context of the badger's sett that the necessary prima facie case would exist. Thereupon, and rightly, people would be required to give an account of themselves.

If all the disharmony has resulted—as I believe it has—in much greater protection for the badger, it will have been of use. My only regret is that when, with the Home Secretary, I embarked on this task six months ago, we had no idea that some people would be so willing to impugn our motives. To slam a door in the face at the outset might have led to much less hostility than the fact that at every material point we have sought to deal seriously with the arguments.

We now have a proposal which we can commend to the House, and which not even the most distorted mind could distort. The badger is an ornament to the countryside. How it treats its animals is the test of a civilised community. I believe that Parliament will have rightly responded to the concern of the British people about the badger if it passes the amendment with acclamation.

Mr. John Mark Taylor (Solihull): My hon. Friend the Member for Surbiton (Mr. Tracey) said earlier that he comes from Warwickshire. I also come from that beautiful leafy county—the part of it known as Arden. It remains a mystery to me why the oaks of Arden are answerable to the Secretary of State for Scotland as the Minister responsible for the Forestry Commission.

I also congratulate the hon. Member for South Shields (Dr. Clark). If I had his skill in bringing forward a private Member's Bill, I should have been privileged indeed to have been the sponsor of such an excellent piece of legislation. If I had presented it half as well as the hon. Member, I should have been very pleased with myself.

All right hon. and hon. Members present are pleased that the various parties have been able to come together on amendments Nos. 2 and 3. Badger digging is quite uncivilised and utterly unacceptable. That any people should regard it as some form of pastime beggars my comprehension. It seems to me to be a straight exercise in sadism which has no place in proper society.

1 pm

There is a double mechanism in these amendments which enable the prosecution, if it can cross a preliminary and not very demanding hurdle, to put a citizen to proof of his innocence. That is not a happy concept in the traditions of English law. I hope that I can be reassured on that matter, because I intend to support the Bill. Indeed, I am here today especially to support it. My reservation is narrow and I am confident that the Front Bench will be able to deal with it.

I was especially glad that my hon. Friend the Member for Staffordshire, South (Mr. Cormack) said what he did because he enabled my hon. Friends on the Front Bench to explain why they felt rather keenly about some of the matters that seemed to have been directed at them with some animus and spite. I am glad that they had that chance to respond.

Rather patronising mention has been made of magistrates. Having humbly practised before magistrates' benches for some 20 years, I believe that magistrates and their learned clerks dispense an admirable form of justice and I am sure that they will look properly to the implementation of this splendid Bill when it is on the statute book.

Mr. Greg Knight (Derby, North): The only interest that I have to declare in this debate is my anxiety about the fate of the badger and my desire for the law to be amended and improved.

I agree with my hon. Friend the Under-Secretary of State for the Home Department about the rather convoluted history of this matter. Many Conservative Members agree with the aim and intent of the hon. Member for South Shields (Dr. Clark) to ensure that the law is improved. It is clearly inadequate, as it allows those who go digging for badgers to give the feeble and untrue excuse that they are digging for foxes. However, I must agree with the Minister that the original clause was something of a nonsense as it is not possible in law recklessly to attempt to do something.

The Bill went into Committee sooner than most of us expected, and the amendment tabled by my hon. Friend the Under-Secretary of State for the Environment was only put in the tray at the Public Bill Office at 11.15 pm the night before, so there was no opportunity for the usual consultation and exchange of views. That led to great disappointment in Committee. I agree wholeheartedly with my hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell): the amendment introduced in Committee would not have weakened the law, but I thought that it was not much help either. That is why I declined to vote for it.

Some of those lobbying on the Bill have been politically motivated, but I believe that political prejudice as a basis for argument is no ally of the cause of animal welfare. Like many of my hon. Friends, I was prepared in Committee to take at face value what my hon. Friend the Under-Secretary of State for the Environment said. It is worth briefly reminding the House that on 6 March he said:

"We are trying to make an improvement in the protection of badgers . . . The aspect of the present legislation which we are

[Mr. Greg Knight]

seeking to improve is the fact that in some cases it has been difficult to prove intent." — [*Official Report, Standing Committee E*, 6 March 1985, c. 8.]

On no fewer than three other occasions my hon. Friend clearly said that he was concerned about the inadequacy of the law, and wanted to see some improvement. That is why I and several of my hon. Friends worked quietly behind the scenes to put our point that the amendment was not what was wanted, but that something more was required, and could and should be done. Accordingly, I am delighted to support this amendment.

I shall illustrate my argument in case any hon. Members question whether the law needs amending. I do not normally quote from the *Daily Mirror*, but on 10 April 1985 it carried an article together with a photograph of a badger. The heading is "Victim of the Brutes". The article says:

"The pitiful survivor of an evil badger-baiting session sucks hungrily at a feeding bottle. Vet Geoff Allan is trying to keep Bessie, the eight-week-old orphan, alive. She was found in a sack in South Yorkshire with her brother who later died. Their mother and another cub were torn to pieces by the baiters' dogs. The mother's jaw had been broken to give the dogs a better chance."

I find that utterly disgusting.

An article in the *Daily Telegraph* of 23 March shows that badger baiters have no regard at all for animal welfare. It is not only badgers that suffer at their hands. The article is headed:

"Driver Forced 11 Dogs into Boot of Car".

It states:

"A man who drove 80 miles with 11 dogs crammed into the boot of his car was fined £330 with £40 costs yesterday by magistrates at Narberth, West Wales . . . Mr. Ivor Rees prosecuting, said the inspector accused Moon"—

that is the defendant—

"and three other men of using the 10 fox terriers and a lurcher to fight badgers. Moon denied this and said they were for chasing foxes."

Is any more evidence needed to convince the House that we should take a step in the right direction today by supporting the amendment?

Hon. Members have rightly raised several questions about the amendment. I take note of the point made by my hon. Friend the Member for Solihull (Mr. Taylor). The question is not only whether the new clauses will be effective but whether they are an acceptable way of changing the law. I understand that he was slightly concerned that we were shifting the burden of proof to the defendant. I think that he was questioning whether that was acceptable in a free society, and was saying that a man should be considered innocent until proved guilty, and should have a right to silence.

We are entitled to ask what the aim of the law is. Its aim is to achieve the correct balance between the rights of the individual and the ability of the state to secure prosecutions for abuse. There are precedents for adopting such a line. I hope that I will be forgiven for using an animal metaphor if I say that the precedents may not be on all fours with this case. However, if the police stop a motorist and wish to inquire whether he has committed the offence of driving without insurance, without a licence or without an MOT certificate, the onus is on the motorist, because he has specialist knowledge of his situation, to show the police that he possesses those documents.

I believe that a similar analysis can be made in this case. Where a person is lawfully going about seeking to rid an area of foxes that the farmer regards as a nuisance, he can show that that is the case. When a person is part of a fox hunt, he can show that he is genuinely after foxes and not seeking to take part in the disgusting practice of badger baiting. Therefore, I cannot see how this relatively modest amendment will lead to any injustice. I hope that my hon. Friend the Member for Solihull is satisfied on that point.

I hope that both sides of the House will support the amendment. It raises a couple of questions. Can a rational argument for change be sustained and can a valid case be made for increasing the protection for badgers? In my submission, the answer in both cases is a resounding yes, and I commend the amendments to the House.

Mr. Lyell: I am glad to support the amendment. I congratulate the hon. Member for South Shields (Dr. Clark) on his perseverance and his approach to this difficult, and at times vexed, subject.

I speak on behalf of the British Field Sports Society. I wish to make it clear that neither I nor the society has any wish to condone or encourage the practice of badger baiting or digging. The society is strongly in support of measures that will assist in convicting those who carry out such activities, provided that such measures do not interfere with the genuine activities of fox hunting or pest control. I emphasise pest control because I do not believe that the clause contains any dangers for hunting as such. However, it does pose some dangers for the liberty of individuals involved in pest control. Parliament has a duty to look at that aspect.

Sir John Farr: My hon. and learned Friend will be aware that fox hunting does not take place in certain parts of the country, so it is necessary to adopt pest control methods to control the number of foxes, which would otherwise get out of control.

Mr. Lyell: My hon. Friend is right, which is why I was emphasising the pest control aspect. Although I do not wish to speak at length, I must refer to it. We must fulfil our duty as legislators and not produce unfair legislation when taking the fairly drastic step of shifting the burden of proof, which is what we are seeking to do.

I thank my hon. Friend the Under-Secretary of State for the Home Department for his kind remarks. From what I have seen of both his Department and that of my hon. Friend the Under-Secretary of State for the Environment, there has been a consistent effort to make constructive proposals to add to the protection of badgers.

The Badgers Act 1973 offers considerable protection. It was strengthened in 1981 and is being further strengthened today. While the hon. Member for South Shields has not sought to take party political advantage, others have. Therefore, it is fair to point out that those three measures have come about under Conservative Governments. I say that only to correct the record and not to make a party political point.

The amendment tabled in Committee undoubtedly provided an additional offence and in no way weakened existing legislation—the 1973 Act, as amended in 1981. I support hon. Members who have deplored the criticism of magistrates, who would have been perfectly capable of dealing with the legislation. I am sure that they would not have been bamboozled by the fact that to have a successful prosecution for recklessness an animal must be killed, injured or taken.

Dr. David Clark: I intervene only because I think that it will save time later. Does the hon. and learned Gentleman accept that *Shooting Times* did not take that view? On 29 March it stated about the amendment that was passed in Committee:

"An amendment to the Wildlife and Countryside Act, the result of Dr. David Clark's private Member's Bill, means that terrier men can only be convicted if a badger is actually killed or injured."

The hon. and learned Gentleman referred to magistrates courts. A solicitor who has been concerned with perhaps more of these cases than any other solicitor, Peter Quinn, is reported to have said that the amendment was

"scandalous . . . and nothing better than a badger-baiters' charter."

I accept that that may have been an exaggeration. I mention it simply to show that there was a legal divide on the issue, with people in the legal profession taking a different view from that of the hon. and learned Gentleman. However, that is behind us now and I am satisfied with the new amendment.

1.15 pm

Mr. Lyell: I am grateful to the hon. Gentleman for making that point, though, with respect to the solicitor to whom he referred, it was, as the hon. Gentleman said, an exaggerated opinion. As for the article in the *Shooting Times*, one only needed to show that a badger had been killed or injured under the offence proposed in Committee because what had been done recklessly was to kill or injure a badger. It is inaccurate to suggest that one would necessarily have to produce a body, although to do so might have been helpful.

I agree that we are putting that difficulty behind us, and I too am happy to concentrate on the new clause, the effect of which will be to shift the burden of proof. That may cause difficulty for some people in connection with their defence, and it also emphasises an important point for the prosecution.

It is important that the standard of naturalism—of understanding wildlife and their habits and habitats—is improved. That applies both to the prosecution and those seeking to defend themselves. It is important, when a prosecution is brought, that it is established that the place where the person was found digging was a badger sett. That is not always obvious, but it can be ascertained by fresh marks—fresh droppings and so on—and fresh indications of the badger's bed.

I emphasise that, because I wish to examine the burden that is placed on the defence. There is no danger for the legitimate fox hunt. That will be well known in the locality and its objective appreciated and understood. It is a clear rule of the Masters of Foxhounds Association that one not only never hunts a badger but that if one comes close to a badger sett or finds oneself having anything to do with a badger, one withdraws, even if one is digging for a fox at the end of a hunt. Thus, the legitimate hunt is not endangered.

As my hon. Friend the Member for Harborough (Sir J. Farr) pointed out, in large parts of the country there is no hunting and the digging of foxes is necessary for pest control. The tunnels, earths or setts into which it is necessary to dig to carry out that pest control are not, to the layman, immediately distinguishable, although they are to the naturalist and expert. It will be necessary for those carrying out pest contol to prepare themselves so that if somebody, misguidedly or otherwise, accuses them of badger digging they can explain themselves.

Those people can take certain measures to protect themselves. First, it is important for them to obtain the permission of the landowner or farmer. There may not be an obvious landowner, but they should go to the person who farms the land or who has an interest in it nearby and seek his permission, preferably in writing, to dig for foxes. The fox is a nuisance in such areas, and has to be controlled.

Secondly, one needs to have evidence as to why one is digging in the hole, such as the fact that foxes are known to be using it as an earth and working from it. Thirdly, those who dig at such holes should look carefully for signs of fresh or recent occupation by a badger. They should look for the droppings, the bedding and the disturbance of earth. They should be prepared for that, and if they find those signs, they must keep away. That is the object of the legislation—to protect the badger. If, subsequent to their starting to dig, they find any sign of a badger, they must clear off. Again, that is what we want to achieve. I strongly support all those things.

Those people would also be wise to be members of a recognised terrier club which has as its known and published rules duties to do nothing to injure the badger and to take the sort of precautions that I have mentioned. If they are challenged, they should explain their reasons at once, and if it is wrongly put to them that it is a badger's sett whereas they have good reason to know that it is a fox's earth, they should make that clear to those who accost them. If they do those things, they will have nothing to fear and are unlikely to be prosecuted.

This is an emotive subject, and fears have been expressed that people might bring a misguided or even a malicious prosecution. That is a little bit of a worry, but the independent prosecution service is coming forward and by autumn 1986 it should be in being. There will be more professionalism in prosecutions at all levels. I hope that it will be made clear that those who prosecute will need to be satisfied that it was a badger's sett and that they will exercise the same proper discrimination and restraint that they should exercise in any offence. Then I do not believe that there will be too much to fear.

I should like to refer to the background, because this is an emotive subject on which many people are ignorant. We are adding a strong measure of protection for the badger to a series of Acts that already give more protection than has often been recognised or accepted.

On Second Reading I mentioned the number of prosecutions that were successful in recent years. Since then I have managed to find the figures going back to the Badgers Act 1973. Between 1974 and 1978 there was an average of 14 prosecutions every year, of which more than 10 were successful. In 1979 there were 25 prosecutions, of which 24 were successful. In 1980 there were 24 prosecutions, of which 20 were successful. In 1981 there were 39 prosecutions, of which 26 were successful. For some reason, the 1982 figures are not available. In 1983 there were 57 prosecutions of which 50 were successful. We do not have the up-to-date figures for 1984, but I know of at least 33 successful prosecutions and no failures. In relation to the argument that one has to produce a dead badger to be able to succeed, 50 per cent. of all the prosecutions to which I have referred were for attempts.

[Mr. Lyell]

That shows that in the magistrates courts there are already a great many successful prosecutions. A great deal of myth is attached to the difficulty.

I have in my hands—I shall show it privately to anybody who wishes to see it—an opinion given to me by one of the societies that is deeply involved. It shows that there is a great deal of misunderstanding about the difficulties of prosecution. The society had evidence that badgers were being set upon by dogs and being cruelly mistreated by dogs with the encouragement of five men. An eye witness saw that. Nevertheless, the society's lawyer says that those concerned could not successfully prosecute. Those facts cannot be accurate. There is the clearest possible evidence of an existing offence under section 2*(a)*. It is a serious offence of which we would all hope to see those responsible convicted. There must be deep misunderstanding among some of those who are involved in prosecutions.

Therefore, I ask for a higher standard of naturalism and higher appreciation of wildlife by those who prosecute in future. People who dig for foxes will have to take sensible measures to protect themselves. I believe that this will be a powerful measure for the protection of badgers, and I am happy to support it.

Mr. Tracey: I warmly welcome the initiative of the hon. Member for South Shields (Dr. Clark) in introducing this change in the law. There is no doubt at all that badger digging or pestering or baiting badgers in any way is utterly repulsive to right-thinking members of the community. I know that countrymen are deeply repelled by it. Unfortunately, many cases have shown that marauding gangs of "cowboys" from the towns and cities have been going out into the countryside to do these dreadful deeds. There is no doubt at all that the hon. Gentleman has introduced a very worthy amendment.

Having sat on the magistrates bench for a number of years, I am grateful for the compliments paid to magistrates today, but I am rather worried about the presumption of guilt before innocence that has crept into the amendment. It is a cardinal principle of our law that a person is innocent until proven guilty. My hon. Friend the Member for Derby, North (Mr. Knight) cited various precedents in motoring law, but from my experience as a magistrate I hope that some of the mish-mash in that area of the law will not creep into serious areas such as this. In this context, I am slightly surprised that my hon. Friend the Under-Secretary of State for the Home Department, whom I greatly respect and who is himself a lawyer, has allowed this instance to slip through his fingers so quietly, because I believe that lawyers should be very worried by it.

I certainly do not wish to hold up the passage of the amendment or, indeed, of the Bill, but I hope that in another place noble Lords such as the Lord Chancellor and Lord Scarman will examine this closely and perhaps, with their wisdom and expertise, produce something rather more acceptable which will be welcomed by everyone.

Mr. Jeremy Hanley (Richmond and Barnes): I, too, congratulate the hon. Member for South Shields (Dr. Clark) on his initiative in this respect. I am also grateful to the Ministers involved for taking such great pains with what I believe will ultimately be a thoroughly workable clause. It strengthens the law to protect badgers, which is what we all want.

The hon. Member for South Shields has been entirely constructive and non-political. Those who seek to use matters of this kind as a stick to beat the Government will have no satisfaction today, but those who are genuinely concerned about these matters must feel that progress has been made. Only those who seek to exploit animal welfare for their own political ends will be disappointed.

Let it not be thought that badgers reside only in the country. In many parts of London the countryside comes to the town and these beautiful animals can exist there, too, but barely so. In my constituency there are badger setts not only in Richmond park but on the land that I share with my hon. Friend the Under-Secretary of State. There are also badgers on a stretch of urban land. I shall not mention the location in view of the activities of perverse people who, despite the law, will try to kill anything that moves—the kind of people who shoot at swans with crossbows, and throw darts at dogs and cats and at the deer in Richmond park.

It may be suggested that London has no interest in wildlife but a growing proportion of the population, which is still more than 6 million, feel passionately about animal welfare. More and more children now appreciate the importance of wildlife and even of the badgers within our towns and are anxious to know more about conservation and the protection of animals. I am glad that so many schools now teach children about conservation matters and I am grateful to the RSPCA for its constructive help in this respect.

I wish particularly to commend the London Wildlife Trust. The hon. Members for Southwark and Bermondsey (Mr. Hughes) and for Peckham (Ms. Harman) are vice-presidents of that trust with me. It is a constructive, all-party group trying to preserve the flora and fauna within the capital in spite of the commercial pressures that are always there to clear and build on open urban land. The trust is composed not of extremists but of people who wish constructively to redress the balance of extreme exploitation in our cities.

These amendments are welcome on a day when the RSPCA announced that cases of cruelty to animals increased by 30 per cent. last year. The clause as amended is stronger and puts the onus the right way round—on those who act in a thoroughly suspicious and uncivilised manner. It does not put the onus on the state to prove such behaviour. It answers the demands of many of my constituents, who join me in welcoming any attempt to reduce man's cruelty to animals.

1.30 pm

Mr. Simon Hughes: I hope that the Bill will pass today and will soon be law. The only reason that many of my colleagues have left for their constituencies today is that they know that on Wednesday an all-party agreement was reached on the amendment tabled by the hon. Member for South Shields (Dr. Clark). Without doubt, it will be approved and it is to be welcomed. The difficult and complicated negotiations have produced progress. I hope that many thousands in this country, both urban and rural dwellers, will welcome what we have done and will help us in future to do even more to ensure that the wildlife habitat is better preserved every year.

Mr. Waldegrave: I am grateful to my hon. Friend the Member for Putney (Mr. Mellor) for putting fully on record what happened. Some hard and unfair things have been said in some of the outside lobbying. Some of the people who write those things, while they may care about badgers, do not appear to care about the morality of being unfair to people. That is up to them, but it is exceedingly bad lobbying to proceed in such a way. The result of such lobbying is that my right hon. and hon. Friends, when they hear about proposals for improvements in animal welfare, do not wish to get involved with those people because they feel that they will tell lies about what is intended and publish misleading pamphlets. They feel that it is not worth the candle, and that there will be no gain to anybody from proceeding with such improvements. That is why such behaviour is incompetent lobbying as well as being unfair and wicked.

We have heard some good speeches this morning. I particularly commend the speech of my hon. Friend the Member for Derby, North (Mr. Knight) who is rapidly establishing himself as one of the leading animal welfare campaigners. He made a number of fair points and covered the ground. He explained clearly why the clause is a major step forward.

Like my hon. Friend the Member for Surbiton (Mr. Tracey), I am a magistrate and grateful for today's kind words about them. Magistrates are rarely misled about anything. My hon. Friend the Member for Solihull (Mr. Taylor) made an important point, backed up by my hon. Friend the Member for Surbiton, about whether change in the law in this way is right. However important and emotive the issue, it is essential that we should not be pushed into writing bad law. My hon. Friend the Member for Derby, North gave one previous precedent for the change of onus of proof and I have a couple more which I hope will encourage my hon. Friends the Members for Solihull and for Surbiton. They fit the changes that we are making today.

The first comes from the Prevention of Corruption Act 1916. Section 2 provides:

"Where . . . it is proved that any money, gift, or other consideration has been paid or given to or received by a person . . . or agent of a person, holding or seeking to obtain a contract from His Majesty . . . consideration shall be deemed to have been paid or given and received corruptly . . . unless the contrary is proved."

That is a powerful precedent.

Section 1 of the Prevention of Crime Act 1953, about the carrying of offensive weapons, says:

"Any person who without lawful authority or reasonable excuse, the proof whereof shall lie on him, has with him in any public place any offensive weapon shall be guilty of an offence".

That is a little comparable to the cases that will have to be proved in a court under this Bill. I can assure my hon. Friend the Member for Surbiton that a matter of this importance which affects wildlife will not have escaped the attention of my noble Friend the Lord Chancellor who has vetted it closely.

We have brought before the House, as was always our intention, a clause that represents good law. It will provide additional protection for the badger. I thank my hon. Friend the Parliamentary Under-Secretary of State for the Home Department for having put on record all the facts. The House can be proud of the work that it has done today for the protection of the badger.

Amendment agreed to.

Amendments made: No. 2, in page 1, line 9 leave out from beginning to end of line 18 and insert—

'*(b)* before subsection (2) there shall be inserted—

"(1A) If, in any proceedings for an offence under subsection (1) above consisting of attempting to kill, injure or take a badger, there is evidence from which it could reasonably be concluded that at the material time the accused was attempting to kill, injure or take a badger, he shall be presumed to have been attempting to kill, injure or take a badger unless the contrary is shown.".'.

No. 3, in page 1, line 18 at end insert—

'(2) Section 2 of the Badgers Act 1973 (digging for badgers etc.) shall be amended as follows—

(a) before "If" there shall be inserted "(1)";

(b) at the end there shall be added—

"(2) If, in any proceedings for an offence under subsection (1)*(c)* above, there is evidence from which it could reasonably be concluded that at the material time the accused was digging for a badger, he shall be presumed to have been digging for a badger unless the contrary is shown.".'.—*[Dr. David Clark.]*

Clause 2

NOTIFICATION OF AREAS OF SPECIAL SCIENTIFIC INTEREST

Sir John Farr: I beg to move amendment No. 5, in page 2, line 6 leave out 'three' and insert 'six'.

Mr. Deputy Speaker: With this, it will be convenient to discuss the following amendments:

No. 6, in page 2, line 14 leave out 'nine' and insert 'twelve'.

No. 7, in page 2, line 27 leave out 'nine' and insert 'twelve'.

Sir John Farr: These three amendments relate to section 28 of the Wildlife and Countryside Act 1981. The hon. Member for South Shields (Dr. Clark) has substantially amended section 28 of the 1981 Act which has been said to be a defective provision relating to sites of special scientific interest. In certain respects, the 1981 Act may be defective. There are defects in section 28 and I congratulate the hon. Member for South Shields for incorporating a clause which, in the view of a number of hon. Members, provides the main reason for the Bill. Such questions as badgers and the Forestry Commission are very important but what is critically needed is a tightening up of the legislation relating to sites of special scientific interest.

The purpose of my three amendments is to extend the period during which a person who has been notified of an area of special scientific interest can consult and prepare his representations about that notification. The recipient has only three months in which to make a considered response. I know that the hon. Member for South Shields wishes to be fair. Therefore, I must point out to him that three months is a ludicrously short period. In my constituency there are farmers who employ no farm workers. At certain times of the year, therefore, they are working flat out and would be unable to respond to a notification from the Nature Conservancy Council. This might happen during lambing and probably at harvest time. A three-month period is unfair. It would be very difficult for a small farmer, a smallholder or landowner who received such a notification to respond within three months.

[Sir John Farr]

The Bill will block that loophole, but the recipient should be allowed a longer period within which to respond. Therefore, I have suggested in amendment No. 5 that he should be given six months in which to respond.

Amendments Nos. 6 and 7 give the Nature Conservancy Council a little more time to make a response and final decision. At the moment the Bill gives a period of nine months and I am suggesting 12 months. Although I have not entered into formal consultations with the Nature Conservancy Council, I understand unofficially that such a lengthening of the time would not be unacceptable.

Mr. Waldegrave: I understand the intentions of my hon. Friend the Member for Harborough (Sir J. Farr) in lengthening the various time scales, but the proposed amendment to subsection (2) to increase the time for representations is unnecessary because the three-month period is a minimum. It is left to the good sense of the NCC not to seek quick responses from farmers at the times of year when they are under most pressure. Sufficient flexibility has been built in and we do not need to establish a longer minimum period.

My hon. Friend's amendments to subsection (4A) to lengthen the time for consultations from nine to 12 months run the danger of prolonging matters and we do not want to do that without good reason. It might be thought helpful in a general way to allow more time for objections and consultations, but such changes could mean up to a year of uncertainty before the resolution of a particular situation. That could be particularly trying to an owner or occupier of land, especially in the event of a notification finally being withdrawn or inconclusively lapsing.

There are possible gains from the amendments but they could only be obtained at the price of a good deal of delay and a general slowing down of the process of notification of an SSSI. As the clause, which we all welcome and which is in one sense where we started, is generally agreed, I ask my hon. Friend not to press his amendments on this occasion, although I understand why he has moved them.

Sir John Farr: I have listened to what my hon. Friend the Under-Secretary has had to say. I hope that there will be an opportunity on another occasion to consider afresh the matter and the evidence that I have. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Clause 3

Maps of National Parks

Mr. Waldegrave: I beg to move amendment No. 9, in page 4, line 39, at end insert—

'(2A) In subsection (1)*(b)*, for the words from "at" to "year)," there shall be substituted "at intervals of not more than five years".'.

Mr. Deputy Speaker (Mr. Ernest Armstrong): With this it will be convenient to take Government amendment No. 12.

Mr. Waldegrave: This pair of amendments relates to the timetable governing the preparation and review of the maps which the national park authorities would be required to produce under section 43 of the 1981 Act as amended by clause 3.

Under the terms of the Government amendment accepted in Committee, the clause extends the scope of the maps to other areas in addition to moor and heath and requires that they be prepared and reviewed in line with guidelines issued by the Countryside Commission after consultation.

At present the clause carries forward the requirements of section 43 for the maps to be prepared within two years of commencement and reviewed at 12-monthly intervals thereafter. It would be more sensible to extend that timetable, bearing in mind that national park authorities are effectively prevented from starting work on their maps until the Countryside Commission has issued its guidelines, and that both the initial preparation and the subsequent reviews are subject to public consultation. Accordingly, the amendments have provided for the two-year period of initial preparation to begin from the date when the Commission's guidelines are issued.

The amendments will have the added advantage of substantially reducing the call on the resources of the national park authorities by providing that subsequent reviews should be carried out at intervals of not less than five years after publication of the maps rather than annually. That will mesh in with statutory arrangements governing the review of the national park plans as laid down in schedule 17 to the Local Government Act 1972. The amendment has the support of the national park authorities, the Countryside Commission and the Council for National Parks.

Amendment agreed to.

Sir John Farr: I beg to move amendment No. 10, in page 5, line 16, at end insert—

'(1D) At least six months before such consultation takes place the Commission shall have prepared a list of the bodies it proposes to consult and shall have such list available for public inspection.'.

Mr. Deputy Speaker: With this it will be convenient to take amendment No. 11, in page 5, line 16 at end insert—

'(1E) Any body not included in the consultation exercise outlined above may apply to be consulted and such application shall be considered.'.

Sir John Farr: Amendments Nos. 10 and 11 relate to clause 3 and seek to clarify the situation relating to consultation by the Countryside Commission.

1.45 pm

Under clause 3, the proposed new subsection (1B) says that

"The Countryside Commission shall issue guidelines . . . and may from time to time revise any guidelines so issued."

Subsection (1C) says that

"Before issuing or revising any guidelines the Commission shall consult such bodies as appear to them to represent interests concerned".

The two amendments have been tabled to suggest to the House, and in particular to the hon. Member for South Shields (Dr. Clark), that the Bill is unusually elastic and generous towards any concern, whether public or private. There should be a little more public accountability. There should be a little more of the spirit of open government on the part of the Countryside Commission. The question of whom it consults and does not consult in arrivng at decisions is of critical importance. I have every confidence

in the Countryside Commission, but there should be provisions of the sort that I have included in the amendments to show how the consultation process is carried out.

Obviously, before the Countryside Commission acts, certain bodies will be consulted, such as the local branch of the Ramblers' Association, the local CLA and the local NFU, but there might be certain other bodies which feel they have a right to express an opinion—perhaps an historic right of which the Countryside Commission might not be aware. I do not think that it is right that matters should be left entirely to the discretion of the Countryside Commission and its officers, however excellent they may be, and indeed are.

Mr. Simon Hughes: I hope that the Minister will respond positively. There are many bodies which would want to be consulted. The amendment has a good deal of support, particularly from the less nationally-based bodies. There have been errors in the past. The Forestry Commission, for example, has failed to consult adequately on its document on broadleaves in Britain. I hope that the Minister, even if he says that today is not the time and place to do it, will bear the amendment in mind. Perhaps his Department will bring something forward in the other place so that the sense of the amendments can be accepted before the Bill becomes law.

Mr. Waldegrave: I appreciate the desire of my hon. Friend the Member for Harborough (Sir J. Farr) to ensure that all interested bodies have an opportunity to press their case for inclusion in the consultations for which the clause provides, but I believe that the objectives can be achieved without a statutory provision on the lines suggested.

There are two quite separate consultation processes involved. The first concerns the consultations which the Countryside Commission is required to undertake before issuing or revising the guidelines for which it is responsible under the clause. The second concerns the consultations which individual national park authorities are required to undertake before preparing or revising the maps for which they are responsible.

The first of my hon. Friend's amendments relates only to the consultations by the Countryside Commission. It would effectively delay the issue of the guidelines, and thus the commencement of the map-making process, perhaps for six months or so. We do not believe that the amendment would serve a useful purpose.

I have no doubt that it will be the Countryside Commission's intention to consult all the main bodies likely to have an interest in the guidelines. If any of them are doubtful about the likelihood of their inclusion, they have only to register their interests with the Commission to be considered as consultees. Perhaps that assurance will help the hon. Member for Southwark and Bermondsey (Mr. Hughes).

If any hon. Members have any organisations in mind, I shall be happy to pass their names to the Countryside Commission to ensure that they are not missed.

Similarly, I am sure that the national park authorities will consider any approaches they may receive from bodies wishing to be consulted on the maps.

I am entirely with my hon. Friend in his concern to ensure that there is wide and open consultation, but I am not convinced of the need to have a statutory provision of the sort proposed to ensure that consultation takes place.

Sir John Farr: One is always inclined to think that if one speaks a little longer one might get a different reply from the Minister. However, I am impressed with what my hon. Friend has said and I hope that he will look at any evidence that I produce of malpractices or injustices.

I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Amendment made: No. 12, page 5, in line 22 leave out from 'date' to end of line 23 and insert 'of issue of the first guidelines under subsection (1B).'.—*[Mr. Waldegrave.]*

Title

Amendment made: No 17, in line 2, leave out 'section 1' and insert 'sections 1 and 2'.—*[Dr. David Clark.]*

1.50 pm

Dr. David Clark: I beg to move, That the Bill be now read the Third time.

The Bill was brought before the House as a consensus measure. It was the result of hundreds of hours' work and was supported by amenity lobbies, the CLA and the NFU. We have had a bit of a battering en route. We made it plain at the outset that this was not a single issue Bill, and that has been a worry to a number of hon. Members at various stages.

The Bill strengthens the protection of badgers, which will meet with almost universal approval. It also strengthens the protection for sites of special scientific interest, and everybody agrees that that was badly needed. The important mapping clauses will ensure that we know which are the key areas of our national parks and that we can protect them.

The Forestry Commission has a good record in many respects, and the new duty imposed on it will add to the protection of our environment. Of course, I am disappointed that we have not persuaded the Government that a similar responsibility should be imposed on the Ministry of Agriculture. However, I hope that, in accordance with the views expressed on both sides of the House, the matter will be considered in another place.

Little mention has been made of marine nature reserves. I feel that the provision of such reserves is vital. I have had meetings with Ministers at the Department of the Environment and the issue is being watched closely. If no provision is made for marine nature reserves within the next few weeks, perhaps the other place will look at the matter.

I thank hon. Members for their contributions to an interesting series of debates.

1.52 pm

Mr. Greg Knight: I support the Bill, as amended, and I hope that it is given a fair wind in another place.

I am particularly glad that the House has supported amendments dealing with the protection of badgers. That will be warmly welcomed in Derbyshire where we have had problems. Badger setts in the county have been dug out at the rate of about one a week.

I express my appreciation of the work of the Derbyshire naturalists' trust, which has provided me with information, and I am grateful for the support of some of my hon. Friends in Derbyshire, including my hon. Friends the Members for Derbyshire, West (Mr. Parris), for Amber Valley (Mr. Oppenheim) and for High Peak (Mr. Hawkins).

[Mr. Greg Knight]

There was some acrimony because of leaflets which were distributed after the Committee stage, but we can all be pleased that we have got it right in increasing the protection for badgers. My only remaining wish is that the Bill should reach the statute book as soon as possible.

1.53 pm

Sir John Farr: I echo the congratulations to the hon. Member for South Shields (Dr. Clark) whose Bill is a notable step forward, particularly in the protection of badgers.

I know of no hon. Member who has anything but respect for badgers and a firm conviction of the need to strengthen protection for them. The badger is a bit defenceless nowadays, especially with the sonic underground listening kits which some so-called sportsmen use. The badger needs protection and help by the sort of Bill which the hon. Member for South Shields has presented.

To put it mildly, there is no desperate need for part of the Bill. We had an interesting debate on the duties of the Ministry of Agriculture.

The only other significant measure in the Bill not touched on in the debate, because of a lack of time, is the amendment to the Forestry Act 1967. In the May issue of the *London Conserver*, produced by the London conservation group, there were two or three pages about the fantastic record of conservation work done by the Forestry Commission in its forestry lands. There were some photographs too. I am not convinced that the Forestry Commission is lagging behind. That article suggested to me that it has a forward-looking policy on conservation, and I am not sure that any steps needed to be taken.

I congratulate the hon. Member for South Shields. He was ambitious to begin with. He is still ambitious, but I am delighted to welcome his Bill.

1,56 pm

Mr. Lyell: I, too, congratulate the hon. Member for South Shields (Dr. Clark), and I congratulate the Ministers on the constructive work that they have done with the hon. Gentleman in producing the Bill. The measure represents significant advances for wildlife and the countryside. I am delighted that the three-month loophole has been closed, and I am delighted, too, with the strengthening of the law in relation to badgers. The law will now apply to the gangs who simply wander round digging recklessly at holes without any clear idea of what they want to catch. The Bill will play a real part in stopping such activities.

I am grateful for the way in which the hon. Gentleman has kept all those who are interested involved with the progress of events. I wish the Bill success in another place.

1.57 pm

Mr. David Amess (Basildon): I congratulate the hon. Member for South Shields (Dr. Clark) on the progress of his Bill. My constituents will be delighted by its successful passage. After we left the Chamber following the Second Reading, my hon. Friend the Member for Hornchurch (Mr. Squire) said to me, "It is all right—we have saved the badger." However, when I started to receive letters from worried constituents, I began to have doubts. Common sense has prevailed. There has been a victory for the sensible pressure applied by people who care about animals.

The hon. Member for South Shields is one of the supporters of my Horses and Ponies Bill. I hope that later today the Government will look favourably at that Bill too.

1.58 pm

Dr. John G. Blackburn (Dudley, West): I offer the hon. Member for South Shields (Dr. Clark) a warm and generous tribute, not only for selecting such a Bill after being successful in the ballot, but on the way in which he has conducted it. He has gained a degree of popularity which cannot last. He had better enjoy it while it does.

The hon. Gentleman has done a great service to those who love the countryside. I am sure that he will accept the good wishes of my many constituents who have taken the matter to heart. I am here to support the hon. Gentleman today. God bless the Bill and speed it on its way.

1.59 pm

Mr. Simon Hughes: The hon. Member for South Shields (Dr. Clark) must be blushing, but all the plaudits are justified. He has sought the co-operation of all those who are interested. The Bill does not do as much as we would have wished, but it certainly improves the lot of badgers, ensures that SSSIs are preserved rather than ruined, allows people better to look after and enjoy the national parks, and enables people to enjoy the forests in the knowledge that conservation will be one of the guiding lights of those who deal with afforestation in Britain.

The Bill is worthy of this place. It is worthy of a more explicit and less mundane title. Perhaps it should be called "The Wildlife and Countryside (Amdt for the Better) Bill" or the "Wildlife and Countryside (Improvement and Conservation) Bill". That is what it is. We hope to improve it still further elsewhere, but even in its present form it is much to be welcomed and the hon. Member for South Shields is much to be congratulated.

Mr. Waldegrave: I am happy to join those who have wished the Bill a successful and rapid passage to the statute book. I congratulate the hon. Member for South Shields (Dr. Clark) on picking a subject which has enabled us to make some useful gains.

The hon. Member had the difficult task of playing a little poker and pushing us a little further than we initially wanted to go. He has persuaded the Government to take some steps, although there is no question of his having to push us on the matter of protecting badgers and the closing of loopholes. I know that he is the first to accept that.

We are pleased to see my hon. Friend the Member for Basildon (Mr. Amess), who has joined us at the end of our debate. He need not have worried about the letters that he has received from his constituents. If he had heard my hon. Friend the Parliamentary Under-Secretary of State for the Home Department earlier today, he would have known that some of the accusations were quite groundless. We spent some time showing how irresponsible they were. My hon. Friend had nothing to worry about then, and has nothing to worry about now, and we welcome his support for the Bill.

I should like to thank some of my hon. Friends for the part that they have played in helping to negotiate through the House a Bill which has received such general assent, especially my hon. Friends the Members for Harborough

(Sir J. Farr) and for Derby, North (Mr. Knight) and my hon. and learned Friend the Member for Mid-Bedfordshire (Mr. Lyell). I am sure that I have missed some important person, but they have played an important part in ensuring that we have a useful, positive and sensible Bill, although it is not as wide as was originally intended.

Several hon. Members have expressed hope about things which might be added in another place. That is entirely for another place, but I remind the House how fragile a ship is a private Member's Bill. Those who want to open wide arguments must assess the risk of doing that. It is difficult to avoid an animal analogy. Once the cat is out of the bag, or the badger is out of the sett, it is difficult to get it back in again. The Bill in its present form should go forward rapidly and provide useful additions to the law protecting badgers and wildlife habitat.

I have said before, but would like to repeat to the House, that the Government recognise that if there is no progress on marine nature reserves in a given time—I should say 12 to 18 months—we must have another look at the matter. I am advised that we are relatively near, with any luck, to achieving——

Mr. Andrew F. Bennett: What is "relatively near"?

Mr. Waldegrave: I have just said what relatively near is. If we have not achieved progress within the next 12 to 18 months, we shall have to look at the matter again.

The Bill is sensible and practical. It provides additional protection for habitats and national parks and puts an additional duty on the Forestry Commission, which it is delighted to accept. Its latest proposals and consultation papers on broadleaved deciduous woods demonstrate that. The House can be proud of the Bill. I hope that nothing, however well intentioned, interferes with its speedy and smooth passage to the statute book.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Gaming (Bingo) Bill

Considered in Committee; reported, without amendment.

2.3 pm

Mrs. Virginia Bottomley (Surrey, South-West): On behalf of my hon. Friend the Member for Wellingborough (Mr. Fry), who is unavoidably unable to be present today, I beg to move, That the Bill be now read the Third time.

The House and many people in the country will be grateful to my hon. Friend for his work in bringing the Bill forward. It might be convenient if I remind the House of the purpose behind the Bill. It makes changes in the gaming legislation to allow licensed bingo clubs to join together for the purposes of playing games of bingo for maximum prizes of up to £50,000.

The Bill calls these bingo games "multiple bingo". The Bill has a little bit of history. Two years ago a Bill was introduced in another place by Lord Harmar-Nicholls with the same intention of seeking to help bingo clubs. As hon. Members may be aware, there has been a steady decline in the fortunes of bingo clubs in the past decade or so. The annual reports of the Gaming Board for Great Britain have made sorry reading for the bingo halls. The bingo clubs, which rightly believe that apart from generating income they also provide a useful social facility for their customers, felt increasingly handicapped in trying to compete with other forms of recreation. The advent of newspaper bingo added to their sense of concern.

To its credit, the licensed bingo industry considered what could be done positively to turn round the position in which it found itself. It came up with several ideas and it turned its mind to the possibility of fresh legislation, not because it necessarily wanted to turn to the Government for assistance but because it found that its scope for making more attractive the form of recreation that it provided was restricted by the array of controls found under the Gaming Act 1968. The authors of that legislation —this is an observation rather than a complaint—chose to deal with bingo in an analogous way to casinos, where hard gaming was available. The result has been that bingo on licensed premises—not the so-called bingo played by reading a newspaper—is subject to a great number of controls.

Among other things, the controls operate to limit the size of the prizes that may be offered. Thus, although the Gaming Act 1968 did not preclude bingo clubs from getting together in order to pool the stakes received to go towards larger prizes, the size of the prizes is pegged to £3,000 in any one week. That effectively limits the number of clubs that can profitably take part in a joint game of bingo—known as link bingo—to a handful of clubs. Most of the link games involve no more than four bingo clubs.

The Bill introduced by Lord Harmar-Nicholls sought to stem the tide flowing against bingo by amending the law to allow clubs to join together in games of bingo on a group, regional or national basis. By so doing, the clubs could offer more attractive prizes. At that stage the Government were not able to lend wholehearted support to the Bill but helpfully pointed the way towards further talks between the industry and the Gaming Board, and identified the problem areas.

The Bill introduced by my hon. Friend the Member for Wellingborough proceeds on a similar basis to the earlier

[Mrs. Virginia Bottomley]

Bill debated in the other place, but benefits from the discussions that have taken place in the intervening period. I trust that today my hon. Friend the Under-Secretary of State will be able to confirm that the Government are content for the Bill to make further progress and, in anticipation of that happy outcome, I thank him on behalf of my hon. Friend the Member for Wellingborough for the co-operative and constructive approach that the Home Office has adopted towards it.

The Bill provides for multiple games of bingo to be played within a predetermined period on licensed premises for a number of prizes, none of which may exceed £50,000. That figure represents a useful increase in the prizes that may be offered in bingo in this country, but no one can surely regard it as excessive. It does not compare with the prizes offered by some of the other activities with which bingo must compete, such as the football pools or newspaper bingo, and I remind the House that with bingo the prizes are offered in return for a modest stake. Moreover, the amount of money which may be asked of players is tightly regulated along with the conditions under which games of bingo are conducted.

The remainder of the Bill puts in place a system of control so that games of multiple bingo are organised or co-ordinated in a way that accords with the standards demanded by the Gaming Board.

I hope that hon. Members will agree that the bingo industry deserves the modest boost which this Bill seeks to provide. It is not so long ago that bingo was providing a form of social recreation for average daily attendances of 500,000 people. We all know that those who tend to look at bingo for their enjoyment are not ideally placed to find other forms of recreation. There are more than 9 million pensioners in this country, two thirds of whom are women. A recent survey found that 85 per cent. of those who enjoyed bingo were women, and that the average age was about 52.

I believe that this Bill will make a substantial contribution towards alleviating one of the difficulties of old age. For the most part, we cope with health problems and financial hardship in old age, but loneliness and isolation are very difficult to overcome. The Bill will make a significant contribution to the leisure of people in that age group. I remind the House that the bingo industry provides a source of employment for thousands of members of staff and, through the levying of duty on bingo, a source of revenue for the Government.

With those words of explanation on behalf of my hon. Friend the Member for Wellingborough, I ask the House to give the Bill a Third Reading.

2.10 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): It was with great pleasure that I listened to the speech of my hon. Friend the Member for Surrey, South-West (Mrs. Bottomley). I am most grateful to her for stepping into the breach created by my hon. Friend the Member for Wellingborough (Mr. Fry), who is unavoidably absent today. The House will want to congratulate him and my hon. Friend the Member for Surrey, South-West on steering the Bill through its parliamentary stages. He was drawn 19th in the ballot — not the easiest position. However, the Bill is here. He must have had some help. I think that the benevolent smiles on the faces of the organisers of our business prove that, so we should not forget them when handing out praise.

The Home Office supports the Bill and the purposes behind it. It will allow bingo clubs to join together in much larger numbers than has previously been possible and allow them to offer more attractive prizes. The Bill represents a second attempt in recent years to give effect to that intention. On the last occasion, a few years ago, when a Bill was debated in another place, the Government felt the need to be a great deal more cagey and circumspect. I am happy to say that many of those reservations have now melted away.

The first point of which we have had to take account has been the decline that has bedevilled the bingo industry in recent years. Attendances have fallen, clubs have closed — and are continuing to close — and the trade, quite naturally, wishes to stem the decline of the past 10 years. One does not have to be an avid bingo player to share some of the sadness of the trade at the pattern of decline. I do not suggest that my hon. Friend the Member for Surrey, South-West is a regular denizen of her local bingo club, any more than is my hon. Friend the Member for Wellingborough.

No one should doubt the importance of bingo in the lives of a good many people, especially women, in the community. My hon. Friend the Member for Surrey, South-West brought out that point from her experience of social work in the community. For many people, a weekly or twice-weekly visit to a local bingo club provides a priceless form of recreation. The bingo club provides not only an interest but a useful meeting place away from home. Of course, there is also the attraction of winning a prize, which adds to the interest.

The decline of bingo, by itself, would not be a reason to pass legislation. Part of the reason that we thought that the time had come for legislation lies in the way in which the attempt to clamp down on the excesses of commercial gaming in the 1960s — embodied in the 1968 Act — sought to deal with bingo at the same time as casino gaming. Therefore, bingo found itself bound up with a licensing system and a very detailed network of control. Inevitably, its ability to compete with other forms of leisure is impaired by the fact that it must observe the rules over almost every aspect of bingo.

We took account of what some regard as the rather hard position in which bingo finds itself because of the inevitably difficult decisions that the Government must take about other forms of gaming. I am sure that I do not need to persuade the House that they need to be the subject of rigorous control. That is why I make no apology for the controls.

The Bill proposes an amendment that would allow clubs to choose to join together in games of multiple bingo, and prizes of up to £50,000 could be offered from the aggregated stake money. We have had to look at the issue with care, and a good deal of discussion remains ahead about the way in which games of multiple bingo will be played. We are aware of fruitful talks that have been held between the gaming board and people who might be responsible for running games of multiple bingo. They have cleared up many questions that were initially in our minds when we had to determine whether to permit the practice to go ahead.

Now that we have a better idea of how games of multiple bingo will be played, it is clear that we are talking

about a grander version of what is known as linked bingo, which may already be played under the provisions of the Gaming Act 1968. Multiple bingo will be played at a specified time each evening and involve the use of a central computer, with each of the participating bingo clubs having its own terminal. Bingo clubs wishing to take part in a game of multiple bingo for that evening will indicate their intention to participate by means of the computer equipment.

There is still some way to go before the joint games of bingo contemplated by the Bill may be played in practice. It will be necessary for representatives of the bingo clubs to have further talks with the Gaming Board so that the board may be satisfied with the proposed arrangements and can issue a certificate of approval. The Home Secretary will want to consider, after consultation with the board, what regulations should be made under the Bill. I believe that such obstacles can easily be pushed aside.

I am delighted to support the Third Reading of the Bill. We believe that the measure incorporates a number of safeguards and that it may, therefore, safely proceed to the statute book. We hope that the further negotiations prove successful and that games of multiple bingo played in accordance with the terms of the Bill will provide the assistance that the bingo clubs are seeking.

Question put and agreed to.

Bill accordingly read the Third time, and passed.

Official Secrets Act (Amendment) Bill

Order for Second Reading read.

2.16 pm

Mr. Chris Smith (Islington, South and Finsbury): I beg to move, That the Bill be now read a Second time.

The Government are in a mess over section 2 of the Official Secrets Act. They used it last year to bring a prosecution against Sarah Tisdall and were successful in that prosecution. They then used it to bring a prosecution against my constituent, Mr. Clive Ponting, and, fortunately, they were unsuccessful. The Old Bailey verdict in that case represents a tribute to the good sense of a British jury. The upshot of that decision is that the Government are in a complete fix about whether they can use section 2 of the Act.

In the case of Cathy Massiter, who revealed detailed evidence about what was happening in MI5, the Government decided not to prosecute. The Government investigated the case of Lord Lewin, and decided not to prosecute. Having considered the case of Commander Wreford-Brown, the commander of the Conqueror, who revealed details of the Conqueror's course long before the information was declassified, they decided not to prosecute.

All of that is evidence that the Government do not know what to do about official secrets, and particularly about any proposed or considered use of section 2 of the Official Secrets Act. By introducing the Bill I am doing the Government a favour, for I am seeking to remove the problem from them by removing section 2 from the statute book.

Section 2 has been widely criticised—for example, by the Franks committee long ago, by a series of eminent judges and lawyers and by the present Home Secretary —of course, when in opposition—who described it as indefensible. It has also been criticised in many letters that I have received since laying the Bill before the House. One which may be of interest to hon. Members was from Mr. Chapman Pincher. He wrote to me at the beginning of February to say:

"Dear Mr. Smith,

I wish you well with your Bill to abolish Section 2 of the Official Secrets Act. It is 13 years since I gave evidence on that issue to the Franks Committee and successive governments have done absolutely nothing."

The Bill is an attempt to ensure that the House of Commons will seek to do something; to tackle a problem which Governments of all political persuasions — we should remember that it was a Liberal Government who brought in the Official Secrets Act — have failed to tackle.

The basic points that must be made are simple. Section 2 of the Official Secrets Act is an absurdity. It is a catch-all section which covers every piece of paper that crosses any civil servant's desk, any information to which a civil servant is privy, any details about where, how or on what he is working. It is quite simply nonsense that a civil servant should be subject to potential criminal prosecution for revealing details of any sort whatsoever about his work. The common examples which have been quoted frequently in the House stand as testimony to that absurdity.

For example, it is an offence under section 2 of the Official Secrets Act to reveal information about where the tea comes from that is supplied to the Ministry of

[Mr. Chris Smith]

Agriculture, Fisheries and Food canteen. It is also an offence to receive that information. It is nonsense that we should have on the statute book a piece of legislation which covers every detail about what civil servants do.

More importantly, the Official Secrets Act is more insidious than that. It is not just an absurdity that it has such a catch-all nature and effect. It is also a dangerous piece of legislation because it can be, and has been, used by Governments—again of both political persuasions, but particularly this Government—for political purposes. If the Government do not like what a civil servant has done or said, even though that doing or saying may have had no genuine impact whatever on national security, simply because they are politically embarrassed, they may decide to use section 2 for their own political purposes. I believe that that is what happened in the case of my constituent, Mr. Ponting. I fear that we still have on the statute book an Act which enables Governments to proceed in that manner. It is for that major reason—the political danger of having that measure on the statute book—that I wish to see section 2 removed.

I hope that in the brief time available the House will not simply allow the measure to be talked out, because it is a serious issue. It is an issue of major public concern, and many Governments have failed over many years to do something about it.

In introducing the Bill I am offering the House an opportunity to clear the decks of this long-discredited piece of legislation. I know that the next Labour Government will do so, but I hope that this Government will be a bit more enlightened on this issue than many others and bring forward some of their own proposals. In place of section 2 we need a much tighter definition of national security and espionage, with which section 1 purports to deal, but does so ineffectively.

At the same time, we need to replace this highly discredited piece of legislation with full and proper freedom of information legislation to open up the over-secretive processes of government in this country.

In that spirit, I commend this very simple, direct and proper Bill to the House. I hope that it will be overwhelmingly supported and read a Second time.

2.24 pm

The Parliamentary Under-Secretary of State for the Home Department (Mr. David Mellor): The hon. Member for Islington, South and Finsbury (Mr. Smith) is certainly right in saying that his Bill could not be shorter or more straightforward. It consists of just two clauses, the first of which reads:

"Section 2 of the Official Secrets Act 1911 is hereby repealed."

The second reads:

"This Act may be cited as the Official Secrets Act (Amendment) Act 1985."

For 15 to 20 years successive Governments have been bedevilled by the problem of how to erect a modern mechanism for the protection of official secrets and have found it difficult to arrive at a conclusive answer. The hon. Member for Islington, South and Finsbury, however, is not a man for the half tones, the half lights or the subtleties of the situation. He simply comes in with his size 15 boots and says, "Just throw the whole thing out and end the problem." The hon. Gentleman's approach reminds me of the late Professor Maitland's observation that for every complex human problem there is an answer that is simple, plausible, easy, obvious and wrong. We can rely on the hon. Gentleman's unerring instinct for the wrong answer to bring him here with a measure of this kind, and he will not be offended if I say that it provided a light conclusion to a heavy morning's legislation on badgers, bingo and the like to hear him put the case with such spurious charm for a measure which is no more attractive to me than it would have been to the last Labour Government.

If the hon. Gentleman's Bill were enacted, section 2 of the Official Secrets Act would be repealed and the improper disclosure of official information could be dealt with only under section 1. Subsection (1) of that section provides for it to be an offence:

"If any person for any purpose prejudicial to the safety or interests of the State—approaches or is in the neighbourhood of, or enters any prohibited place",

a provision which clearly does not concern us in this instance, or:

"makes any sketch, plan, model, or note which is calculated to be or might be or is intended to be . . . useful to an enemy",

which is the classic case of spying.

The third and final part of subsection (1) makes it an offence if any person

"for any purpose prejudicial to the safety or interests of the State . . . obtains, collects, records, or publishes, or communicates to any other person any secret official code word, or pass word, or any sketch, plan, model, article, or note, or other document or information which is calculated to be or might be or is intended to be . . . useful to an enemy".

I have quoted those provisions to illustrate the fact that section 1 protects documents only if they are disclosed

"for any purpose prejudicial to the safety or interests of the State"

and only if the disclosure is

"calculated to be or might be or is intended to be . . . useful to an enemy".

In other words, it is a fairly narrow offence intended to deal only with spying and related activities.

No responsible Government—far be it from me to speculate about whether some future Labour Government would be responsible, such a circumstance being likely to arise so far in the future, if ever—could accept that section 1 should stand alone, because grave damage could be inflicted even if the information would not be useful to an enemy or was not disclosed for a purpose prejudical to the interests of the state.

I cannot believe that the hon. Gentleman is really suggesting that any unauthorised disclosure not falling within the narrow ambit of section 1 should not be addressed by the criminal law. What of the person who reveals information entrusted to us in confidence by the Government of another state? What of the person who releases information likely to be useful in the commission of an offence? What of the person who releases documents revealing confidential commercial information or personal details given by individuals in the expectation that they will be held in confidence? Does the hon. Gentleman really believe that the criminal law has no part to play in those serious cases?

The hon. Gentleman might well ask whether we could not rely on internal disciplinary measures, and there are instances where these are sufficient. Equally, there are cases where they are not. Furthermore, the sanction which is so often mentioned in this context, the sacking of the perpetrator of the unauthorised disclosure, can, by definition, be directed only against those currently in the public service. However, it is not only those who are

currently in the public service who might be possessed of information which could fall into any of the serious categories.

If the hon. Gentleman were to have his way, no sanctions could be applied either against people who have left the public service or against those, such as Government contractors, who have never been in the public service, because some of those——

It being half past Two o'clock, the debate stood adjourned.

Debate to be resumed upon Friday 14 June.

Private Members' Bills

FABRIC ORIGIN MARKING BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker (Mr. Ernest Armstrong): Second Reading what day? No day named.

SOCIAL SECURITY (COLD CLIMATE ALLOWANCE) BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Donald Stewart (Western Isles): With the leave of the hon. Member concerned, Sir, Friday 5 July.

Second Reading deferred till Friday 5 July.

HORSES AND PONIES BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 May.

DOMESTIC CONTENT OF MOTOR VEHICLES BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day? No day named.

WORKING CONDITIONS OF GOVERNMENT TRAINEES BILL

Order for Second Reading read.

Hon. Members: Object.

Mr. Deputy Speaker: Second Reading what day?

Mr. Norman Hogg (Cumbernauld and Kilsyth): With the leave of the hon. Member concerned, Friday 3 May.

Second Reading deferred till Friday 3 May.

PROTECTION OF THE RIGHTS OF THE ELDERLY IN HOME OWNERSHIP BILL

Order for Second Reading read.

Hon. Members: Object.

Second Reading deferred till Friday 3 May.

Marina (Ilfracombe)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Archie Hamilton.]*

2.31 pm

Mr. Tony Speller (Devon, North): A short while ago, we gave a Third Reading to the Wildlife and Countryside (Amendment) Bill. It was a pleasure to be in the House to support the hon. Member for South Shields (Dr. Clark), whose Bill is important to my part of the world. I congratulate him because the preservation of the countryside is of paramount importance to Members with constituencies such as mine, which includes Ilfracombe and Exmoor, about which I shall speak.

It is now nearly three years since the Ilfracombe harbour extension became the keystone of my policy for my constituency. No one is in any doubt about the natural beauty of Ilfracombe or the unnatural decline in its business and industrial position. This is the third time that I have had the honour of bringing this matter before the House. I look forward to the reply of my hon. Friend the Under-Secretary of State for Trade and Industry, who was gracious enough to reply to my debate a few months ago.

I have never seen the logic in seeking to make a seaside town such as Ilfracombe into a factory-based industrial centre. It is good to have factories, but equally it is clear that any firm locating a factory so far from its market, and probably from its raw materials, will always have difficulty in justifying that factory when times are hard. I congratulate Pall Europe, Coutant Electronics and several less-known firms who work hard, employ staff and prosper in Ilfracombe and the adjacent areas. We must consider how best the resuscitation of the economy can come about, while, equally importantly, the natural beauty and the pleasure of living in Ilfracombe are not harmed.

My conclusions are straightforward. We have the sea, we have the seashore and the beautiful hinterland from Lee to Berrynarbor and back over to Exmoor. It is on this natural beauty that we should build for the future. Development must be related to sea, to shore and to things that can be harvested from land or sea. This includes factory and industrial premises, but they will be an adjunct to the sea and the shore rather than the main employer of the future. Tourism is as much a harvest of land or sea as is farming or fishing.

I congratulate the North Devon district council—the EEC is also involved—on accepting the problem and putting its hand into its pocket to commission the Coopers and Lybrand report and for taking a positive stance over the issues raised. I was disappointed in parts of the report and do not accept in particular its low forecast of marina income. I congratulate the Ilfracombe town council on its support, and organisations such as the hoteliers and the guest house associations, which have been of the greatest help to me. I also thank the many grant-aided bodies which have spoken and offered help, provided—as always—that someone else does something on the way along.

If Ilfracombe is to expand the harbour must be expanded. I have carried out surveys along the English side of the Bristol channel and on the Welsh coast. There is no form of major safe harbour or marina development anywhere along the northern coasts of Somerset, Devon and Cornwall. Organisations as disparate as the Royal National Lifeboat Institute, which does not have a sea berth for a lifeboat in the area, and the Swansea city

[Mr. Tony Speller]

council, which has a marina but nowhere to sail to on our side, wish that we had a marina in Ilfracombe. There are some minor boating and fishing facilities but nothing that touches the potential of Ilfracombe or its potential harvest from the sea.

The first requirement is a harbour extension and an inner harbour which does not dry out. Then as night follows day, or in this case perhaps I should say as light follows dark, all the good things will follow to help Ilfracombe through into the 21st century. In 1984 the English tourist board produced, in conjunction with Wallace Evans and Partners, "The Study of North Devon and Somerset Yacht Harbours". The conclusion was that Ilfracombe would be the most desirable place for a major scheme.

We need a marina for 250 boats; harbour facilities for fishing boats, pleasure craft and ferries; harbour facilities for commercial and private fishing; and all the ancillary services to serve the new maritime extension to Ilfracombe: hotels, restaurants and allied developments to cope with all these new features. Shops, workshops and warehouse facilities will be needed. This will result in jobs, jobs and more jobs for our people. It will mean not just jobs for sailors from elsewhere, but jobs for young people in the docks, on the boats, in the shops and workshops. It will mean jobs for the young, including those without special skills, who will revel in the healthy, open-air life. It will also mean jobs for older people, including those who are possibly less skilled. There will be a great need for people to tend the shops, maintain the equipment and, not least, guard the premises. It will result in jobs in both existing and new firms.

Prosperity will not come from talk. If it did, every hon. Member would be a millionaire. None of this is a pipe dream. All of it is readily attainable, but, first, we need the will to carry out the work and, secondly, an organisation which can pull together the strings of economic Ilfracombe, beautiful Ilfracombe and environmental Ilfracombe, not forgetting the residents of Ilfracombe, so that neither commerce nor conservation reigns supreme but work together for a harmonious and prosperous future.

The loss of development status was a heavy blow to Ilfracombe but, although useful, it was never the key. To some extent it may have been the lock on our minds, as we sought grants when we ought to have sought opportunities. My believe is that the way forward is to find that genuine, good body which has the experience and the reputation to be acceptable not only to the population of north Devon but to the economic and environmental bodies in the great world outside. I do not believe that such a body is impossible to find. On the contrary, I have spoken to a number of organisations which might fill the Bill.

Today I am happy to be able to announce publicly for the first time that one organisation which is interested in helping fills my bill entirely. The trustees of the Dartington North Devon Trust decided last week that they wished to help Ilfracombe, if at all possible. I welcome their support with open arms. Dartington is well known and respected in the west country. In north Devon in particular the Dartington North Devon Trust has done a great deal to help us with youth training and many other projects, both social and economic. I pay special tribute to Dr. David Davies, the director of the trust. It is no coincidence that a man of his calibre should have been appointed to the Warnock commission.

A first meeting was held in this House between Dartington "chieftains", the chairman and the chief executive of the North Devon district council and myself some weeks ago. I believe that it will prove to have been a fruitful meeting. But the trust is by no means the only body that is interested. I hope that other commercial interests, including marina operators, which have been in touch with me will join us in the battle for prosperity. The locally based Ilfracombe and North Devon Heritage Wall Committee, soon to become a trust, I hope, has received substantial pledges of cash support and has, in turn, promised that this money will be made available to help build the harbour wall. Mr. Alan Kift, who originally brought to me the concept of the Ilfracombe initiative, and Mr. Nigel Vince are among the main sponsors of this committee. I pay tribute to them and to their fellow committee members, Mr. Peter Rawle and Councillor Ron Green. Councillor Green, who owns the Harcourt hotel, has offered free accommodation to an interested group of investors. Those men typify the hard workers of Ilfracombe. I must not fail them, and nor must the committee.

There is no shortage of well wishers. Devon county council, North Devon district council and Ilfracombe town council will support us. I trust that the British Tourist Association will sell us overseas and that the English tourist board and the West Country tourist board will participate. Locally, the North Devon Manufacturers' Association is one of the best, if not the best, of such organisations. Various chambers of commerce and trade and many other excellent voluntary organisations will help.

As I said earlier, the RNLI would like a water berth for its lifeboat. The Ministry of Agriculture, Fisheries and Food must surely approve of a decent fish quay and fish landing facilities and the Welsh tourist board — yes, Welsh — would wish to see a port on our side of the Bristol channel. Lovely Lundy Island needs a port of embarkation for visitors, and Exmoor national park will get welcome tourists from across the water in Wales.

The list of those who can offer support is almost endless. There is the Countryside Commission, the Council for Small Industries in Rural Areas, which has done so much to help in our part of the world, English Industrial Estates, builders of many local light factory developments, and the Sports Council, which will provide the water sports in the extended harbour.

The Department of Trade and Industry will be involved as we improve both the trade and industry of the whole area. As we improve the environment the Department of the Environment, too, must come to us. If the next step is to find an organisation to research and put together a package, along the line somewhere finance will be needed from within the area. I understand that the Government cannot provide everything for everybody.

The sea wall extension in itself will not earn money. I praise the efforts of the Heritage Wall committee which will help us and which has pledged money running into tens of thousands of pounds. That shows the extent of local support and so far that support is still local. I am prepared to subscribe to whatever development corporation or

company takes up the challenge and I believe that many others will do the same as well, with faith in the project and hope for an ultimate dividend.

It may be that whoever builds the sea wall, if we cannot get national or international Government to do the work for us, or at least subscribe considerably, may also have to be given the right to some part of the rewards from the business that will follow, perhaps through a right to marina, hotel or fish quay development. In a commercial world, those who give their time and effort are entitled to a fair reward.

I am in constant contact with the most important body in the whole matter—the North Devon district council. It controls the harbour and owns much of the adjacent land. It is a good council, full of truly independent men and women of all political shades. It is now up to that council to decide what priority and, in due course, how much finance it may be able to make available for Ilfracombe.

I look forward to the day when one ferry will be back from Swansea as another leaves for Lundy. I look forward to the day when trawlers will be landing fish for sale or for processing at Mullacott Cross. I look forward to the day when young people can carry on water sports in the extended outer harbour as the older generation perhaps watches from seats around the harbour. I look forward to the day when the tourists come to mess about in boats in the inner harbour, buying their food, fuel and sails from the traders of Ilfracombe, while the young people of Ilfracombe work to support the fun and the finances of that lovely town and the surrounding areas, all of which will benefit, from Exmoor to Barnstaple, from the success of Ilfracombe harbour.

Finally, and from my side, I look forward to the arrival of the link road, far more important than all the development grants, together with the improvement of the road from the motorway up over Blackmoor Gate and the A39 from the Exmoor side as well.

We are awaiting a ministerial pronouncement on stage 2A of the inquiry into that road. I hope that my hon. Friend the Minister will be able to help on that because the decision is overdue. That on stage 2B from South Molton to Barnstaple should be with us by the end of the year and work completed around 1988.

There are so many national, provincial, local and statutory bodies that may be able to help, without mentioning the EEC social and regional funds.

The Department of the Environment has responsibility for environmental management, regional affairs, environmental protection, and sport and recreation. Ilfracombe is not within the Exmoor National Park but is, as agreed by the National Parks Authority and the English tourist board, an integral part of the park economy.

The Department of Trade and Industry is responsible for regional assistance under the Industry Act, regional policy, tourism, and small firms. Would not Ilfracombe make an ideal enterprise zone. Many departments are involved—the Department of Transport and the Ministry of Agriculture, Fisheries and Food. The problem is, which will be responsible?

The fish quay and fish landing facilities might qualify for grants under section 2 of the Fisheries Act 1955. The tourism part might receive aid from the English tourist board, for which the Secretary of State for Trade and Industry is responsible, although the Minister of State, Department of Trade and Industry deals with the subject.

Surprisingly, there are no specific grants that I can find available from the Department of Employment for starting a project which will improve employment. It might be possible to employ people on the youth training scheme or the community programme. Whether the EEC can help, now that we are no longer receiving regional funds, I do not know, but I believe that the EEC has been asked by the district council—it did so in time, by the end of March—to see whether funds can be made available to help Ilfracombe's fine but somewhat derelict pier, which is an integral part of the harbour.

The grants system is so complex that it is possible that in some way other grants might be available which I have been unable to find. Whoever takes up the job of "umbrella" man or woman to the project, with a base in Ilfracombe town, and employment for, say, two years, will have to take up the many and varied ideas that have been floated, to discuss their finance, to check on environmental considerations, and to seek prospective developers.

I ask the Minister to give me some assurance on the Government's attitude to this essay in self-help. Will he list now—or later in correspondence, if the list is too long—where we may look for help and whether the Government will look with favour on our request?

I am proud to represent an area which is fiercely proud and independent, where we Devonians have been joined by many "incomers" from up country, and where we all work together for the health and harmony of our most beautiful part of Britain.

As a footnote for the Minister — we entered the House together on the same day; he is a young man—I should like to say that, thanks to the Outlandos trust, founded by the Police pop group, and chaired by my hon. Friend the Member for South Hams (Mr. Steen), a generous award has just been given to the Ilfracombe youth and community centre to help with the purchase of musical instruments. I am delighted that arrangements are in hand for me to make the presentation. But I offer my hon. Friend the promise that, if he can help us, we shall serenade him on his next visit to Ilfracombe. Since the money is funded by the Police, perhaps their hit single, "Message in a bottle" would be the appropriate tune. I look to the Minister to be tuneful and helpful to a good area.

2.48 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. David Trippier): I congratulate my hon. Friend the Member for Devon, North (Mr. Speller) on his speech, and on his customary diligence in raising important matters which affect his constituency. As he has indicated, the various matters that he has drawn to the attention of the House traverse a number of Government Departments, including my own. I shall endeavour to cover as many points as I can in the time available to me. In any event, I give him an undertaking that I will draw the attention of the various Departments to the subjects which have been raised in the debate.

Since the Government published the White Paper on "Regional Industrial Policy" in December 1983, I have been impressed by the enthusiasm with which the people of north Devon have drawn to the attention of Ministers the problems of Ilfracombe and the ambitions and plans that they have for the town's future. I venture to say, however, that enthusiasm needs to be generated and

[Mr. David Trippier]

nurtured. That has been done in no small measure by their representative in this House, my hon. Friend the Member for Devon, North, whose advocacy on behalf of his constituents is second to none. They are indeed fortunate to have such an able and tenacious MP. He saw my hon. Friend the Minister of State, Department of Trade and Industry, last December and has managed to secure three debates on the subject in just over two years. As a result of those debates, and the dozens of letters received from his constituents, Ministers can honestly say that they are fully aware of the problems of the area.

My hon. Friend has drawn my attention to the economic study of Ilfracombe and the associated feasibility study of packages of schemes which might be promoted in or around Ilfracombe, and which was commissioned by the North Devon district council. I have seen the final copy of the report, and the number of schemes put forward for consideration by the council is very impressive and ambitious.

A seaside resort containing such facilities as a fishing quay, winter gardens, cable car, first-class hotel and other facilities would, I am sure, be attractive to many people but, like most things in life, as my hon. Friend has implied, such schemes do not come cheaply, and finances have to be secured.

The five possible options put forward in the report each contain different combinations of the schemes assessed. The common factor in them is that all have a grant element of one form or another written into costings. That is not a bad thing, provided, of course, that grants are available, but, as my hon. Friend has pointed out on numerous occasions, access to grants from the European Regional Development Fund was lost — except during the transitional period—when the Barnstaple and Ilfracombe travel-to-work area lost its assisted area status.

In four of the options, it would appear that if grants were not available the packages would fail on purely financial grounds, but interestingly one package appears to be financially viable even if no grants were available. Admittedly, that option excludes the marina scheme which I understand from the report would be extremely popular with local people.

My hon. Friend has stated today and on a number of other occasions that there should be a good road link from the M5 motorway to the north Devon coast. The proposed north Devon link road, together with the planned bypasses of Barnstaple and Bideford, will provide an excellent route.

The first stage of the A361 of the north Devon link road between the M5 at Sampford Peverell and Tiverton has been open to traffic for just over a year, and progress is being made on the other two stages of the link road.

A public inquiry was held in the early part of last year into stage 2A of the link road between Tiverton and Newtown. The inspector's report following the inquiry was delivered towards the end of October 1984 and is under consideration. My right hon. Friends the Secretaries of State for Transport and for the Environment hope to announce their decision shortly.

My hon. Friend will be aware also that the public inquiry into stage 2B of the link road, between Newtown and Barnstaple, was concluded last month. The report of the inspector is awaited.

Proposals for the A39 Barnstaple bypass similarly were the subject of a public inquiry and my hon. Friend may know that the inspector's report was submitted last month and is being considered.

My hon. Friend has stated the importance of tourism in Ilfracombe and I accept that tourism there has been in decline for a number of years and the town is currently one of the most depressed of the south-west's traditional seaside resorts, with relatively poor facilities and accommodation. A further erosion of its market position is likely if steps cannot be taken to reverse the decline and, against that background, I understand the district council attaches considerable importance to the harbour and marine proposal which it sees as a catalyst for revitalising the local industry and attracting new investment from the private sector.

The council has been in touch with the non-statutory West Country tourist board to discuss its proposal and the WCTB agrees that a major tourism development is necessary if Ilfracombe is to have a brighter future as a resort town. Funds for the section 4 tourism grant scheme administered by the English tourist board are limited and, although some help might be available via the scheme for individual elements of the development, I accept that it could not provide a material contribution towards the cost of the harbour project as a whole.

On a more positive note, the Government will continue to provide support for the area's tourism industry through its funding of the statutory English tourist board's promotional and development activities, including the scheme of selective financial assistance for tourism projects which the board administers under section 4 of the Development of Tourism Act 1969. As I have said, the West Country tourist board has already had contact with north Devon concerning the proposed harbour and marina project and will be happy to provide advice on any other development proposals that the council and local entrepreneurs may have.

A number of local tourism projects have also benefited directly from assistance under the section 4 scheme. Since the scheme was extended to the whole of England in August 1982, grant offers totalling £154,700 have been made to 21 tourist projects in north Devon.

My hon. Friend has spoken of the desirability of reviving the fishing industry around Ilfracombe and I should like therefore to explain about the aid available from the FEOGA farm fund. The aid is available for investment projects which improve the conditions under which agricultural and fisheries products are processed and marketed. To be eligible, projects must meet the conditions laid down in EC regulation 355/77 and must involve investment facilities covered by programmes submitted by member states and approved by the Commission. New fisheries programmes for England and Wales, Northern Ireland and Scotland respectively have been submitted to the Commission and are awaiting approval.

The scheme is discretionary and if a project is successful it will receive up to 25 per cent. of eligible costs from the EEC. The Commission selects for aid those projects which most closely meet the aims of the scheme and awards are made, by the Commission, twice a year. I should emphasise that an important condition of the scheme is that work should not have started on the project

before the Commission acknowledges receipt of the application. Grant cannot be awarded for work already started.

I am informed by my colleagues in the Ministry of Agriculture, Fisheries and Food that, although aid has not yet been sought under this regulation by processors in the Ilfracombe area, developments involving marketing and processing activities at Ilfracombe could be eligible for consideration for FEOGA grant. Since 1977, seven applications from within Devon and Cornwall have been successful in attracting aid, receiving some £400,000 from the EEC funds.

If it can be shown that there is real potential for commercial fishing development from Ilfracombe, very limited grant might be considered under the Fisheries Act 1955 for that part of the harbour cost which could be identified as relating to that development.

The position with regard to fishing potential remains as stated in the debate on 7 February 1983, when it was explained that my right hon. Friend the Minister of Agriculture, Fisheries and Food had no knowledge of significant unexploited fisheries potential in the Bristol channel area. I can only reiterate that if commercial assessment of such a potential indicated a need for harbour development in north Devon, grant might be considered for approved costs under fisheries legislation to the extent that it could be demonstrated that there would be a benefit to the fishing industry. My colleagues in the Ministry of Agriculture, Fisheries and Food will be pleased to give any assistance concerning eligibility of projects in Ilfracombe.

My hon. Friend will be aware that on 23 April the Ports (Finance) Bill had its Second Reading. Clause 6 repeals section 9 of the Harbours Act 1964 which gave the Secretary of State for Transport power by order to prohibit harbour development works. This completes the process of the freeing of port development started a year ago when my hon. Friend the Secretary of State for Transport revoked the Harbour Development Order which gave effect to section 9. It reflects the Government's earlier decision that it was no longer appropriate to retain this regulatory control, which latterly applied only to harbour developments over £3 million. The effect of ending the control has been that, subject to compliance with other relevant statutory requirements, promoters of port development are free to proceed with commercially desirable developments if they can secure adequate financial backing.

Before concluding, I would like to quote a few words used by my hon. Friend in the debate in February 1983 on Ilfracombe harbour. He said:

> "There is an inaccurate belief that Members of Parliament are magicians, with better or worse rabbits in the hat, or that we have magic wands. This is a case not for magic wands, but for the local council to think through and to decide how a project should be organised and controlled." — [*Official Report*, 7 February 1983; Vol. 36, c. 666.]

It is clear from what we have heard today that the local council has taken an initiative and started the wheels in motion.

We recognise that there are problems in Ilfracombe and also that the people who live and work there want to see a halt in its decline and to put the town on a sound industrial and social footing through the harbour project. I sincerely hope it will succeed. I can assure my hon. Friend that when any project in Ilfracombe appears to be eligible for assistance under existing schemes of support it will be given every consideration by the relevant Government Department.

I once again thank my hon. Friend for drawing these important matters to the attention of the House.

Question put and agreed to.

Adjourned accordingly at two minutes to Three o'clock.

Written Answers to Questions

Monday 15 April 1985

PRIME MINISTER

Rates

Mr. Murphy asked the Prime Minister if she will make a statement on Her Majesty's Government's current policy towards the abolition of the domestic rating system.

The Prime Minister: In the course of their studies of local government finance, my right hon. Friend the Secretary of State for the Environment and his colleagues are examining afresh, amongst other things, the question of how in the new system local revenues might best be raised. The Government will make a statement in due course as a preliminary to wide consultation.

Strip Searches

Mr. Kilroy-Silk asked the Prime Minister if she will take steps to ensure that statistics on the annual number of strip searches made on women prisoners in Her Majesty's prisons distinguishing between prisoners held on remand and sentenced prisoners, are recorded centrally in the same way for England and Wales, Scotland and Northern Ireland, respectively.

The Prime Minister: No. The need for statistics to be kept is a matter to be determined according to the individual circumstances obtaining in each jurisdiction.

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Prime Minister whether any Departments additional to those given in her answer to the hon. Member for Belfast, South on 2 April, *Official Report*, column *523*, and her answer of 1 April, *Official Report*, column *413*, and Cmnd. 9094 have been involved in meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council.

The Prime Minister: In addition to the departments implied in the question, officials from the Department of Education and Science have also attended meetings of the Anglo-Irish Intergovernmental Council at official level.

Rev. Martin Smyth asked the Prime Minister how many officials from the Cabinet Office have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council; and if she will list the dates and locations of such meetings and the subjects discussed.

The Prime Minister: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council according to the subjects under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

Residential Hostels

Mrs. Renée Short asked the Prime Minister which Department is primarily responsible for the funding of voluntary residential hostels for single homeless alcoholics, drug addicts, ex-offenders and former psychiatric patients.

The Prime Minister: In so far as hostels and other forms of shared housing for the single homeless and other groups with special needs are provided by housing associations registered with the Housing Corporation in England, the Department of the Environment is primarily responsible for capital funding, and for revenue support where this is necessary in relation to housing management costs. According to the client group, housing associations may seek further assistance with revenue costs from other sources including local health and social services authorities and the Home Office. Hostels are also provided by other voluntary organisations which do not receive any support from Exchequer funds.

Ethiopia

Mr. Spearing asked the Prime Minister if she will tabulate in the *Official Report* the tonnage of cereals to be sent to Ethiopia, as agreed at the Dublin Heads of Government meeting of the European Economic Community setting out separately the tonnage: delivered to camps, in transit on land or sea, purchased not transported and balance not purchased, together with a statement relating to the timetable of the programme.

The Prime Minister: The European Council in Dublin agreed a target for cereals food aid for the Community and its member states for delivery to African countries in 1985, but did not agree allocations to individual countries. The available information on commitments and deliveries of cereals food aid to Ethiopia by the United Kingdom and the European Community since the Dublin Council is as follows:

	Commitments since 4 December		*Deliveries since 4 December from previous commitments (tonnes)*
	Amount (tonnes)	*Delivery Schedule*	
United Kingdom	15,000	Delivered to Ethiopian port in February	6,500
European Community			
—food aid programme	70,000	For delivery to Ethiopian port in stages—June to August	45,000
—emergency aid	37,000	For delivery to Ethiopian port in stages—April to May	25,000

Notes:

(1) Distribution within the country is undertaken by the Ethiopian Government or by international and voluntary agencies, with monitoring by the World Food Programme, and is subject to ex-post accounting.

(2) No information is available on deliveries by other member states of the Community.

Recycling Waste

Mr. Thornton asked the Prime Minister whether the Government intend to give a Minister overall responsibility across Departments for recycling policy as recommended in the Trade and Industry Committee Report on "Wealth of Waste".

The Prime Minister: A Department of Trade and Industry Minister will have special co-ordinating responsibilities for issues which relate to reclamation and recycling. I have asked my hon. Friend the Parliamentary Under-Secretary of State for Trade and Industry to assume this responsibility. He will not have decision making powers in areas which are properly the responsibility of other Ministers but he will have a particular responsibility for identifying any inconsistencies or omissions in Government policy, which would then be dealt with through the normal inter-departmental processes. He will also handle Parliamentary debates and questions on general recycling matters which extend beyond the responsibilities of individual Ministers.

The Government's full response to the Select Committee is being made public by the Committee today.

ATTORNEY-GENERAL

Flats (Leasehold Enfranchisement)

21. **Mr. John Fraser** asked the Attorney-General if he will discuss with the chairman of the Law Commission the subject of leasehold enfranchisement for flats.

The Solicitor-General: Leasehold enfranchisement is a question of policy, not law reform, and therefore unsuitable for reference to the Law Commission. On the technical aspects I have nothing to add to the answer I gave the hon. Member on 14 January 1985.

Loughborough University (Incident)

Mr. Adams asked the Attorney-General if he will request a report from the chief constable of Leicestershire concerning alleged criminal offences committed by students at Loughborough university on the evening of 1 April; and if he will make a statement.

The Attorney-General: I have no power to require a chief officer of police to provide a report of the nature suggested. However, I understand that the Leicester constabulary has informed the Home Office that it has received no complaint of any criminal offence alleged to have been committed by students at Loughborough university on the evening of 1 April.

Crown Prosecution Service

Mr. Nicholas Brown asked the Attorney-General if he will make a statement in respect of Arthur Andersen's report on the Crown Prosecution Service and publish its findings.

The Attorney-General: Messrs Arthur Andersen & Co. was commissioned by the Home Office in May 1984 to undertake a management consultancy survey to assist the Director of Public Prosecutions in determining working procedures and staffing levels of the new service. It expects to present its final report by the end of this month. My right hon. and learned Friend the Home Secretary intends to publish the report as soon as practicable.

THE CHURCH COMMISSIONERS

St. Alban's, Teddington

Mr. Jessel asked the hon. Member for Wokingham, as representing the Church Commissioners, if he will publish in the *Official Report*, in respect of St. Alban's, Teddington, all the press releases issued by the commissioners.

Sir William van Straubenzee: The commissioners have only published one press release in respect of the redundant church of St. Alban Teddington, namely on 28 January 1985. This release, which was made jointly with the diocese of London, was issued solely in response to a report published by The Victorian Society on this building. The text was as follows:

ST. ALBAN THE MARTYR, TEDDINGTON

The Victorian Society has published a Report on the redundant church of St. Alban the Martyr, Teddington. This Report contains a number of serious inaccuracies; for example, about the care of the building since it was declared redundant and the fate of some of its contents.

Following protracted consultation with Richmond Borough Council and the GLC, the London diocesan authorities reported to the Church Commissioners that they had been unable to find a suitable alternative use for the building. The alternative courses for consideration under the relevant Statute are either preservation by the Redundant Churches Fund or demolition.

The present position is that the Commissioners, with whom the final decision rests, await the advice of their independent Statutory advisers before they consider carefully and then decide which of these two courses to pursue. Before giving its advice, the Advisory Board for Redundant Churches is consulting the Redundant Churches Fund about the likely cost of repairs and future maintenance, and as to whether the Fund has money available for these purposes.

Mr. Jessel asked the hon. Member for Wokingham, as representing the Church Commissioners, if he will publish in the *Official Report*, in respect of St. Alban's, Teddington, all the written recommendations made to the commissioners by the redundant churches fund together with the commissioners' responses.

Sir William van Straubenzee: The redundant churches fund has made no written recommendations to the commissioners. However, under the provisions of the Pastoral Measure 1983, the advisory board for redundant churches has consulted the fund. The views of the fund were expressed to the advisory board in a letter dated 31 January 1985. I am sending a copy of the letter to my hon. Friend.

Mr. Jessel asked the hon. Member for Wokingham, as representing the Church Commissioners, if he will publish in the *Official Report*, in respect of St. Alban's, Teddington, all the written recommendations made to the commissioners by the Council for the Care of Churches together with the commissioners' responses.

Sir William van Straubenzee: The Council for the Care of Churches has made no written recommendations to the commissioners. However, under the provisions of the Pastoral Measure 1968 and its successor, the Pastoral Measure 1983, the council makes reports on churches likely to be declared redundant. The only expression of the council's view with regard to St. Alban's Teddington and

the nearby church of St. Mary's was made on 15 February 1973 about four years before the church was declared redundant.

Mr. Jessel asked the hon. Member for Wokingham, as representing the Church Commissioners, on what date the Church Commissioners received the advice of the Advisory Board for Redundant Churches on the redundant church of St. Alban's Teddington; and when the commissioners intend to publish their decision.

Sir William van Straubenzee: The final advice of the advisory board for redundant churches was received by the commissioners on 20 February 1985. The commissioners' announcement about the next steps to be taken with regard to the future of this redundant church will be published when the advisory board's advice and all other relevant factors have been fully considered.

EDUCATION AND SCIENCE

Muscular Atrophy

Mr. John Fraser asked the Secretary of State for Education and Science what Government funded research is at present being conducted into the cause and cure of muscular atrophy.

Mr. Brooke: The Medical Research Council, which receives grant-in-aid through the Department, is the main Government agency for the promotion of medical research in the United Kingdom. I understand that the MRC is currently funding 37 projects into the cause and cure of muscular atrophy and that total expenditure on such research in the financial year 1983-84 (including expenditure on projects which could prove relevant to muscular atrophy) amounted to £1·1 million. I understand that research work relevant to muscular atrophy may also be conducted in universities and medical schools using funds allocated for teaching and research on the advice of the University Grants Committee, but details of such work are not collected centrally.

Scientists (Medical Research)

Mr. Greenway asked the Secretary of State for Education and Science what progress has been made by universities or other employing bodies regarding the establishment of a career structure offering continuity for non-clinical basic scientists engaged in medical research; and what steps are being taken in this direction.

Mr. Brooke: These are matters between employers and their employees on which my right hon. Friend has no information.

Universities (Private Grants)

Mr. Thurnham asked the Secretary of State for Education and Science if he is satisfied with the current trend in the level of private grants to universities; and if he will make a statement.

Mr. Brooke: My right hon. Friend is encouraged by indications that universities are increasing their income from private sources. Between the academic years 1981-82 and 1983-84 universities' incomes from endowments, donations and subscriptions, and from non-public grants and contracts, has increased from £91 million to £134 million, an increase in real terms of about 33 per cent. But income from such sources still represents only a small proportion of total income and my right hon. Friend believes that there is scope for continuing improvement.

Research

Mr. Greenway asked the Secretary of State for Education and Science (1) if he will take steps to collect information centrally from the individual universities and other institutes of higher education regarding the number of staff engaged in research full-time who hold *(a)* tenured posts and *(b)* untenured posts; and, in the case of those who hold untenured posts, how many are excluded by their conditions of employment from their right to redundancy pay, or to challenge unfair dismissal;

(2) if he will take steps to collect information centrally as to *(a)* how many permanent posts are available in medical schools for non-medically qualified researchers, *(b)* how many such researchers are employed on a short-time contract basis and *(c)* how many medical schools in the United Kingdom include in their conditions of employment for such researchers the obligatory waiving of statutory rights to redundancy, unfair dismissal, and so on;

(3) if he will take steps to obtain central records relating to the number of contract research staff currently supported by short-term grants in universities, medical schools and other institutes of higher education who are under 30 years, between 30 and 35 years, or over 35 years; what proportion of these is women; how many of these are on (i) five-year contracts (ii) three years or less; how these figures compare with *(a)* 10 years ago and *(b)* five years ago; what proportion of these are supported by the Research Council as compared with charitable sources; and what is the breakdown for the individual research councils.

Mr. Brooke: No.

Studentships and Fellowships

Mr. Greenway asked the Secretary of State for Education and Science if he will take steps to obtain information as to the number of applications from graduates for PhD studentships and post-doctoral fellowships at institutes of higher education currently pending and, in respect of such applicants, the number who obtained their first degree *(a)* in the United Kingdom, and *(b)* overseas; and how these figures compare with those of 10 years ago.

Mr. Brooke: No.

Nursery Education

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science what percentage of three and four-year-old children in each local authority area are *(a)* in full-time nursery education and *(b)* in part-time nursery education; and how this compares with each of the last five years.

Mr. Dunn: The percentages of the three and four-year-old population attending nursery schools and classes in maintained nursery and primary schools in England for the past five years are as follows:

Percentages

Local Education Authority	1980		1981		1982		1983		1984	
	Full-time pupils	Part-time pupils	Full-time pupils	Part-time pupils	Full-time pupils	Part-time pupils	Full-time pupils	Part-time pupils	Full-time pupils	Part-time pupils
Barking	8	14	11	15	9	23	5	26	4	32
Barnet	4	22	3	25	4	26	3	29	3	29
Bexley	1	8	1	11	1	11	1	11	1	10
Brent	6	24	7	28	7	30	6	30	5	30
Bromley	0	1	0	1	0	2	—	2	0	2
Croydon	2	5	2	5	2	5	1	6	2	6
Ealing	2	23	1	30	0	38	0	36	0	36
Enfield	0	20	0	21	—	22	—	22	—	21
Haringey	8	27	10	30	9	34	10	37	10	35
Harrow	1	16	1	17	0	19	0	17	—	16
Havering	—	4	—	4	—	4	—	4	0	4
Hillingdon	0	40	0	41	0	43	0	41	0	43
Hounslow	1	30	1	32	18	45	17	48	11	48
Kingston-upon-Thames	3	28	3	29	3	30	3	28	3	27
Merton	1	37	1	39	1	40	1	42	1	40
Newham	3	44	4	49	4	56	4	57	4	56
Redbridge	1	9	1	9	1	8	1	8	1	8
Richmond-upon-Thames	1	11	1	17	1	17	1	18	0	16
Sutton	2	12	2	13	1	15	1	16	1	14
Waltham Forest	3	32	3	36	3	38	3	37	3	37
ILEA	14	24	15	23	16	23	16	24	16	24
Birmingham	15	10	16	12	16	14	13	15	13	16
Coventry	7	13	6	16	5	17	5	18	4	19
Dudley	6	16	6	17	5	20	3	23	3	23
Sandwell	7	27	7	29	6	31	6	34	5	34
Solihull	0	20	0	24	0	25	0	26	0	25
Walsall	3	44	4	51	6	53	5	54	3	52
Wolverhampton	0	46	—	50	—	51	—	53	0	56
Knowsley	0	15	0	21	0	26	—	27	—	28
Liverpool	9	31	11	34	10	37	9	38	7	37
St. Helens	0	18	0	18	0	19	0	20	0	19
Sefton	3	24	4	22	3	25	2	26	2	26
Wirral	1	15	1	17	1	19	1	17	1	16
Bolton	14	16	13	19	13	20	10	22	9	24
Bury	5	7	6	9	6	10	5	12	5	14
Manchester	37	15	38	15	37	16	36	18	32	19
Oldham	12	12	13	11	12	14	12	14	11	17
Rochdale	4	24	6	24	5	24	4	24	4	24
Salford	30	6	32	7	36	9	37	12	37	12
Stockport	5	7	5	8	4	9	4	9	3	10
Tameside	4	26	4	33	4	35	3	36	3	37
Trafford	1	9	1	10	1	10	1	10	1	10
Wigan	0	16	0	18	1	21	1	22	1	22
Barnsley	2	44	2	51	1	50	1	49	1	48
Doncaster	2	36	2	38	2	40	2	37	2	36
Rotherham	10	27	11	28	11	28	7	33	7	32
Sheffield	6	24	7	28	6	32	6	32	5	32
Bradford	6	22	6	23	6	23	5	23	4	24
Calderdale	20	3	21	3	21	3	16	12	13	14
Kirklees	1	26	1	27	1	31	1	30	1	32
Leeds	2	18	3	21	3	23	3	24	2	26
Wakefield	6	34	5	34	5	35	5	37	4	38
Gateshead	4	19	5	25	4	29	2	31	2	30
Newcastle upon Tyne	21	15	23	16	23	17	21	20	21	19
North Tyneside	5	39	5	42	5	43	4	43	3	44
South Tyneside	7	35	7	42	4	48	2	52	2	49
Sunderland	4	26	5	26	4	29	3	31	3	32
Avon	7	5	7	5	7	6	7	6	7	6
Bedfordshire	8	21	8	23	7	24	5	24	5	24
Berkshire	3	19	3	19	2	19	2	20	2	20
Buckinghamshire	0	13	0	13	0	12	0	12	—	12
Cambridgeshire	2	9	2	10	2	10	2	10	2	9
Cheshire	1	16	2	18	1	19	1	19	1	19
Cleveland	1	42	1	43	1	44	1	46	0	47
Cornwall (including Isles of Scilly)	1	11	1	12	1	12	1	13	0	13
Cumbria	3	14	3	15	3	16	2	16	2	18
Derbyshire	5	14	5	15	5	15	4	15	4	15
Devon	1	6	1	7	1	7	1	7	1	7
Dorset	—	5	—	5	0	5	—	5	—	5
Durham	5	26	4	28	4	30	3	31	3	32
East Sussex	0	7	1	7	0	7	0	7	0	7
Essex	1	4	1	4	1	4	1	5	1	5
Gloucestershire	—	—	—	—	—	—	—	—	—	—

Local Education Authority	1980 Full-time pupils	1980 Part-time pupils	1981 Full-time pupils	1981 Part-time pupils	1982 Full-time pupils	1982 Part-time pupils	1983 Full-time pupils	1983 Part-time pupils	1984 Full-time pupils	1984 Part-time pupils
Hampshire	0	5	0	5	0	5	0	5	0	5
Hereford and Worcester	1	4	1	4	1	4	1	4	1	5
Hertfordshire	2	30	2	29	1	29	1	30	1	30
Humberside	6	17	6	19	5	21	5	22	5	23
Isle of Wight	1	4	1	4	1	5	1	5	1	5
Kent	0	4	0	5	0	5	—	5	—	5
Lancashire	2	12	1	13	1	14	1	14	1	14
Leicestershire	6	16	6	16	7	17	6	16	6	16
Lincolnshire	2	6	2	6	2	6	1	6	1	6
Norfolk	0	4	0	5	0	5	0	5	0	5
North Yorkshire	3	13	3	13	3	14	2	14	2	16
Northamptonshire	2	7	1	7	1	7	2	9	2	10
Northumberland	3	10	3	13	3	14	1	15	2	17
Nottinghamshire	3	36	3	36	3	38	3	37	2	39
Oxfordshire	3	10	3	10	3	10	2	10	1	11
Shropshire	0	10	0	11	0	11	0	10	0	11
Somerset	1	0	1	0	1	0	1	0	0	—
Staffordshire	10	12	11	13	10	13	10	13	9	13
Suffolk	1	9	1	10	1	10	0	10	0	10
Surrey	1	11	1	11	1	11	1	11	1	11
Warwickshire	2	13	2	13	2	14	2	14	2	14
West Sussex	0	3	0	3	0	3	0	3	0	3
Wiltshire	0	1	0	1	0	1	0	1	0	1
ENGLAND	4	15	4	16	4	18	4	18	4	18

Thornfield School, Heaton

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science if he will arrange for an inquiry to be established into the standards of education and the levels of punishment at Thornfield school, Mauldeth Road, Heaton Mersey, Stockport.

Mr. Dunn: My right hon. Friend does not intend to establish an inquiry regarding Thornfield school; standards of education and discipline are matters for the Stockport local education authority, which maintains this special school for children with emotional and behavioural problems and is responsible for its day-to-day operation.

Universities (Complaints Procedures)

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science if he will make a statement about complaints procedures in universities.

Mr. Brooke: Universities are responsible for determining their own procedures, under the terms of their founding Instruments, my right hon. Friend is concerned however that universities should have appropriate machinery for dealing with complaints of various kinds and looks forward to the outcome of the consideration that the Committee of Vice-Chancellors and Principals is giving to these issues.

International Youth Year

Mr. Murphy asked the Secretary of State for Education and Science what funding is provided for the English national co-ordinating committee for International Youth Year 1985; what percentage is available for political campaigning; and if he will make a statement.

Mr. Dunn: Grants to the committee, up to 31 March 1985, have amounted to £133,850, and a further £115,000 has been offered for 1985-86 subject to the normal conditions applicable to such grants. The committee undertakes a number of activities in connection with international youth year, and grant aid is not generally allocated for separate aspects of this work.

Student Grants

Mr. Adams asked the Secretary of State for Education and Science if he will introduce legislation to permit the withholding or abatement of grant in the cases of students proved to have been involved in the commission of public order offences.

Mr. Brooke: Under the Mandatory Awards Regulations local education authorities have the power not to grant an award to a person who has, in their opinion, shown himself by his conduct to be unfitted to receive one.

University Grants Committee

Mr. Thurnham asked the Secretary of State for Education and Science if he will increase the proposed level of allocation to the University Grants Committee for 1985-86 by an amount equivalent to the estimated increase in the burden on universities of the higher employers' national insurance contributions announced in the Budget.

Mr. Brooke: This matter is under consideration.

Deaf School Leavers

Mr. Ashley asked the Secretary of State for Education and Science what special educational facilities are provided for young deaf school leavers to enable them to cope with their handicap and seek employment.

Mr. Dunn: These matters are the responsibility of local education authorities and schools. Information on local arrangements is not collected centrally.

Deafness (Research Projects)

Mr. Ashley asked the Secretary of State for Education and Science, of the money allocated for medical and

scientific research, what proportion and how much was spent on sensory problems in the last year for which figures are available; how much was spent on the problems of *(a)* deafness and *(b)* sight; and if he will list the research projects concerned with deafness supported by his Department.

Mr. Brooke: The Medical Research Council is the main Government agency for the promotion of scientific research in the United Kingdom. The council's annual report for the financial year 1983-84 indicates that the MRC allocated approximately £25 million to projects on (or which could prove relevant to) an understanding of vision, hearing, the central nervous system, the neuromuscular system, the cerebrovascular system and other sensory systems and pain. This represented about 22 per cent. of the MRC's grant-in-aid of £113·7 million in that year which itself constituted about 22 per cent. of the total science budget. The annual report shows that, of the total I have mentioned, £2·9 million is attributable to vision research and £2·2 million to hearing. I understand that the MRC is currently supporting about 50 projects on deafness, and I will write to the right hon. Member with details.

I understand that research work on sensory problems, including hearing and deafness may also be conducted in universities and medical schools using funds allocated for teaching and research on the advice of the University Grants Committee, but comprehensive details of such work are not available.

Teacher Training

Mrs. Renée Short asked the Secretary of State for Education and Science if he will propose changes in the training of teachers to equip them correctly to explain the democratic procedures of Parliament and local government.

Mr. Dunn: The criteria for the approval of courses of initial teacher training issued in April 1984 include the requirement that students should be given an understanding of the type of society in which pupils are growing up and of the relationship between the adult world and what is taught in schools. In particular, they should be equipped to help pupils acquire an understanding of the values of a free society and its economic and other foundations. Over the next three to four years all initial teacher training courses will be reviewed against the criteria by the Council for the Accreditation of Teacher Education, which will advise my right hon. Friend whether existing courses should continue to be approved and whether proposals for new courses should receive approval. My right hon. Friend has no plans to issue more specific guidelines on the content of initial teacher training courses.

Higher Education (National Insurance Contributions)

Mr. Sims asked the Secretary of State for Education and Science what estimate he has made of the increased costs to *(a)* universities, *(b)* polytechnics and *(c)* colleges and institutes of higher education in England and Wales imposed by the changes in national insurance contributions; and if he will take steps to match these with an increase in grants.

Mr. Brooke [*pursuant to his reply*, 4 April 1985, c. *697*]: The Department's estimate of the increased cost in the first full year of the changes in national insurance contributions for universities and other centrally funded institutions of higher education is about £10 million. The implications are under consideration.

It is estimated that local authorities will gain overall from the changes: no estimates have been made for particular service sectors and the Government do not have details of all salaries and wages paid by local authorities.

HOME DEPARTMENT

"Death Stars"

Mr. Murphy asked the Secretary of State for the Home Department if he will take steps to ban the sale of the kung fu weapon known as Death Stars.

Mr. Giles Shaw: I shall reply as soon as possible.

Metropolitan Police (Handbook)

Mr. Austin Mitchell asked the Secretary of State for the Home Department if he will place in the Library a copy of the handbook just issued to members of the Metropolitan police called "Principles for Policing and Guidance for Professional Behaviour".

Mr. Giles Shaw: My right hon. and learned Friend did so on 2 April.

"Nuclear Winter" Theory

Mr. D. E. Thomas asked the Secretary of State for the Home Department if, as part of his monitoring of research into the nuclear winter theory, he will seek to obtain a copy of the study of Messrs. Turco, Toon, Ackerman, Pollack and Sagan.

Mr. Giles Shaw: The conclusions reached by these scientists were published in late 1983 and have long been available to the Department.

Badgers

Mr. Murphy asked the Secretary of State for the Home Department if he will make a statement on current Government policy regarding action to counter the baiting of badgers; and if he will indicate what recent representations he has received on this subject.

Mr. Brittan: Badger baiting is illegal under the Protection of Animals Act 1911. The Badgers Act 1973, by making it an offence wilfully to take, kill, injure or dig for badgers except in particular circumstances, excluding sport, gives them additional protection. The Government are sympathetic towards any reasonable measure which will strengthen the protection afforded to badgers without jeopardising legitimate activities such as field sports or pest control. They have therefore welcomed the efforts made by the hon. Member for South Shields (Dr. Clark) in his Bill to amend the Wildlife and Countryside Act 1981 to extend the law in this area and tabled an amendment during Committee stage which offered significant improvement on existing legislation. The amendment was agreed and the Government are now considering if any further amendment is possible within the policy constraints outlined.

In the last six months, I have received representations on this subject from many hon. Members, members of the public and conservation groups.

Metropolitan Police (Siege Tactics)

Mr. Cohen asked the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis as to *(a)* the circumstances surrounding the siege in a chemist's shop in Lea Bridge road, Leyton, on 2 April, *(b)* details of the associated police operation and *(c)* whether the police sought any assistance from the army in dealing with the incident.

Mr. Giles Shaw: The Commissioner of Police of the Metropolis informs me that at approximately 9.30 am on Tuesday 2 April Mr. Gary Osbourne entered a chemist's shop at 585 Lea Bridge road, Leyton, London E17, armed with a shotgun and took hostage the pharmacist, Mr. Malik, and his assistant, Miss Paul. Armed officers surrounded the premises and contact was made with Mr. Osbourne by intercom. At about 11.30 am the hostages were released unharmed and at 12 noon Mr. Osbourne surrendered and was arrested. No shots were fired and the police did not seek assistance from the army. Mr. Osbourne has been charged with possessing a loaded firearm with intent to endanger life.

Strip Searches

Mr. McNamara asked the Secretary of State for the Home Department (1) how many strip searches were made on women prisoners in Her Majesty's prison East Sutton Park in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(2) how many strip searches were made on women prisoners in Her Majesty's prison Drake Hall in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(3) how many strip searches were made on women prisoners in Her Majesty's prison Askham Grange in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(4) how many strip searches were made on women prisoners in Her Majesty's prison Styal in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(5) how many strip searches were made on women prisoners in Her Majesty's prison Durham in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(6) how many strip searches were made on women prisoners in Her Majesty's prison Cookham Wood in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(7) how many strip searches were made on women prisoners in Her Majesty's prison Bulwood Hall in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(8) how many strip searches were made on women prisoners in Her Majesty's prison Holloway in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(9) how many strip searches were made on girls at Drake Hall custody centre in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(10) how many strip searches were made on girls at East Sutton Park custody centre in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(11) how many strip searches were made on women prisoners in Risley remand centre in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(12) how many strip searches were made on women prisoners in Pucklechurch remand centre in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners;

(13) how many strip searches were made on women prisoners in Low Newton remand centre in the years 1982, 1983 and 1984, distinguishing between prisoners held on remand and sentenced prisoners.

Mr. Brittan: This information is not available.

Alcohol (Wholesaling)

Mr. Speller asked the Secretary of State for the Home Department if he will introduce legislation to require a licence for the wholesaling of alcoholic beverage.

Mr. Brittan: I have at present no plans to do so.

Winson Green Prison

Mr. Rooker asked the Secretary of State for the Home Department how many persons have served sentences of less than one week at Winson Green prison, Birmingham, in the past three months.

Mr. Brittan: According to the records held centrally, about 30 persons were initially received into Birmingham prison in the period 1 December 1984 to 28 February 1985 to serve sentences of less than one week.

Cannabis

Mr. Peter Bruinvels asked the Secretary of State for the Home Department (1) what is his policy towards *(a)* the possession and *(b)* the smoking of cannabis;

(2) what is his response to the editorial on the law relating to cannabis in the edition of *Police Review* dated 5 April, a copy of which has been sent to him.

Mr. Brittan: It is my firm policy that there should be no change in the law relating to cannabis.

Crimes Against Children

Mr. Peter Bruinvels asked the Secretary of State for the Home Department if he will call for reports from each chief constable as to the number of children who were *(a)* murdered, *(b)* abducted and *(c)* sexually assaulted in 1984 and to date in 1985; how these figures compare with the previous five years; and if he will make a statement.

Mr. Giles Shaw: I shall reply as soon as possible.

TRADE AND INDUSTRY

Departmental Legislation

Mr. Galley asked the Secretary of State for Trade and Industry how many Acts of Parliament have been promoted and how many statutory instruments made by his Department, or predecessor Departments covering his area of responsibility in each of the last 20 years.

Mr. Butcher: The information requested is not held centrally within the Department and given the changes to the machinery of Government over the last 20 years some of the information could only be obtained at disproportionate cost.

Following is the information which is readily available:

Year*	Acts of Parliament
1983-84	4
1982-83	7
1981-82	7
1980-81	8
1979-80	9
1978-79	9
1977-78	6
1976-77	9
1975-76	8
1974-75	10
1973-74	4
1972-73	9
1971-72	10
1970-71	19
1969-70	7

Year†	Statutory Instruments
1984	91
1983	117

Notes:
* Parliamentary Session.
† Calendary Year.

Her Majesty's Stationery Office publishes annually "Lists of Statutory Instruments" and "Tables and Indices to Public and General Acts and General Synod Measures". Both of these are currently up to date to the end of 1983.

"Wealth of Waste"

Sir Geoffrey Finsberg asked the Secretary of State for Trade and Industry if he will explain the reasons for the delay in the submission of the Government's reply to the report of the Trade and Industry Committee entitled the "Wealth of Waste", HC, 1983-84, No. 640; and if he will make a statement.

Mr. Trippier: The Select Committee's report was published on 19 December, just before the Christmas recess. In the preparation of the Government's response, there had to be consultations between several interested Departments and consideration given to the views of outside bodies. It was therefore agreed with the Chairman of the Committee that some extension of the normal timescale was in order. As was indicated in an earlier reply to my hon. Friend the Member for Erewash (Mr. Rost) on 2 April 1985 at column *469*, the Government's response was delivered to the Committee on 25 March.

Pesticides

Mr. Body asked the Secretary of State for Trade and Industry what was the total quantity of organophosporus pesticides manufactured in the United Kingdom annually.

Mr. Butcher: There is no information available on the quantity of organophosporus pesticides manufactured in the United Kingdom but figures for the value of sales by United Kingdom manufacturers are published in table 1 of the Business Monitor PQ 2568 Formulated Pesticides, copies of which are in the Library.

TABLE 1

*Sales of Formulated Pesticides by United Kingdom Manufacturers**

PQ 2568

£ thousands

	No. of enterprises† 1984	1983	1984 P	1983 4th qtr	1984 1st qtr R	1984 2nd qtr R	1984 3rd qtr R	1984 4th qtr P
Pesticides:								
Insecticides (other than seed dressings):								
Containing organo-phosphorus compounds	12	46,351	57,960	8,638	13,929	21,181	12,184	10,666
Containing organo-chlorine compounds	9	14,457	16,725	4,106	5,501	3,453	2,792	4,979
Other	12	82,516	101,383	10,746	23,097	31,189	21,682	25,415
Rodenticides	4	1,162	1,156	368	278	277	331	270
Seed dressings (containing fungicides only or fungicide and insecticide) and sheep and cattle dips	4	5,496	5,272	974	683	1,647	1,563	1,379
Other pesticides (incl. nematocides)	4	2,255	2,185	676	579	789	266	551
Preparations for plant control (eg rooting compounds, anti-sprouting products, fruit setting and dropping compounds etc.):								
Fungicides	9	36,194	53,567	9,216	15,871	18,599	4,036	15,061
Herbicides:								
Containing phenoxy derivatives of acetic, propionic or butyric acids	7	58,206	71,088	10,088	23,817	23,293	10,579	13,399
Other		[86,732	—	[16,114	26,585	25,176	—	[19,002
Other preparations for plant control	17	{ 9,604	98,646	{ 983	2,246	4,695	17,795	{ 880
Unclassified sales (including work done)		[2,597	—	[745	790	729	—	[746

	No. of enterprises† 1984	1983	1984 P	1983 4th qtr	1984 1st qtr R	1984 2nd qtr R	1984 3rd qtr R	1984 4th qtr P
Total sales of principal products of Activity Heading 2568 (Formulated pesticides) and work done		345,572	407,980	62,653	113,376	131,031	71,226	92,348
Less sales (included above) of principal products for AH 2568 by establishments classified to other industries		83,706	95,736	13,033	23,324	28,892	21,376	22,144
Plus sales by establishments classified to AH 2568 of principal products of other industries		35,982	37,419	9,791	9,336	10,056	9,094	8,933
Plus sales of merchanted goods	10	341,580	384,421	79,540	98,837	91,638	102,831	91,114
Total sales and work done by establishments classified to AH 2568 and contributing to the inquiry*	11	639,428	734,083	138,950	198,224	203,832	161,776	170,250
Total sales and work done by all establishments classified to AH 2568‡		682,400	785,300	147,700	211,700	217,700	173,400	182,500

* Please see note on coverage in introduction. Sales are deliveries on sale for home and abroad: forward sales are excluded. Values are net selling values: value added tax, trade discounts and commissions are excluded.

† An enterprise comprises one or more establishments under common ownership or control. The figure shown is the largest number of enterprises contributing to the heading in any one of the four quarters of 1984.

‡ The figures against this heading include estimates for establishments classified to Activity Heading 2568 but not contributing to the inquiry. These estimates were revised in the Q3/84 monitor following a major review of the register of businesses used for Business Statistics Office inquiries. For further information on the revisions or on grossed-up estimates in general, please see the Q3/84 edition of Business Monitor PQ1002.

Exchange Risk Cover

Mr. Jackson asked the Secretary of State for Trade and Industry why the Government's exchange risk cover on European Investment Bank loans to private industry in non-assisted areas was terminated on 31 December 1984.

Mr. Norman Lamont: The rising costs of operating the exchange risk guarantee scheme and the availability of alternative sources of finance led to my decision to withdraw the scheme for lending outside the assisted areas under the new Community instrument. This took effect from 31 December 1984, with suitable transitional arrangements being agreed with agents. This decision was taken as part of a more general review of the effectiveness of the scheme.

Post Office

Mr. Spearing asked the Secretary of State for Trade and Industry if, pursuant to his statement on 2 April, *Official Report*, columns 1073-9, concerning the use of an optical character recognition machine at Mount Pleasant sorting office, he will make a statement on the agreements relating to the use of the machine and the date of their termination.

Mr. Pattie: No. That is a matter for the Post Office and the Union of Communication Workers.

Silk

Mr. Nicholas Winterton asked the Secretary of State for Trade and Industry if he will list the total value of *(a)* imports and *(b)* exports of silk and silk products into and from the United Kingdom in each of the last 10 years; and what each of these figures is as a percentage of total textile imports and exports in each of those years.

Mr. Channon: The information is as follows:

United Kingdom Trade in Silk and Silk Products and Textiles

£ millions

	Imports (c.i.f.)			*Exports* (f.o.b.)		
	Silk and Silk Products	*Textiles*	*Silk per cent*	*Silk and Silk Products*	*Textiles*	*Silk per cent*
1978	8	1,541	0·5	4	1,411	0·3
1979	8	1,794	0·5	4	1,540	0·3
1980	8	1,636	0·5	6	1,567	0·4
1981	11	1,860	0·6	6	1,382	0·4
1982	14	2,036	0·7	7	1,379	0·5
1983	19	2,449	0·8	9	1,517	0·6
*1984**	22	2,847	0·8	11	1,733	0·7

* Provisional

Source:

Textiles

SITC/R2 Division 65, Groups 266 and 267. Sub-group 268.7 (part), and item 847.11 in the United Kingdom Overseas Trade Statistics.

Silk and Silk Products

SITC/R2 Sub-groups 651.1 and 654.1, items 654.99 tariff-code 5804-0500, 656.01 5805-2000, and 657.73 5917-2100 in the United Kingdom Overseas Trade Statistics.

Notes:

(i) These definitions for textiles and silk do not include items of clothing or raw materials. Silk and silk products included as part of other headings are also excluded.

(ii) Due to changes in classification between SITC/R1 and SITC/R2 in 1978 it is not possible to provide corresponding data prior to that date.

Mr. Nicholas Winterton asked the Secretary of State for Trade and Industry what information he has concerning the value of the annual output of the silk and silk product industries in each of the other member countries of the European Community.

Mr. Channon: The readily available information is in the table.

Production in the Silk Industry*

Millions of ECUs

	Federal Republic of Germany	*France*	*Italy*	*Belgium*	*Ireland*	*Denmark*	*Exchange Rate ECUs to £*
1973	572	719	648	257	23	68	1·99
1974	641	909	695	273	25	74	1·96
1975	†	1,007	735	274	17	68	1·79
1976	558	826	881	362	17	82	1·61
1977	845	759	974	339	20	86	1·53
1978	883	753	1,052	356	21	64	1·51
1979	1,034	836	1,328	387	17	70	1·55
1980	982	826	1,345	412	†	89	1·67
1981	945	822	1,514	†	†	98	1·81

* Production value (excluding VAT)
† not available
Source: Eurostat (CRONOS).

Mr. Nicholas Winterton asked the Secretary of State for Trade and Industry what information he has concerning the tonnage and value of tussah silk imported from China in each of the last 10 years.

Mr. Channon: Tussah silk is not separately identified in the United Kingdom Overseas Trade Statistics.

Mr. Nicholas Winterton asked the Secretary of State for Trade and Industry what regulations currently cover the import of tussah silk into the United Kingdom from China.

Mr. Channon: Imports of certain woven fabrics of tussah silk from China are free of quantitative restrictions provided they are certified as such by the appropriate Chinese authorities. Such tussah silk fabrics are those containing not less than 50 per cent. weight of tussah silk and exceeding 585g per 10 square metres in the gum or 485g per 10 square metres degummed. All other silk fabrics exceeding 585g per 10 square metres in the gum or 485g per 10 square metres degummed are subject to a quantitative limit of 65 tonnes per annum from China, as provided by Council Decision 84/657/EEC of 18 December 1984.

Buggy Pushchairs

Mr. Murphy asked the Secretary of State for Trade and Industry when he will announce his proposed regulations concerning the safety of child buggy pushchairs; and if he will make a statement.

Mr. Fletcher: As stated in reply to my hon. Friend the Member for Chipping Barnet (Mr. Chapman) on 19 December 1984 at column *288*, I hoped to lay draft new regulations before the House this spring. However the EC Commission considers that in their present form the regulations would create a barrier to trade and has asked for their introduction to be suspended until this question has been resolved.

The Government rely on safety grounds as justification for the regulations. I cannot say at present when the regulations will go ahead.

Copyright Protection

Mr. Neil Hamilton asked the Secretary of State for Trade and Industry how many Patent Office officials sit on, or are associated with, committees or legal or administrative bodies linked to copyright protection.

Mr. Butcher: One Patent Office official acts as secretary to the performing right tribunal which was established by the Copyright Act 1956.

Mr. Neil Hamilton asked the Secretary of State for Trade and Industry if he will list all Patent Office research projects over the past three years which have wholly or partly been funded by legal or administrative bodies linked to copyright protection.

Mr. Butcher: There have been no such projects.

Exports

Mr. Andrew MacKay asked the Secretary of State for Trade and Industry if he will give the value of United Kingdom visible exports of non-oil manufactures per head of those employed in the manufacturing industries for each of the years 1980 to 1984, explaining the basis of computation.

Mr. Channon: The information requested is as follows. The figures represent United Kingdom exports of principal products of industries classified to the manufacturing sector (divisions 2 to 4 of the Standard Industrial Classification 1980) divided by the corresponding June estimates for United Kingdom employees in employment.

Exports per head by the manufacturing sector

	£000
1980	5·6
1981	6·3
1982	7·0
1983	7·9
1984	9·2

Small Businesses

Mr. Evennett asked the Secretary of State for Trade and Industry whether he intends to make any changes in the advisory services provided by his Department to small businesses.

Mr. Trippier: I do not at present plan any further changes to the advisory services provided by my Department to small businesses following those I announced on 27 March when I launched the new support for business package. Under this package all DTI support measures have been grouped under four headings in order to make it easier for firms to understand what is on offer.

Business and technical advisory services are one of the headings in the package, and there are three main elements to these services. They are:

(1) Advice for small firms
(2) Products and process consultancy
(3) Grants for new technology feasibility studies

A change in the assistance available under the products and process consultancy heading is that the eligible firm size is now 1-500 employees for all the services available, which widens the scope for small and medium sized firms to benefit than was the case hitherto. Further details of the assistance available can be found in the Department's Support for Business pamphlet, a copy of which is being placed in the Library.

Yarrow Shipbuilders

Mr. Dewar asked the Secretary of State for Trade and Industry what consideration will be paid in cash by GEC to British Shipbuilders for Yarrow Shipbuilders; what percentage this represents of the total price; and whether this sum is to be paid on the handing over of the yard to its new owners.

Mr. Butcher: My right hon. Friend has consented to the sale of Yarrow Shipbuilders Ltd. to GEC on the following terms.

	£ million
Payable for the shares, in cash by GEC on completion of the sale	17·15
Loan to be repaid by Yarrow Shipbuilders to BS on completion of the sale	3·08
Dividend to BS declared by Yarrow Shipbuilders before completion	10·00
Estimated payment to be made March 1986 by Yarrow Shipbuilders to BS for group tax relief	3·70
Total	33·93

Mr. Dewar asked the Secretary of State for Trade and Industry if he will give the details of the loans outstanding to date to Yarrow Shipbuilders, and if they will be settled prior to the sale of Yarrows to GEC.

Mr. Butcher: There is currently a loan of £3·082 million owed by Yarrow Shipbuilders to British Shipbuilders. This loan will be repaid on completion of the sale to GEC.

Mr. Dewar asked the Secretary of State for Trade and Industry how much has been paid in dividend by Yarrow Shipbuilders to British Shipbuilders in each year from 1980-81 to 1984-85 inclusive.

Mr. Butcher: In the year ended 31 March 1981 Yarrow Shipbuilders declared an interim dividend of £44,000 for that year.

In the year ended 31 March 1982 the company declared a final dividend of £20,475,000 for the previous year. This dividend took into account profits made by the company since nationalisation; no dividends, other than the interim dividend of £44,000 paid in the year ended 31 March 1981, having been paid previously.

In the year ended 31 March 1983 the company declared a final dividend of £5,116,000 for the year ended 31 March 1982.

In the year ended 31 March 1984 the company declared a final dividend of £4,067,000 for the year ended 31 March 1983.

In the year ended 31 March 1985 the company declared a final dividend of £6,343,000 for the year ended 31 March 1984 and an interim dividend of £10 million in respect of the period 1 April 1984 to 22 February 1985.

Company Reports

Mr. Ryder asked the Secretary of State for Trade and Industry when the following companies last filed their reports: Leisure Arts Centre Ltd., Gomba Holdings UK Ltd. and Arena Holdings Ltd.; and whether they were filed within the statutory period.

Mr. Fletcher: There is no company registered under the name Leisure Arts Centre Ltd. However, a company registered as LLAC Ltd. last filed an annual return and accounts on 10 October 1984. The annual return was eight months late, but the accounts were filed within the permitted period. Gomba Holdings UK Ltd. last filed an annual return on 26 June 1984 and accounts on 22 December 1983. They were 4½ months and seven weeks late respectively. Arena Holdings Ltd. was incorporated on 23 December 1983 and no annual return or accounts have yet become due.

Scrap Metal

Mr. Frank Field asked the Secretary of State for Trade and Industry if he will make a statement on his discussions with the British Scrap Federation in respect to the export of scrap metals to Spain.

Mr. Butcher: My hon. Friend the Minister for Industry recently met the British Scrap Federation, when discussion concentrated on the availability and price of scrap.

During the meeting reference was made to the escalating price of scrap sold to Spanish producers. The federation pointed out that the Spanish price reflected the dollar price (the United States being the dominant influence on prices) and was not above the world market price.

During the 26 March Steel Council Ministers while noting the recent fall in the price of scrap in the EC agreed that the European Commission should investigate the effect of Spanish purchases on the Community market.

Industrial Building Allowance

Mr. Waller asked the Secretary of State for Trade and Industry when he expects to make an announcement about the future of the 100 per cent. industrial building allowance for small industrial premises.

Mr. Trippier: The 100 per cent. industrial building allowance scheme ended on 26 March 1985.

Mr. Waller asked the Secretary of State for Trade and Industry when he expects to publish the results of the review undertaken by his Department of the 100 per cent. industrial building allowance for small industrial premises.

Mr. Trippier: The results of the review will be published shortly.

AGRICULTURE, FISHERIES AND FOOD

Meat Exports

Mr. Beggs asked the Minister of Agriculture, Fisheries and Food what is the total value of claims for payment of

advance export refunds on meat under European Economic Community regulation 565/80 for which payment has still to be made to Northern Ireland exporters for meat accepted by the Intervention Board during November 1984, December 1984, January 1985 and February 1985, respectively.

Mrs. Fenner: This information is not readily available and could only be obtained at disproportionate cost.

Intervention Grain

Mr. Nicholson asked the Minister of Agriculture, Fisheries and Food what progress he has made in securing intervention grain for Northern Ireland.

Mrs. Fenner: There is no provision at present for the transfer of intervention grain to deficit regions of the Community.

Pesticides and Herbicides

Mr. Cartwright asked the Minister of Agriculture, Fisheries and Food (1) what representations he has received about his Department's specification of the Draize procedure in the testing of pesticides and herbicides; and what response he has given;

(2) what efforts his Department has made to find an alternative to the Draize procedure in the testing of pesticides and herbicides.

Mrs. Fenner: The most recent representation received by my Department came from the Lord Dowding fund for humane research. The reply explained that while in vitro methods for the assessment of severe eye irritation (as opposed to the in vivo Draize test) may be of value as preliminary screening methods for use with compounds or products for which the eye irritation potential is unknown, their ability to detect the relatively low level of eye irritation which may be caused by many pesticides has yet to be adequately demonstrated. I am advised that some in vivo testing is necessary but our pesticides data requirements are currently being revised in order to reduce animal testing to the minimum.

Products containing components already known to be irritating to the eye will not be required to be tested undiluted; active ingredients and formulations which are severe skin irritants, or which are strongly acidic or alkaline, may be assumed to be eye irritants and thus will not have to be tested in concentrated form; there is also a strong recommendation not to test in the eye materials known to be corrosive to skin. Furthermore, where substances of unknown irritancy need to be tested, application should be made initially to one animal only, before proceeding to a further two animals, provided it is not shown to be strongly irritant in the first animal.

Agriculture Council

Mr. McQuarrie asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the outcome of the meeting of the Agriculture Council in Luxembourg which took place from 1 to 4 April.

Mr. Jopling: I refer my hon. Friend to the reply I gave to my hon. Friend the Member for Devon, West (Sir P. Mills) on 3 April at column *614*.

Quangos

Sir Philip Holland asked the Minister of Agriculture, Fisheries and Food on how many occasions in the 12 months to 31 March the Banana Trade Advisory Committee submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mrs. Fenner: The Banana Trade Advisory Committee meets once a month. In the light of its advice, my Department makes recommendations to the Department of Trade and Industry concerning the issue of licences for the import of bananas from the dollar area to the importers of bananas from the Windward Islands and Jamaica, to whom we have obligations under the Lomé convention.

Sir Philip Holland asked the Minister of Agriculture, Fisheries and Food (1) on how many occasions in the 12 months to 31 March the Hill Farming Advisory Committee for England, Wales and Northern Ireland submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given;

(2) on how many occasions in the 12 months to 31 March the Agricultural Economics Technical Committee submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mrs. Fenner: I shall reply to my hon. Friend as soon as possible.

Veterinary Investigation Service

Mr. Maxwell-Hyslop asked the Minister of Agriculture, Fisheries and Food if he will now make a statement on the efficiency study of the Veterinary Investigation Service.

Mr. Jopling: I have now completed consideration of the report of this study which I commissioned last year. Copies of the report have been placed in the Libraries of both Houses of Parliament.

The report contains 37 recommendations designed to reduce Exchequer costs and increase the efficiency of the service. The proposals fall into four main categories, the main thrust of which I endorse.

First, I agree with the study officers on the need to establish clear objectives and management priorities in the VIS, in particular as regards research and development work. Implementation will form part of the action now in train following last year's study of ADAS (of which the VIS is a part) by its Director General, Professor Bell.

Secondly, the study advocated action to recover a greater proportion of the costs of the service. Again, action to implement these recommendations will proceed in step with the similar recommendations on charging for ADAS services in Professor Bell's report.

Thirdly, the study officers proposed a reduction in the number of centres from 24 to 15 but with an increase in their average size.

I have already received representations from many Members on behalf of farmers and veterinarians expressing concern that the services offered will be adversely affected if particular centres are closed. I have taken careful note of these representations, but I believe that it should be possible to continue to meet the essential needs of the industry from fewer centres.

As to the specific proposals, I believe a strong case has been made for closure of the centres at Northampton, Chester, Liverpool and Cardiff. I also recognise the case for closure of the centre at Gloucester subject to satisfactory alternative arrangements for continuing the important work done there on badgers and tuberculosis control. As regards the centres at Leeds and Lincoln, the need to service the important pig industry in Humberside may require the retention of one or other of these centres or the opening of a new one.

I have commissioned cost appraisals of the options. I have also commissioned cost appraisals of the study officers' proposals for opening 2 new centres to replace the centres at Truro, Starcross, Winchester and Wye. My right hon. Friend the Secretary of State for Wales and I are agreed that the proposal for closure of the centre at Aberyswyth should not be pursued.

Finally, a new management structure for the VIS is recommended. I have some reservations as to the detail of the study officers' proposals but this is for consideration in the light of the new infrastructure of the service that is finally agreed.

The total savings achievable as a result of the study recommendations will depend on the outcome of the further studies and of the consultations with outside interests which I am now setting in train. I would hope that these consultations can be completed over the next two months.

Milk Producers

Mr. Ralph Howell asked the Minister of Agriculture, Fisheries and Food if he will list those member countries of the European Economic Community in which no comprehensive list of milk producers exists.

Mr. MacGregor: I shall reply to my hon. Friend as soon as possible.

Intervention Stores

Mr. Ron Brown asked the Minister of Agriculture, Fisheries and Food, pursuant to the answer of 7 December 1984, *Official Report*, column *295*, and 19 December 1984, *Official Report*, column *201* onwards, if he will provide the latest available figures for the quantities of produce stored in European Economic Community food stores in the United Kingdom.

Mr. Jopling: I shall reply to the hon. Member as soon as possible.

Prices

Sir Peter Mills asked the Minister of Agriculture, Fisheries and Food if he will list the average market prices and intervention prices (or equivalent) for all the main European Economic Community farm products for each year since 1973 *(a)* for the European Economic Community as a whole and *(b)* for the United Kingdom separately.

Mr. Jopling [*pursuant to his reply*, 1 April 1985, c. *420*]: Information on common intervention prices is set out for the main commodities in table 1. Intervention prices applicable in the United Kingdom are shown in table 2. Indications of market price movements are shown in table 3 which contains index numbers for main commodities from the European Community index of producer prices of agricultural products. Details of average market prices in the United Kingdom are shown, for recent years, in table 29 of the "Annual Review of Agriculture 1985" (Cmnd. 9423): data for earlier years are contained in previous White Papers, copies of these are obtainable through the Library of the House.

Table 1—Common Intervention (or Equivalent) Prices at Commencement of Marketing Years

Commodity		1973-74	*1974-75	1975-76	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85
		ua/tonne								ECU/tonne†			
Common Wheat	Reference price (minimum quality breadwheat)‡	—	—	—	131·00	135·59	136·96	168·06	175·20	184·84	198·70	203·67	195·52
	Intervention price (feed wheat)	105·80	115·53	125·93	116·00	120·06	121·57	149·17	155·88	165·23	179·27	184·58	182·73
Barley	Intervention price	96·66	101·43	110·96	116·00	120·06	121·57	149·17	155·88	165·23	179·27	184·58	182·73
Maize	Intervention price	84·08	94·03	103·43	112·20	118·03	121·57	149·17	155·88	165·23	179·27	184·58	182·73
Rye	Intervention price	97·92	106·93	119·76	124·00	128·96	130·25	159·82	163·82	169·20	179·27	184·58	184·58
Rice	Intervention price (paddy rice)	131·30	143·40	154·87	164·16	171·55	174·98	218·58	233·71	259·42	290·55	306·53	314·19
Sugar	Intervention price (white sugar)‖	235·70	264·80	304·50	331·40	346·00	354·70	432·70	461·60	505·00	556·60	577·20	577·20
Olive Oil	Intervention price	877·50	946·10	1427·10	1376·40	1346·20	1411·40	1731·90	1801·20	1963·30	2179·30	2299·20	2276·20
Rape and Colza	Basic intervention price	204·50	223·30	247·90	267·70	277·10	288·20	353·60	367·70	397·10	421·30	438·00	429·20
Wine	Guide price (per hectolitre)¶	30·40	35·43	38·26	40·75	42·18	43·02	52·79	55·69	61·26	68·00	71·74	71·02
Butter	Intervention price (82% fat)	1760·00	1835·80	1946·30	2180·80	2309·50	2357·20	2849·70	2916·00	3178·40	3497·00	3578·60	3197·00
Skimmed Milk powder	Intervention price	660·00	827·40	887·00	901·60	940·90	947·80	1157·90	1215·10	1324·50	1462·30	1496·40	1658·80
Beef and veal Pigmeat■	Intervention price (adult bovines)●	775·80	912·00	989·60	1068·70	1106·10	1133·70	1391·20	1446·80	1555·40	1726·80	1863·80	1845·20

Notes:
* There were two price settlements in 1974: the prices shown are those fixed in the Autumn.
† On the date when the ECU first applied for the purposes of the common agricultural policy (9 April 1979) 1 ua=1·208953 ECU.
‡ No separate price for wheat of breadmaking quality prior to 1976/77.
‖ From 1977/78 the intervention price for sugar is shown inclusive of storage levy.
¶ Intervention measures are triggered when market prices reach fixed proportions of the guide price for the different types. The prices shown are the guide price for Type A 11.
● Intervention buying is available for specified carcase categories at different times of the year at specified buying in prices.
■ No pigmeat intervention buying schemes have operated in the EC in these years. A special, short term scheme will operate in part of Belgium from 3 April until 15 April due to market disruption caused by disease.

Table 2—Intervention prices applicable in the United Kingdom at commencement of marketing years

£/tonne

Commodity		1973-74	*1974-75	1975-76	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85
Common Wheat	Reference price (minimum quality breadwheat)†	—	—	—	64·04	73·59	86·86	97·69	108·39	144·35	122·93	126·00	120·96

Commodity		1973-74	*1974-75	1975-76	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84	1984-85
Barley	Intervention price (feed wheat)	31·28	41·37	50·62	56·12	65·44	77·10	86·71	96·44	102·22	110·91	114·19	113·05
Maize	Intervention price	27·85	35·34	43·78	56·12	65·12	77·10	86·71	96·44	102·22	110·91	114·91	113·05
Rye	Intervention price‡	—	—	—	—	—	—	—	—	—	—	—	—
Rice	Intervention price	24·73	35·15	46·12	59·28	69·78	82·61	92·90	101·35	104·68	110·91	114·19	114·19
Sugar	Intervention price (paddy rice)‡	—	—	—	—	—	—	—	—	—	—	—	—
Olive Oil	Intervention price (white sugar)‖	91·43	113·90	160·31	194·46	208·84	231·29	258·52	293·06	319·91	351·83	364·57	364·57
Rape and Colza	Intervention price‡	—	—	—	—	—	—	—	—	—	—	—	—
Wine	Basic intervention price	70·74	89·26	107·56	137·39	154·52	182·78	205·53	227·48	245·67	260·64	270·97	265·53
Butter	Guide price (per hectolitre)‡	—	—	—	—	—	—	—	—	—	—	—	—
Skimmed Milk powder	Intervention price (82% fat)	406·39	543·31	684·02	981·77	1170·26	1494·95	1656·43	1804·00	1966·33	2163·44	2213·92	1977·84
	Intervention price	304·93	412·61	452·14	513·56	535·94	607·44	673·05	751·73	819·41	904·66	925·76	1026·22
Beef and veal	Intervention price (adult bovines)¶	291·07	386·43	447·55	562·94	624·42	719·00	808·65	895·07	962·26	1068·29	1153·05	1141·54
Pigmeat●													

Notes:
* There were two price settlements in 1974: the prices shown are those fixed in the Autumn.
† No separate price for wheat of breadmaking quality prior to 1976/77.
‡ Intervention is not available in the United Kingdom.
‖ From 1977/78 the intervention price for sugar is shown inclusive of storage levy.
¶ Intervention buying is available for specified carcase categories at different times of the year at specified buying in prices.
● No pigmeat intervention buying schemes have operated in the United Kingdom.

Table 3: EC Index of Producer Prices—EC 10*

(1975 = 100)

	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983
Soft wheat	82·8	94·3	100·0	120·4	130·9	139·1	147·2	158·9	178·6	192·5	208·0
Feeding barley	78·9	95·1	100·0	119·1	124·3	127·0	139·9	146·9	161·8	177·7	195·7
Sugar beet	68·7	87·4	100·0	102·6	103·9	108·7	119·8	134·4	135·4	145·1	162·1
Olives and olive oil	60·2	98·3	100·0	102·8	120·4	125·7	140·8	162·3	186·0	211·5	256·0
Wine must or wine	115·8	102·2	100·0	120·1	140·8	166·9	186·8	189·4	194·5	225·4	230·3
Milk	78·4	87·0	100·0	111·1	122·5	128·1	135·9	145·0	157·3	177·2	191·3
Cattle excluding calves	87·4	83·4	100·0	110·6	120·6	130·4	136·5	144·7	163·2	184·1	191·3

* Excluding VAT.
Source: Eurostat.

Outgoers Scheme

Mr. Knox asked the Minister of Agriculture, Fisheries and Food if he will make a statement on progress made on the outgoers scheme for dairy farmers.

Mr. Jopling [*pursuant to his reply*, 3 April 1985, c. *63*]: Milk producers are being given a second chance to enter the outgoers scheme. Both those who did not apply last year and those who did not accept the initial offer may claim the payments for going out of milk production. The scheme is however being reopened for a limited period only. The necessary application and claims forms may be obtained from the Ministry's divisional offices and should be completed and returned by Friday 3 May 1985. Claimants will have to stop selling milk by Friday 7 June 1985 at the latest. The Milk Supplementary Levy (Outgoers) Scheme came into operation on 24 July 1984. Producers who wished to surrender their quota as outgoers were invited to make application to join the scheme by 28 August 1984. The aim of the scheme was to take in 2·25 per cent. of the quota for England and Wales, a total of 289 million litres. Initially a total of 4,826 producers applied, offering to surrender four times this amount of quota. So far 1,463 producers with 234 million litres have confirmed their wish to give up milk production and a few cases have yet to be settled. The majority however have decided to stay in milk production after all. This allows a second chance to be offered to producers generally.

Any producer who sold milk in England and Wales and qualified for a quota allocation from April 2 1984 can apply provided that they have not previously benefited under the non-marketing of milk, dairy herd conversion or farm structures (payments to outgoers) schemes. Claims from tenants will need to be supported by their landlords.

Outgoers' payments can be either:

(i) For loss of profits in the five years immediately after the date on which production of milk for sale ceases. Such payments will be made at the rate of 2·6p a year for each litre of quota which are to be given up under the scheme; or

(ii) As compensation for the surrender of quota at the rate of 13p per litre, with a total lump sum due being paid out in five equal annual instalments.

Payments under the scheme will be taxed as income if they are made in respect of loss of profits or as capital, if they are made as compensation for the surrender of quota. In each case the first payment will be made as soon as possible after the date on which milk sales have ceased and subsequent payments will be made at yearly intervals thereafter.

When outgoers submit their claims they will have to give several undertakings. The most important of these are that they will give up their quota allocation in its entirety and that they will not be involved with the production of milk for sale as long as the Community milk quota regulations last.

Trees (Imports)

Mr. Chris Smith asked the Minister of Agriculture, Fisheries and Food on what grounds his Department or others refuse a plant health licence or certificate for the purpose of importing trees or parts of trees from Scandinavia.

Mr. John MacKay: I have been asked to reply.

The importation of forest grown conifer trees over three metres in height is prohibited because at this size they are potential hosts of harmful organisms which could pose a threat to British tree stock.

A small number of licences are granted by the Forestry Commission to permit entry from October to December of cut "Christmas trees" of this size traditionally gifted from Scandinavia for public display during the festive season. Only exceptionally are licences granted for the import of trees for any other purpose.

Mr. Chris Smith asked the Minister of Agriculture, Fisheries and Food if he will indicate *(a)* how many Christmas trees were imported into the United Kingdom from Sweden or Norway in 1984, *(b)* what steps were taken to ensure that such trees were pest free and *(c)* what size limits and other criteria were used in deciding whether to allow an import to take place.

Mr. John MacKay: I have been asked to reply.

Thirteen Christmas trees were imported into Great Britain from Norway or Sweden in 1984. These were large trees over 3 metres in height traditionally gifted for public display and imported under individual Forestry Commission licences; each was accompanied by a phytosanitary certificate issued by the plant health authority in the exporting country and was inspected on arrival by a commission plant health inspector. No Christmas trees were imported into Northern Ireland from these countries.

OVERSEAS DEVELOPMENT

Khartoum North Power Station

26. **Mr. Lester** asked the Secretary of State for Foreign and Commonwealth Affairs when he expects Khartoum north power station to be operational.

Mr. Raison: It is expected that reliability trials will be completed by the end of April and the station will then become fully operational.

Sub-Saharan Africa (Aid)

31. **Mr. Deakins** asked the Secretary of State for Foreign and Commonwealth Affairs how the special United Kingdom aid programme in sub-Saharan Africa will be co-ordinated with that of the World Bank.

Mr. Raison: We expect to agree in advance with the bank proposals for associating our money with the African special facility in joint operations in particular countries. Where the bank makes a commitment we would express our part of that commitment in a separate aid agreement with the beneficiary. We would be working together to support specific reform programmes.

Desertification

32. **Mr. John Fraser** asked the Secretary of State for Foreign and Commonwealth Affairs what studies are being financed by his Department into the problem of increasing desertification of the regions south of the Sahara.

Mr. Raison: We have commissioned research into soil moisture content in sub-Saharan Africa, at Reading university, using data from the METEOSAT Satellite; climatic trends in the Sahel currently being undertaken by the university of East Anglia; suitability of tropical hardwoods for growing in arid zones by the Commonwealth Forestry Institute at Oxford; and a simple technique to estimate direct recharge from the rainfall level to the groundwater system by geochemical methods being carried out in the Sudan by the British Geological Survey. We also support the United Nations environment programme and OECD initiatives in the area of desertification.

Ethiopia

33. **Mr. Tony Lloyd** asked the Secretary of State for Foreign and Commonwealth Affairs if he will give his most up-to-date estimate of the need for food aid for Ethiopia.

Mr. Raison: The latest estimate of the need for food aid is 1·33 million tonnes, as agreed with the Ethiopian Government representatives at the United Nations conference in Geneva on 11-12 March. Of this, current pledges total about 1·03 million tonnes. We expect the balance to be covered by other pledges not yet allocated to specific countries.

Expenditure

34. **Mr. Spearing** asked the Secretary of State for Foreign and Commonwealth Affairs what are the main items of expenditure and the total sums expended from the contingency reserve within the Vote for overseas aid in the year 1984-85.

Mr. Raison: The main allocations were for emergency and food aid for disaster and refugee relief, bilateral country programmes, multilateral contributions, British Council and voluntary agencies.

The provisional forecast of spending from the contingency reserve allocations for these items is some £44 million in 1984-85.

EUROPEAN COMMUNITY

Credit Card Companies (Infraction Proceedings)

Mr. Teddy Taylor asked the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report* the formal letter sent to him by the European Economic Community Commission on 19 February on the question of the possibility of infraction proceedings on the exempt status of credit card companies in relation to their value added tax transactions.

Mr. Rifkind: Exchanges of correspondence with the Commission concerning the possibility of infraction proceedings are not made public.

ENERGY

Fuel Costs

Mr. David Howell asked the Secretary of State for Energy (1) whether he will publish the latest available comparisons of industrial contract gas prices for the United States of America, the United Kingdom, Japan, Germany and France;

(2) whether he will publish the latest available comparisons of industrial electricity prices for the United States of America, the United Kingdom, Japan, Germany and France;

(3) whether he will publish the latest available comparisons of domestic natural gas prices for the United States of America, the United Kingdom, Japan, Germany and France;

(4) whether he will publish the latest available comparisons of domestic electricity prices for the United States of America, the United Kingdom, Japan, Germany and France;

(5) whether he will publish the latest available comparisons of heavy fuel prices, including tax, for the United States of America, the United Kingdom, Japan, Germany and France;

(6) whether he will publish the latest available comparisons of retail petrol prices, including all taxes, for the United States of America, the United Kingdom, Japan, Germany and France.

Mr. Buchanan-Smith: The latest available comparisons of energy prices, for the countries and fuels specified, relate to the third quarter of 1984, and are shown in the table.

	Average revenue from sales of gas to households in pence per therm	*Average revenue from sales of electricity to households in pence per kwh*	*Average price of petrol in pence per litre*	*Average revenue from sales of gas to industry in pence per therm*	*Average revenue from sales of electricity to industry in pence per kwh*†*	*Average price of heavy fuel oil to industry in £'s per tonne*
France	‡(63·8)	‡‖(5·94)	45·03	‡(29·7)	‡‖(2·69)	144·29
Germany	‡(55·7)	6·38	36·37	‡(31·4)	3·56	143·01
Japan	‡(106·9)	‡(8·28)	46·18	‡(75·5)	‡(6·28)	155·49
United Kingdom	46·5	5·35	40·60	26·3	2·69	155·30
United States of America	46·2	¶6·15	24·64	¶30·6	¶4·02	143·65

Source: OECD.

* It should be borne in mind when interpreting these figures that industrial electricity prices generally vary according to time of year, because of the seasonal element present in most industrial tariffs. Hence a different picture might be obtained for a different time of year, depending on how the seasonal components in the individual country tariffs operated.

† Data from alternative sources produces a different picture. For example, Electricity Council figures show that as at 1 August 1984 for industrial consumers with an annual maximum demand of 2,500 kw at 40 per cent. load factor, average prices paid were:

	p/kwh
France	3·32
Germany	4·30 – 5·39
Japan	5·81 – 6·33
United Kingdom	3·62 – 3·98
USA	5·69 – 10·64

‡ Average for 1983.

‖ As of 1983 original ex-tax prices paid by industry and households are no longer available for France and these figures are OECD estimates.

¶ Prices exclude taxes, which are levied by the states and which vary between 2 and 6 per cent.

Note: (i) The prices shown above for gas and electricity are based on average revenue per unit consumed. In general this will differ from the price derived for a given level of annual consumption.

(ii) International comparisons of energy prices are difficult to construct because of incompatibilities in the basic data. They require careful interpretation because of movements in exchange rates and variation in the timing of tariff revisions between countries. The above figures are based on exchange rates prevailing for the year 1983 and the third quarter 1984 as appropriate.

Plutonium

Mr. D. E. Thomas asked the Secretary of State for Energy whether, in light of the publication on 5 March 1984 by the then United States Energy Secretary, Donald Hodel, of the isotopic composition of plutonium received by the United States from the United Kingdom under the mutual defence agreement of 1958, he will reconsider his Department's earlier withholding of details of this matter.

Mr. Goodlad: No.

North Sea Oil and Gas

Mr. Donald Stewart asked the Secretary of State for Energy what was the total amount and value in 1983-84 of *(a)* the oil and *(b)* the gas, produced offshore in the North sea (i) north of latitude 55° 50′ north and (ii) south of latitude 55° 50′ north.

Mr. Buchanan-Smith: The total amount of oil and natural gas liquids (NGLs) produced offshore in the United Kingdom sector of the North sea north of latitude 55° 50′ north in 1983-84 was 118.6 million tonnes, with a value of £17.6 billion. No oil is produced offshore south of this latitude and only a small amount of NGLs-0·2 million tonnes, worth £29 million.

In the same year 11 billion cubic metres of gas, valued at £656 million, were produced north of latitude 55° 50′ north, for disposal to BGC. South of this latitude 27 billion cubic metres of gas were produced, valued at £510 million.

FOREIGN AND COMMONWEALTH AFFAIRS

EC/Israel Co-operation Council

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on the current work of the European Community/Israel Co-operation Council and United Kingdom participation in it.

Mr. Rifkind: The EC/Israel Co-operation Council last met on 20 February 1984 when the operation of the EC/Israel co-operation agreement was reviewed and the Community confirmed its assurance that the implications of enlargement for the agricultural exports of its

Mediterranean partners would be taken into account. The Israeli Government have requested a meeting of the Council in 1985, but no date has yet been fixed. The United Kingdom plays a full part in the preparations for and is represented at meetings of the EC/Israel Co-operation Council, although only the Presidency and Commission speak on behalf of the Community.

Sir Antony Acland (Visit to Israel)

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement on the recent visit to Israel by the permament under-secretary of state, Sir Antony Acland.

Mr. Luce: The permanent under-secretary of state of the Foreign and Commonwealth Office visited Israel from 19-24 March. He held talks with the Director-General of the Israeli Foreign Ministry on the Middle East and other international issues. He also called on the Israeli Deputy Prime Minister and the Minister of Defence and met a group of Palestinians from the occupied territories.

Hebrew

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs what arrangements are made for diplomats to receive training in modern Hebrew, along the lines of the detailed arrangements for Arabic described in the answer of 18 July 1984, *Official Report*, column *243*; and how many serving diplomats have received training in both languages.

Mr. Renton: Intensive training in Hebrew, for which the Diplomatic Service has a much smaller requirement (one officer every four years) than for Arabic, is carried out in Israel.

The students attends an ulpan (a language school which is part of a kibbutz) for a course of five months' duration. He lives on the kibbutz and participates in its activities. He spends a further period of about two months at a university before taking up a diplomatic post in Israel.

No serving officer has been trained in both Hebrew and Arabic, though one Arabist currently in London has some knowledge of Hebrew.

Diplomatic Representation

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs in which countries the United Kingdom is represented by a third country.

Mr. Renton: The United Kingdom is represented by third countries in Argentina, Guatemala, Iran and Libya.

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries whose Governments have not been accorded diplomatic status by Her Majesty's Government.

Mr. Renton: The United Kingdom does not have diplomatic relations with the following States:

Albania	Cambodia
Argentina	Guatemala
Bhutan	Libya

United Nations Secretariats

Mr. Alton asked the Secretary of State for Foreign and Commonwealth Affairs if he will list the Departments which have provided funds to support the work of the secretariats for the United Nations International Years of the Child 1979, Disabled People 1981 and Youth 1985; and if he will indicate in each case the amount of money involved.

Mr. Renton: The Overseas Development Administration made a voluntary contribution of £150,000 to the secretariat for the international year of the child. It also made £90,000 available for two special projects overseas. Of the Foreign and Commonwealth Office's assessed contributions to the United Nations regular budget about £41,000 can be attributed to the secretariat for the international year of the disabled person. So far about £38,450 of the Foreign and Commonwealth Office's contributions to the regular budget can be attributed to the secretariat for the international youth year.

Peru

Mr. Dalyell asked the Secretary of State for Foreign and Commonwealth Affairs what reports were received by Her Majesty's Government of the press conference held in Lima by President Belaunde Terry on 2 May 1982 prior to receipt of the report from Her Majesty's ambassador in Lima sent at 01.44 GMT on 3 May 1982; from where these were received; at what times; and if he will make a statement.

Mr. Renton: I have nothing to add to the answer which my right hon. Friend the Prime Minister gave the hon. Member on 29 March. at column *293*.

Anglo-Irish Encounter Organisation (Funding)

Rev. Martin Smyth asked the Secretary of State for Foreign and Commonwealth Affairs whether any grant in aid is made by any foreign Government to the Anglo-Irish Encounter Organisation; and if he will make a statement on the contribution of his Department under Supply Estimate, class II, vote I, to that organisation.

Mr. Renton: The Government of the Republic of Ireland have also provided funding for the Anglo-Irish Encounter Organisation. We contributed £17,000 in 1983-84, £20,000 in 1984-85 and have made provision of £24,000 for the use of the Organisation in 1985-86.

Eugenics and Genetic Engineering

Mr. Cash asked the Secretary of State for Foreign and Commonwealth Affairs if he will give details of any discussions the Government have held and programmes they have negotiated in relation to eugenics and genetic engineering, including research programmes *(a)* in the European Economic Community and *(b)* in the United States of America; and what proposals there are for any such further discussions and programmes, harmonisation of laws and international agreements in that field of activity.

Mr. Renton: The United Kingdom complies with a European Community Recommendation of June 1982 on

the registration of work on recombinant DNA. A sub-element of the Community's five-year research programme in biotechnology, agreed in December 1984, concerns genetic engineering.

Aspects of the research undertaken at the European molecular biology laboratory, of which the United Kingdom is a member, also concern genetic engineering. The United Kingdom takes part in discussions in the scientific and technological policy committee of the Organisation for Economic Co-operation and Development on the safety and use of genetically engineered organisms.

As to the specifically human aspects, the United Kingdom participates in discussions in an ad hoc committee of experts at the Council of Europe established to examine the ethical and legal implications, including the feasibility of harmonising laws among member states. Non-governmental British representatives attended the conference on the life sciences and mankind organised by the Japanese Government in March 1984, and there will also be a British contribution to the follow-up conference which the French Government are to hold between 18 and 22 April.

Latin America (Human Rights)

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs if he will list all reports published in the last three years by the United Nations Human Rights Commission regarding countries in Latin America.

Mr. Renton: In each of the years 1983, 1984 and 1985, the United Nations Commission on Human Rights had before it reports from its special rapporteurs or representatives on the human rights situation in El Salvador, Guatemala and Chile and also reports from its Special Envoy to Bolivia on the provision of Advisory Services to that country. Copies of these published reports are available in the Library of the House.

Torture

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs why he added a qualifying statement to the United Nations convention on torture which the United Kingdom has recently ratified; if he will publish in the *Official Report* the text of the qualifying statement; and whether other countries added similar statements.

Mr. Renton: The following statement was made on signature of the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment.

"The United Kingdom reserves the right to formulate, upon ratifying the Convention, any reservations or interpretative declarations which it might consider necessary."

This was to reserve our position should we consider any such reservations or declarations necessary for technical or legal reasons on ratification.

Of the countries which have signed thus far, none has made similar statements.

British Air Space

Mr. Strang asked the Secretary of State for Foreign and Commonwealth Affairs how many diplomatic representations protesting at intrusions by aircraft of the Union of Soviet Socialist Republics into British air space have been made since the Government took office.

Mr. Luce [*pursuant to his reply*, 21 March 1985, c. *575*]: No such representations have been necessary.

NATIONAL FINANCE

Self-employed Persons

Mr. Wrigglesworth asked the Chancellor of the Exchequer what is his estimate of the total of net receipts of tax from self-employed taxpayers for each of the last five financial years.

Mr. Moore: The available information relates to tax units (ie counting married couples as one unit) whose main source of income—usually but not always the largest source—is self-employment income, and is in terms of the total liability to income tax in each tax year including investment income surcharge and the liability on income taxed at source.

Year	*£ billion*
1980-81	2·6
1981-82	3·1
1982-83	3·5
1983-84*	3·5
1984-85*	4

* Provisional estimate.

The tax will normally be received partly in the tax year and partly in the following year.

Over the period from mid 1980 to mid-1984 the number of self-employed person is estimated to have grown by almost a quarter.

European Monetary System

Mr. Deakins asked the Chancellor of the Exchequer what assessment he has made of the consequences of the United Kingdom joining the exchange rate mechanism of the European monetary system for United Kingdom control of domestic money supply; and what other studies his Department has conducted on the implications for United Kingdom economic management and policy of collective decisive-making as part of the system.

Mr. Ian Stewart: I refer the hon. Member to the reply I gave him on 14 February 1985 at column *290*.

Pound Sterling

Mr. Gould asked the Chancellor of the Exchequer on how many occasions since the end of 1982 the exchange rate of the pound sterling against those currencies within the exchange rate mechanism of the European monetary system has varied by more than the limits permitted by the exchange rate mechanism.

Mr. Ian Stewart: I shall let the hon. Member have a reply as soon as possible.

HMSO

Mr. Frank Field asked the Chancellor of the Exchequer if he will list the reasons for changing the staffing of those dealing with Members' requests for Her Majesty's Stationery Office publications at the Nine Elms

depot; if the current standard of service will be maintained; what are the financial savings which have resulted; and if the Vote in support of the Stationery Office has been reduced by a similar sum to the savings.

Mr. Hayhoe: I shall let the hon. Member have a reply as soon as possible.

Freeports

Mr. McQuarrie asked the Chancellor of the Exchequer if he will carry out a review of the areas which were given designated freeport status and report progress in each area.

Mr. Hayhoe: I shall let my hon. Friend have a reply as soon as possible.

Postmen (Tips)

Mr. Robert Banks asked the Chancellor of the Exchequer what is the number of postmen liable to be taxed on tips; and what is the expected revenue in the latest financial year for which figures are available.

Mr. Moore: I understand that about 175,000 people are employed by the Post Office, of whom some 125,000 are postal officers on rounds. Tips received in the course of a postman's duties are part of his taxable income in the same way as his other earnings. I regret that information is not available centrally on which to base an estimate of the number of Post Office employees who receive tips, nor to distinguish the amount of tax due on them.

National Insurance Contributions

Mr. Thurnham asked the Chancellor of the Exchequer if his Budget calculations of net revenue changes from alterations in employers' national insurance contributions included the public sector.

Mr. Peter Rees: I shall let my hon. Friend have a reply as soon as possible.

Tax Allowances

Ms. Clare Short asked the Chancellor of the Exchequer if his Department's proposals on changes in married couple's tax allowances were currently in force, what take-home pay a married woman seeking to return to work would have to command to be better off than staying at home.

Mr. Moore: Under a system of fully transferable allowances, the net income of a family would increase if a married woman returned to work, whatever the level of her earnings.

Value Added Tax (Appeals)

Mr. Tim Smith asked the Chancellor of the Exchequer if he has reached a decision on the question of appeals against value added tax penalties following representations made to him on the enforcement powers of Her Majesty's Customs and Excise.

Mr. Lawson: Yes. In the light of representations made by interested parties and comments from a number of hon. Members I have decided that the appeal arrangements set out in the exposure clauses should be enlarged to provide additional safeguards, as of right, for the tax-payer. The Finance Bill will accordingly provide that, where penalties or surcharges are to be assessed by the Commissioners of Customs and Excise, it should be a defence for the tax payer, for all matters short of fraud, to demonstrate to the commissioners, or on appeal to the VAT tribunal, that he had exercised all due diligence and had a reasonable excuse for failing to comply with the VAT law in question.

Value Added Tax (Keith Report)

Sir William Clark asked the Chancellor of the Exchequer if his legislative proposals in the Finance Bill for the implementation of the value added tax recommendations of the Keith committee report will include any change in the proposal for assessments to counter possible loss of tax, jeopardy assessments, included in exposure clauses published by the Commissioners of Customs and Excise in November 1984.

Mr. Hayhoe: I have decided that no such clause should be included in this year's Finance Bill. The Government remain of the view that there is merit in the Keith committee recommendations for action to prevent the disposal of assets so as to avoid payment of tax debts. Both my hon. Friend and some other respondents to the consultative document have, however, drawn attention to certain problems in the jeopardy assessment approach. The proposal will therefore be deferred to allow Her Majesty's Customs and Excise to undertake a further review of the best means of achieving the intended purpose.

Value Added Tax (Advertising)

Mr. Tony Lloyd asked the Chancellor of the Exchequer if he will indicate how much tax he expects to raise from the imposition of value added tax on newspaper and magazine advertising; what impact this will have on employment; and how much of the value added tax revenue will come from advertisements placed by charities.

Mr. Hayhoe: I shall let the hon. Member have a reply as soon as possible.

Covenants (Tax Relief)

Mr. Tony Lloyd asked the Chancellor of the Exchequer if he will indicate how much revenue he expects to lose by the increase of the limit on higher tax relief for covenants.

Mr. Moore: I refer the hon. Member to table 4.2 of the Financial Statement and Budget Report 1985-86.

Value Added Tax (Charities)

Mr. Tony Lloyd asked the Chancellor of the Exchequer if he will indicate how much revenue he expects to lose by the exemption from value added tax of computers purchased for medical use by charitable bodies.

Mr. Hayhoe: I shall let the hon. Member have a reply as soon as possible.

Minimum Income Level

Mr. Thurnham asked the Chancellor of the Exchequer if he will estimate *(a)* the number of P11D forms concerning benefits in kind which would be submitted,

(b) the loss of revenue and *(c)* the administrative cost saving in a full financial year, if the minimum income level were raised to £9,500, £10,500, £11,500, £12,500, £13,000 and £14,500 per annum, respectively.

Mr. Moore [*pursuant to his reply*, 18 March 1985, c. *395*]: The following table shows the effects on the number of P11D forms estimated to be required for 1985-86 if the various limits proposed by my hon. Friend were to apply:

Level of threshold £	*Number of forms P11D with benefits (thousands)*	*Direct revenue cost* £ *million*	*Administrative savings*† £ *million*
9,500	1,600	30	+2·4
10,500	1,350	60	nil
11,500	1,100	85	0·2
12,500	1,000	100	1
13,000	950	115	1·4
14,500	800	130	2·7
15,000	700	*135	3

* Revised from estimate of £125 million given on 21 February at column *567*.

† The figures for administrative savings show the position as compared with 1984-85, and take into account the increased number of forms P11D expected to be received with a £8,500 threshold.

Tax Revenue

Mr. Steen asked the Chancellor of the Exchequer what is his estimate of the percentages of total tax revenue in 1982-83 and 1983-84 derived from income generated through the ownership of stocks, including shares, bonds and gilts.

Mr. Moore [*pursuant to his reply*, 3 April 1985, c. *688*]: Information on which to base a precise estimate is not available, but the amount of basic rate income tax deducted at source from such income, that was not subsequently repaid, is estimated to have been around 2½ per cent. of total tax revenue in 1982-83 and 1983-84.

National Insurance

Sir William Clark asked the Chancellor of the Exchequer if he will break down his estimate of the extra revenue, over the present limit, in a full year, which will accrue to the Exchequer from the abolition of the upper limit for employers' national insurance contributions to indicate the amount to be raised on emoluments up to an annual maximum of £16,000, £18,000, £20,000, £25,000 and £30,000, respectively.

Mr. Ray Whitney: I have been asked to reply.

The Government Actuary's estimates are:

Annual Earnings £	*Additional revenue from secondary contributions in a full year* £ *million*
Up to 16,000	75
16,000-18,000	125
18,000-20,000	125
20,000-25,000	200
25,000-30,000	125
over 30,000	150

WALES

Birth Statistics

Mr. Carter-Jones asked the Secretary of State for Wales if he will give the mean birthweight and standard deviation for *(a)* total births, *(b)* live births and *(c)* stillbirths in 1980, 1981, 1982, 1983 and 1984, respectively, in Wales.

Mr. Wyn Roberts: The information requested for 1980 to 1983 is given in the following table; comparable figures for 1984 are not yet available.

Mean birthweight and standard deviation in Wales: 1980 to 1983

(Grams)

	1980		**1981*		*1982*		*1983*	
	Mean	*Standard deviation*	*Mean*	*Standard deviation*	*Mean*	*Standard deviation*	*Mean*	*Standard deviation*
Total births	3,310	561	3,290	595	3,310	567	3,305	570
Live births	3,318	551	3,311	558	3,317	558	3,312	560
Still births	2,168	898	2,068	1,155	2,115	969	2,187	979

* 1981 figures are estimated from a 10 per cent. sample.

Mr. Carter-Jones asked the Secretary of State for Wales if he will give the mean birthweight and standard deviation for *(a)* total births, and *(b)* live births in 1983 and 1984, respectively, for each health authority in Wales.

Mr. Wyn Roberts: The information requested for 1983 is given in the following table; comparable figures for 1984 are not yet available.

Mean birthweight and standard deviation for district health authorities in Wales: 1983

(Grams)

	Total births		*Live births*	
	Mean	*Standard deviation*	*Mean*	*Standard deviation*
Clwyd	3,327	582	3,336	569
East Dyfed	3,345	555	3,350	549
Pembrokeshire	3,312	556	3,321	544
Gwent	3,283	575	3,290	565
Gwynedd	3,324	567	3,330	557
Mid Glamorgan	3,284	578	3,292	566
Powys	3,343	567	3,357	549
South Glamorgan	3,287	560	3,292	554
West Glamorgan	3,310	560	3,315	552

EMPLOYMENT

Unemployed People (Centres)

Mr. Murphy asked the Secretary of State for Employment what political activities are permitted or encouraged at centres for unemployed people at which there are full-time workers provided by the Manpower Services Commission; and if he will make a statement.

Mr. Peter Morrison: None. The Manpower Services Commission funds a number of centres under the community programme but it is a specific requirement of the programme that projects do not involve political activity or have political objectives.

Silk Textile Industry

Mr. Nicholas Winterton asked the Secretary of State for Employment if he will give a breakdown by region of the numbers of people employed in the silk textile industry in each of the last three years for which figures are available.

Mr. Alan Clark: The Department's employment statistics are analysed according to the 1980 standard industrial classification which does not separately distinguish the silk textile industry.

Enterprise Agencies

Mr. Murphy asked the Secretary of State for Employment what assistance he makes available for the formation of enterprise agencies; and if he will make a statement.

Mr. Alan Clark: My Department does not normally make assistance available directly to enterprise agencies. However a few agencies have received some support as part of projects under the community programme.

Visual Display Units

Mr. Murphy asked the Secretary of State for Employment what recent representations he has received relating to the possibility of health hazards arising from working with visual display units; and if he will make a statement.

Mr. Peter Bottomley: The Health and Safety Executive has received inquiries at national and local level from employers, trades unions, members of the public and others about the possible health effects of VDUs. The executive continues to keep the subject under review.

Labour Statistics

Sir Geoffrey Johnson Smith asked the Secretary of State for Employment what has been the rise in the rate of unemployment in the Wealden constituency in the last 18 months; and what is the level of unfilled vacancies.

Mr. Alan Clark: The following information is available in the Library. On 14 February 1985 the total number of unemployed claimants in the Wealden constituency was 2,089. The corresponding figure for August 1983 was 1,749: there was an increase of 340, which may partly reflect seasonal factors. Unemployment rates are not available for parliamentary constituencies; the smallest areas for which rates are calculated are travel-to-work areas. Vacancy figures are not available for parliamentary constituencies; but vacancy data for jobcentre areas are in the Library.

Mr. Fatchett asked the Secretary of State for Employment if he will list, for the latest available date, the numbers of under 20-year-olds unemployed for *(a)* less than one year, *(b)* one year and *(c)* more than two years plus, by region.

Mr. Alan Clark: The following information is in the Library. The figures relate to unemployed claimants on 10 January 1985, the latest date for which an analysis of unemployment by age is available.

Numbers unemployed aged under 20 years

Region	*Up to one year*	*Over one year*	*Over two years*
South East	101,306	20,493	5,043
East Anglia	11,844	2,399	646
South West	29,726	5,151	1,105
West Midlands	46,340	14,614	3,913
East Midlands	28,067	6,359	1,483
Yorkshire and Humberside	44,692	12,558	3,216
North West	61,451	18,779	4,634
North	32,294	10,838	2,662
Wales	26,373	7,405	1,835
Scotland	55,114	16,492	4,565
Northern Ireland	13,997	5,392	1,508

Mr. Maclean asked the Secretary of State for Employment if he will state for Silloth ward *(a)* the total work force, *(b)* the number of unemployed, *(c)* the number in employment in Silloth and those who live in Silloth ward and *(d)* the number in employment in the Silloth area but who travel in from Marsh ward, Waver ward, Wampool ward, Wigton ward, Tarns ward, Aspatria ward and any other wards.

Mr. Alan Clark: The information in the following table is taken from the 10 per cent. sample of the 1981 census of population.

	Number
Economically active residents of Silloth	1,300
of whom:	
out of employment	140
in employment	1,160
Persons working in Silloth	670
of whom living in:	
Silloth	440
Marsh	0
Waver	80
Wampool	20
Wigton	10
Tarns	30
Aspatria	10
Elsewhere	80

The number of persons working in Silloth may be to some extent understated as not all respondents described their workplace in sufficient detail for it to be allocated to a ward.

Mr. Maclean asked the Secretary of State for Employment if he will state for Waver ward *(a)* the total work force, *(b)* the number of unemployed, *(c)* the number in employment in Waver ward and who live in Waver ward and *(d)* the number in employment in Waver ward but who

travel in from Marsh ward, Silloth ward, Wampool ward, Wigton ward, Tarns ward, Aspatria ward and any other wards.

Mr. Alan Clark: The information in the following table is taken from the 10 per cent. sample of the 1981 census of population.

	Number
Economically active residents of Waver	890
of whom:	
out of employment	50
in employment	840
Persons working in Waver	900
of whom living in:	
Waver	340
Marsh	20
Silloth	250
Wampool	0
Wigton	80
Tarns	50
Aspatria	0
Elsewhere	160

The numbers of persons working in Waver may be to some extent understated as not all respondents described their workplace in sufficient detail for it to be allocated to a ward.

Mr. Hoyle asked the Secretary of State for Employment (1) what was the total number of people employed in mineral oil refining in Great Britain (SIC 1980: Heading 1401) for each year since 1970;

(2) what was the total number of people employed in "Other Treatment of Petroleum Products" in Great Britain (SIC 1980: Heading 1402) for each year since 1970;

(3) what industries are covered by the new heading 140 (1980 SIC) not previously covered by MLH 262 and 263 (1968 SIC); and what has been the total number of people employed in them in Great Britain for each year since 1970.

Mr. Alan Clark: The following table gives, for June each year since 1971 (1970 is not available), the estimated number of employees in employment in minimum list headings 262 and 263 of the 1968 standard industrial classification, and group 140 of the 1980 SIC. Information for activity headings 1401 and 1402 is only available from the September 1981 Census of Employment which showed there were an estimated 23,400 employees in employment in activity heading 1401 and 6,500 in activity heading 1402. Estimates of employees in employment since 1981 have been analysed according to the 1980 SIC only.

The industries covered by minimum list headings 262 and 263 correspond exactly to those covered by activity headings 1401 and 1402, respectively. Any slight discrepancies in the two series are caused by the rounding of figures on the old classification.

Employees in employment—Great Britain

June each year	*1968 SIC Minimum list heading 262*	*1968 SIC Minimum list heading 263*	*Total (262 + 263)*	*1980 SIC Group 140*
1971	22,600	8,100	30,700	30,700
1972	21,800	7,700	29,500	29,600
1973	20,900	7,800	28,700	28,700
1974	20,300	7,500	27,800	27,800
1975	20,000	7,200	27,200	27,200
1976	19,300	7,100	26,400	26,400
1977	18,900	7,100	26,000	26,100
1978	22,300	7,000	29,300	29,300
1979	22,600	7,000	29,600	29,600
1980	22,800	6,900	29,700	29,700
1981	23,300	6,500	29,700	29,700
1982	—	—	—	26,500
1983	—	—	—	24,200
1984	—	—	—	23,000

Wages Inspectors

Mr. D. E. Thomas asked the Secretary of State for Employment how many establishments or work places in Wales were inspected by wages inspectors in Wales in 1979 and 1984.

Mr. Peter Bottomley: The information requested is given in the following table:

Wales	*1979*	**1984*
Establishments at which pay was checked by visit	2,097	1,249
Establishments at which pay was checked other than by visit†	485	401
	2,582	1,650

* Provisional.

† Since 1979, in addition to checks by visit, a number of other successful methods for checking the pay of workers have been developed. A detailed explanation of the inspectorate's methods of checking pay and the results in 1983 is given in pages 451 and 452 of the October issue of the "DE Gazette". A copy has been placed in the Library.

The figures for the number of establishments where pay was checked by methods not involving inspection visits include multiple firms whose head office is located in Wales whose branches are in other areas.

Wages Council Workers

Mr. D. E. Thomas asked the Secretary of State for Employment how many complaints regarding illegal underpayment of workers covered by wages councils in Wales were received in 1979 and 1984.

Mr. Peter Bottomley: The wages inspectorate in Wales received 610 complaints from workers in 1979 and 579 in 1984.

Mr. Donald Stewart asked the Secretary of State for Employment how many workers in each of the past five years in establishments in Scotland covered by wages councils were found to be underpaid; and what arrears were assessed in each year.

Mr. Peter Bottomley: The information requested is given in the following table:

Scotland	*Workers found to have been underpaid*	*Arrears assessed*
		£
1980	3,860	303,103
1981	2,805	272,200
1982	1,965	226,264
1983	1,959	217,317
1984*	1,592	210,359

* Provisional.

Mr. Donald Stewart asked the Secretary of State for Employment how many establishments were visited in Scotland by wages inspectors in each of the past five years; how many were found to be underpaying in each year; and if he will express those underpaying as a percentage of all those visited in each year.

Mr. Peter Bottomley: The information requested is given in the following table:

	Scotland		
	Establishments where pay was checked by visit	*Establishments visited and found to be underpaying one or more workers*	*Proportion of establishments visited and found to underpaying one or more workers (see note below) percentage*
1980	3,847	1,437	37·3
1981	2,443	1,085	44·4
1982	2,055	864	42·0
1983	2,939	914	31·1
*1984	2,773	845	30·5

* Provisional

Note:
These figures cannot be taken as an indication of the general level of compliance as the inspectorate tends to concentrate visits on establishments which are more likely to be underpaying.

Mr. Ron Brown asked the Secretary of State for Employment how many workers in Scotland are currently covered by wages councils; what are the wage rates for each category of employment; how many instances of underpayment were discovered in 1984; and how many employers were prosecuted as a result.

Mr. Peter Bottomley: The number of workers covered by wages councils in Scotland is not available.

I refer the hon. Member to my reply on wages rates to the hon. Member for Thurrock (Dr. McDonald) on 4 March 1985 at column *364*.

In 1984, 1,592 workers in 845 establishments in Scotland were found to have been underpaid. No employers were prosecuted.

Wages Inspectors (Scotland)

Mr. Donald Stewart asked the Secretary of State for Employment how many wages inspectors were in post in Scotland in each of the past 10 years.

Mr. Peter Bottomley: The information requested is given in the following table:

	Scotland	
	Authorised posts for wages Inspectors	*Wages Inspectors in post*
1975	15	14
1976	15	14
1977	15	15
1978	15	13
1979	15	15
1980	15	15
1981	13	10
1982	13	13
1983	13	13
1984	13	13

Wages Council Legislation (Prosecutions)

Mr. Wilson asked the Secretary of State for Employment what were the fines imposed on conviction of those successfully prosecuted under wages council legislation in 1978, 1982 and 1983; and if he will give separate Scottish figures for each year.

Mr. Peter Bottomley: Fines totalling £1,574 in 1978, £1,425 in 1982 and £370 in 1983 were imposed by the courts for offences under the wages council legislation. There were no successful prosecutions in Scotland in these years.

Community Programme

Mr. Sheerman asked the Secretary of State for Employment if, using the results of the second postal survey of community programme participants, and in respect of *(a)* the 18 to 24 years eligibility grouping and *(b)* the over-25 years eligibility group, he will indicate what percentage of (i) men and (ii) women were employed at the time of the follow-up survey; for each sub-group what percentage were former (I) full-time married-participants and (II) full-time single, widowed, separated or divorced participants; and for each given percentage if he will give the further breakdown according to the then current (x) full-time or (y) part-time employment status of former participants.

Mr. Peter Morrison: The Manpower Services Commission carried out a second postal follow-up survey of community programme participants in November-December 1984. Full analysis of the results is not yet complete, but a report will be placed in the Library of the House as soon as it becomes available.

Unfair Dismissal

Mr. Neil Hamilton asked the Secretary of State for Employment if he will estimate the expected reduction in the number of unfair dismissal cases which will be referred to the Advisory, Conciliation and Arbitration Service or come before industrial tribunals as a result of the extension of the qualification period for unfair dismissal claims against all employers to two years.

Mr. Peter Bottomley: In the year to 31 December 1983, the latest period for which comprehensive statistics are currently available, 30,076 complaints of unfair dismissal to industrial tribunals were referred to the Advisory, Conciliation and Arbitration Service. 10,381 proceeded to an industrial tribunal hearing. About one in four of the unfair dismissal applications received by the tribunals and referred to the service, and one in five of those requiring a tribunal hearing, were from employees with less than two years' qualifying service. There can of

course be no certainty that this pattern would hold for any future period. It is intended that the extended qualifying period will apply only to employees starting work with a new employer on or after the date that the order implementing the change comes into force. The full effect of any reduction in caseloads will not therefore be felt until some two years after the coming into force of the order.

Disabled People

Mr. Hannam asked the Secretary of State for Employment what was the cost of Government training schemes and special employment measures for disabled people; what expenditure was incurred through the Manpower Services Commission; what was the average number of disabled people participating in the scheme for each year since 1972; and what is the estimated expenditure for 1984-85.

Mr. Alan Clark: The information requested is set out in the table below. All the expenditure is administered by the Manpower Services Commission.

Year	*Government training schemes*					*Government special employment measures for disabled people*				
	Number of disabled people completing training courses	*Cost £m's*	*Number of disabled people entering the Youth Training Scheme*	*Cost £m's*	*New beneficiaries of special schemes (eg special aids adaptations etc.)*	*Cost £m's*	*Average number of disabled people in sheltered employment*	*Cost £m's*	*Number of disabled people participating in employment rehabilitation*	*Cost £m's*
	(1)	*(2)*	*(3)*	*(4)*	*(5)*	*(5)*			*(6)*	*(4)*
1972-73	3,440	N/A	N/A	N/A	N/A	N/A	13,450	9·2	N/A	N/A
1973-74	3,860	N/A	N/A	N/A	N/A	N/A	13,580	11·0	N/A	N/A
1974-75	3,320	N/A	N/A	N/A	N/A	N/A	13,600	14·6	N/A	N/A
1975-76	3,310	N/A	N/A	N/A	N/A	N/A	13,760	22·0	N/A	N/A
1976-77	4,700	N/A	N/A	N/A	N/A	N/A	13,350	26·1	N/A	N/A
1977-78	5,340	N/A	N/A	N/A	1,134	0·2	13,330	30·0	14,340	9·4
1978-79	4,770	N/A	N/A	N/A	2,661	0·5	13,900	34·6	14,690	9·3
1979-80	4,520	N/A	N/A	N/A	2,803	0·7	13,870	41·0	15,090	11·4
1980-81	4,080	N/A	N/A	N/A	2,176	0·5	13,840	54·9	14,710	13·8
1981-82	4,190	N/A	N/A	N/A	2,577	1·0	14,350	58·9	13,110	13·7
1982-83	4,290	N/A	10,000	9·6	2,806	1·4	14,410	66·8	12,130	14·6
1983-84	4,150	N/A	4,000	4·9	3,789	1·9	14,940	72·7	12,780	15·3
1984-85 estimate	3,600	N/A	5,150	8·6	4,415	2·4	15,600	78·9	13,500	17·1

Notes:

1. Figures include disabled participants in the Training Opportunities Scheme and in other training courses specifically for disabled people.
2. Separately identifiable costs for training disabled people are not available and cannot be obtained from a simple pro rata apportionment of the total because the cost of training courses specifically for disabled people tends to be higher than the average.
3. The figure for 1982-83 relates to an MSC estimate of participation on the Youth Opportunities Programme; estimates for earlier years are not available. Figures for subsequent years are collected from placings by the Carriers Service.
4. Costs for disabled people are not separately identifiable and have been attributed on a pro rata basis.
5. Information on special schemes is not available before 1977-78.
6. Participation is measured by the number of people leaving employment rehabilitation courses during the year. Prior to 1977-78 disabled people participating in employment rehabilitation were not separately identified.

Safety Representatives

Mr. Michie asked the Secretary of State for Employment if he will give the number of trade union appointed safety representatives who were functioning within the terms of regulation 4 of the Safety Representatives and Safety Committees Regulations in each year from 1978 to 1984 and for each of the main industrial groupings in the standard industrial classification.

Mr. Peter Bottomley: This information is not available. A survey carried out by the Health and Safety Executive in 1979 indicated that around three quarters of employees in manufacturing and some other sectors were covered by safety representatives.

Workington

Mr. Maclean asked the Secretary of State for Employment if he will state, when selecting Workington as a core travel-to-work area, what wards were *(a)* in stage 2 grouped to form job foci, *(b)* in stage 3 grouped round the foci and what foci were grouped together to form proto travel-to-work areas, *(c)* added to the proto travel-to-work areas in stage 4 and *(d)* in stage 5 allocated to the remaining area with which they had the closest community link.

Mr. Alan Clark: The review of travel-to-work areas conducted last year identified two job foci in the Workington travel-to-work area. These were

(i) the Aspatria ward of Allerdale, and
(ii) the Castle, Dalton, Netherhall, Northside, St. Michael's, Stainburn, and Westfield wards of Allerdale.

The next stage added the Ellen ward to the first of these areas and the wards of Moorclose, St. John's, and Seaton Moor to the second.

Stage four of the algorithm used in the review added Tarns ward to the first of these areas and the wards of Ellenborough, All Saints, Ewanrigg, Harrington, Salterbeck, Broughton, Flimby, St. Bridget's, Dearham, Clifton, and Crummock, together with the Distington ward of Copeland, to the second area.

The fifth stage resulted in the joining of these two areas to form the Workington travel-to-work area.

Carlisle

Mr. Maclean asked the Secretary of State for Employment if he will state, when selecting Carlisle as a core travel-to-work area, which wards were *(a)* in stage 2 grouped to form job foci, *(b)* in stage 3 grouped round these foci and what foci were grouped together to form proto travel-to-work areas, *(c)* added to the proto travel-to-work areas in stage 4 and *(d)* in stage 5 allocated to the remaining area with which they had the closest community link.

Mr. Alan Clark: The review of travel-to-work areas conducted last year identified six job foci in the Carlisle travel-to-work area. These were:

(i) The Wigton ward of Allerdale
(ii) Wards 2, 6, 7 and 13 of Carlisle
(iii) Ward 12 of Carlisle
(iv) Ward 15 of Carlisle
(v) Ward 17 of Carlisle, and
(vi) Ward 18 of Carlisle.

The next stage resulted in four proto travel-to-work areas:

(i) Wampool and Wigton wards of Allerdale
(ii) Wards 2, 6, 7, 8, 9, 10 and 13 of Carlisle
(iii) Warnell ward of Allerdale, Wards 1, 3, 4, 5, 11, 12, 14, 15, 16, 17, 19 and 20 of Carlisle and the Hesket ward of Eden, and
(iv) Ward 18 of Carlisle.

Stage four of the algorithm used in the review added wards to the first two of these areas; Waver and Boltons wards of Allerdale were added to the first area while Silloth and Marsh wards of Allerdale were added to the second area.

The reallocation in the fifth stage of the algorithm resulted in the Carlisle travel-to-work area which consists of the district of Carlisle plus the Boltons, Marsh, Silloth, Wampool, Warnell, Waver and Wigton wards of Allerdale.

Coventry (European Social Fund Projects)

Mr. Park asked the Secretary of State for Employment how many projects in Coventry are currently in receipt of European social fund money.

Mr. Peter Bottomley: There are 12 projects in Coventry currently receiving money from the European social fund. The grants total £1·7 million.

Job Sharing (Coventry)

Mr. Park asked the Secretary of State for Employment how many people in the Coventry travel-to-work area took advantage of the job sharing scheme in 1984.

Mr. Alan Clark: Two jobs were split in the Coventry travel-to-work area in 1984 under the Government's job splitting scheme involving four people in part-time work.

Youth Unemployment (Coventry)

Mr. Park asked the Secretary of State for Employment what plans he has to combat youth unemployment in the Coventry travel-to-work area.

Mr. Peter Morrison: Our economic policies are designed to provide the conditions under which industry and commerce in Coventry and elsewhere can create sustainable jobs for young people and others. We are ensuring through our expansion of the youth training scheme and other measures that young people have constructive and worthwhile opportunities to help equip themselves for employment.

Construction Workers (Coventry)

Mr. Park asked the Secretary of State for Employment what is his estimate of the number of jobless construction workers in the Coventry travel-to-work area.

Mr. Alan Clark: Information on unemployment by industry has not been available at local level since May 1982 when there were 3,209 people in the old Coventry travel-to-work area registered as unemployed at job-centres, whose last employment had been in the construction industry.

Youth Training Scheme

Mr. Park asked the Secretary of State for Employment how many young people in the Coventry travel-to-work area are taking part in the youth training scheme; how many places have not been taken up; and how many left before their scheme was completed.

Mr. Peter Morrison: Information in respect of the Coventry travel-to-work area is not available. However, at the end of February there were 3,064 young people in training on the youth training scheme in the Coventry and Nuneaton local authority districts. Some 4,200 places under the scheme were approved in these districts in 1984-85. It is not possible to give a precise figure for the number of places not taken up, mainly because not all approved places will actually be available for occupation.

Between 1 April 1984 and the end of February 1985, 1,654 young people in Coventry and Nuneaton left the youth training scheme four weeks or more before the completion of their programme.

Mr. Fatchett asked the Secretary of State for Employment if he will list, for the latest available date, the percentage of recruitment into full-time employment by region, from *(a)* small and medium-sized companies currently involved in providing work experience places for the youth training scheme by region and *(b)* large-sized companies currently involved in providing work experience places for the youth training scheme by region.

Mr. Alan Clark: Information on the destination of leavers from the youth training scheme analysed by size of company providing work experience and by region is not available.

Mr. Fatchett asked the Secretary of State for Employment if he will list, for the latest available date, the numbers of injuries to participants in the youth training scheme, reported by region.

Mr. Peter Morrison: The information requested is contained in the table:

*YouthTraining Scheme injuries 1 April 1983 to 31 December 1984**

Region	*Fatalities*	*Major Injuries(†)*	*Minor Injuries*
Scotland	2	44	300
Northern	1	33	302

Region	Fatalities	Major Injuries(†)	Minor Injuries
Yorks and Humberside	—	24	193
North West	—	38	386
Midlands	1	47	400
Wales	—	22	202
South West	2	11	136
South East	1	19	159
London	—	5	45

* Manpower Services Commission accident figures for the Youth Training Scheme are compiled on a similar basis to those prepared by the Health and Safety Executive on employed persons. However, Commission figures will include a number of accidents, in particular road traffic accidents during scheme time and accidents to trainees in educational establishments, which may not have been reportable to the Executive had the individuals been employed.

† Major injuries are classified according to the severity criteria laid down in the Notification of Accidents and Dangerous Occurences Regulations 1980.

Health and Safety Executive (Pesticides)

Miss Maynard asked the Secretary of State for Employment what plans his Department has to disclose the basis on which the Health and Safety Executive decides whether or not, in each case, to pursue a prosecution under the Health and Safety at Work etc. Act when it has investigated a pesticide incident.

Mr. Peter Bottomley: None

Deaf People

Mr. Ashley asked the Secretary of State for Employment what representations he has recently received about the employment prospects of young deaf people; and what was the nature of his replies.

Mr. Alan Clark: Towards the end of last year my hon. Friend the Minister with responsibility for the disabled brought to my attention and to the attention of other Ministers with appropriate responsibilities the British Deaf Association's report entitled "Deaf Discrimination". I wrote to the general secretary of the British Deaf Association on 9 January about the report's comments on the employment prospects of deaf people, including young deaf people. In my letter, I said that I accepted that deaf people should have full access to training programmes designed to help improve people's employment prospects and pointed out the special arrangements which had been made on the youth training scheme to meet the needs of young deaf and other disabled people.

Mr. Ashley asked the Secretary of State for Employment what studies have been made by his Department of the difficulties facing young deaf school leavers seeking employment; and if he will make a statement.

Mr. Alan Clark: My Department has not initiated or participated in any study concerned specifically with young deaf people. I am aware of a report produced by the British Deaf Association, entitled "Deaf Discrimination", which among other things comments on the difficulties facing young deaf school leavers seeking employment or wishing to participate in the youth training scheme. I wrote to the general secretary of the British Deaf Association on 9 January about the comments made in the report and invited the association to bring any particular difficulties concerning the youth training scheme to the attention of the Manpower Services Commission.

Mr. Ashley asked the Secretary of State for Employment if he will estimate the number of deaf people who are unemployed; and what proportion of them is aged 16 to 19 years.

Mr. Alan Clark: The information requested is not available.

Community Industry

Mr. Craigen asked the Secretary of State for Employment how he envisages community industry developing alongside his plans for youth training and work experience.

Mr. Peter Morrison: The Government have already announced in the White Paper "Education and Training for Young People", Cmnd. 9482, that they will be keeping community industry under review.

Leicester

Mr. Peter Bruinvels asked the Secretary of State for Employment if he will estimate the number of people covered by the Leicester travel-to-work area; and how this compares with each of the past three years.

Mr. Alan Clark: Annual population estimates are not prepared for travel-to-work areas.

Electricity Regulations

Mr. Tom Cox asked the Secretary of State for Employment how many employees have *(a)* been cautioned and *(b)* been prosecuted, and with what result, for infringement of regulation 28 of the Electricity Regulations 1908 in each of the last five years to the nearest convenient date.

Mr. Peter Bottomley: No employees were prosecuted for infringement of regulation 28 of the Electricity Regulations 1908 during the period 1980-1984. Figures for cautions given are not kept centrally and could only be obtained at disproportionate cost.

Mr. Tom Cox asked the Secretary of State for Employment how many employees have *(a)* been cautioned and *(b)* been prosecuted, and with what result, for infringement of the Electricity (Factories Act) Special Regulations 1908 and 1944 in each of the last five years to the nearest convenient date.

Mr. Peter Bottomley: The numbers of employees prosecuted for infringement of these regulations in the period 1980-84, and the results of these prosecutions, are as follows:

1980—No prosecutions
1981—3 prosecutions
£50 fine (£25 costs)
£50 fine (£25 costs)
£75 fine (£34 costs)
1982—No prosecutions
1983—No prosecutions
1984—1 prosecution;
£150 fine

Figures for cautions given are not kept centrally and could only be obtained at disproportionate cost.

Integrated Noise Meters

Mr. Flannery asked the Secretary of State for Employment how many integrated noise meters the Health and Safety Executive now has.

Mr. Peter Bottomley: Two hundred and sixty-seven.

TRANSPORT

Airline Competition Policy

7. **Mr. Dicks** asked the Secretary of State for Transport when he expects the exchange of routes between British Airways and British Caledonian, set out in his 1984 White Paper on airline competition policy, to be completed.

Mr. Michael Spicer: The Civil Aviation Authority has licenced the two airlines for all points involved in the route exchange. Services are now being operated by British Airways to South America and by British Caledonian to Saudi Arabia. British Airways will no doubt serve the other points involved in the exchange when it judges them to be commercially attractive.

Air Service Agreements

11. **Mr. Hayes** asked the Secretary of State for Transport what progress he is making towards agreeing more liberal bilateral air service agreements with other European countries.

Mr. Michael Spicer: We have negotiated liberal air services arrangements with the Netherlands, Germany and Luxembourg. We are making a major effort, in the Community and bilaterally, to build on these successes. Meetings with France, Italy and Switzerland are planned.

Bus Services (Deregulation)

13. **Mr. Evans** asked the Secretary of State for Transport if he has received any further representations regarding the deregulation of bus services and the safety of the public.

Mr. David Mitchell: Since the publication of the Transport Bill at the end of January, we have received around 800 letters and a number of petitions about various aspects of the policy, including the implications for safety.

Channel Link

16. **Mr. Skeet** asked the Secretary of State for Transport when he last met the French Minister of Transport to discuss the criteria for the construction and financing of a fixed Channel link.

15. **Mr. Teddy Taylor** asked the Secretary of State for Transport if he has yet agreed with his French counterpart about the conditions to be followed by developers of a Channel link.

Mrs. Chalker: My right hon. Friend the Secretary of State and my hon. Friend the Parliamentary Under-Secretary met the French Ministers on 20 March and reached agreement on the guidelines for promoters which were issued on 2 April.

Motorways (Speed Limits)

17. **Mr. Greg Knight** asked the Secretary of State for Transport if he will now consider increasing the maximum speed limit applicable to motorways.

Mrs. Chalker: I shall be responding shortly to the Transport Committee's recommendation on this matter.

Trains (Punctuality)

18. **Mr. Pawsey** asked the Secretary of State for Transport if, when he next meets the chairman of British Rail, he will raise the subject of the percentage of trains which ran late in 1984.

Mr. David Mitchell: At their regular meetings, my right hon. Friend and the chairman of British Rail have discussed train punctuality and the chairman has described the measures the board is taking to achieve the punctuality standards the board has set.

Aircraft Accident Reports

Mr. Bruce asked the Secretary of State for Transport if he will take steps to ensure that aircraft accident reports are completed more quickly than the time taken in relation to the helicopter crashes off the Scilly Isles on 16 July 1983 and at Aberdeen airport on 4 July 1983.

Mr. Michael Spicer: An aircraft accident which is the subject of a formal inspector's investigation involves a most detailed investigation of all aspects of the accident. This invariably takes time, particularly if any tests or research are required. In addition, there is a lengthy and comprehensive statutory procedure to be followed in which the various parties to the investigation are invited to make representations. This procedure can be more prolonged for example if a foreign manufacturer is involved.

It must be stressed that immediate action is taken if during an investigation any evidence is unearthed which has safety connotations. There is no question of having to wait for the report to be published before disseminating safety information. It is important that the maximum value is obtained from an accident investigation so that further accidents can be prevented. It is considered that the present procedures strike a reasonable balance between the need for a detailed technical investigation and the time taken to publish the report.

Helicopter Safety

Mr. Bruce asked the Secretary of State for Transport if he will take steps to ensure that the crew of commercial helicopters will be required at all times whilst on board to wear lifejackets incorporating dual frequency (121.5 and 243 Mhz) personal locater beacons, in line with the safety recommendations of the inspector's aircraft accident report 8/84 on the accident involving British Airways' helicopter S-6IN, G-BEON, in the sea near the Isles of Scilly.

Mr. Michael Spicer: I shall answer this question shortly.

Goods Vehicles (Operators' Licences)

Mr. Grylls asked the Secretary of State for Transport what representations he has received from the Council on Tribunals about the procedures governing public inquiries

into goods vehicle operators' licence applications since the introduction of environmental considerations as factors to be taken into account in such inquiries; and if he will place copies of those representations in the Library.

Mrs. Chalker: The only communication we have received since the environmental provisions came into effect has been an informal enquiry as to whether we propose to issue guidance notes to persons making representations at public inquiries. We will be seeking the views of the licensing authorities on this suggestion.

Mr. Grylls asked the Secretary of State for Transport which inquiry procedure rules are applicable to public inquiries into goods vehicle operators' licence applications held under the Transport Acts 1968 and 1982; whether the rules of natural justice apply at such public inquiries; and if he will place in the Library a copy of the non-statutory guidelines on procedure used by licensing authorities at such public inquiries.

Mrs. Chalker: There are no specific inquiry procedure rules or non-statutory guidelines issued by the Department for goods vehicle operator licensing inquiries held under the Transport Acts 1968 and 1982. The licensing authorities are bound by Regulations 17, 18, 19 and 20 of the Goods Vehicle (Operators' Licences, Qualifications and Fees) Regulations 1984 which are relevant to the rights of appearance at the public inquiry; the conduct of the inquiry is also governed by regulation 23 of the same regulations. Beyond this the procedure is a matter for the licensing authority. The rules of natural justice apply to such inquiries.

Mr. Grylls asked the Secretary of State for Transport if persons representing parties at inquiries into goods vehicle operators' licence applications may call expert witnesses to support their case on environmental factors.

Mrs. Chalker: Yes.

Airedale Route

Mr. Waller asked the Secretary of State for Transport whether, during the recent consultation exercise relating to the Airedale route to the east of Bingley, he took steps to consult interested parties other than those living in the immediate vicinity of Saltaire, Shipley and Bingley and the appropriate local authorities.

Mrs. Chalker: Wide media coverage was given to the exhibition of alternative routes. I took account of all representations received including those forwarded by my hon. Friend the Member for Keighley (Mr. Waller).

Mr. Waller asked the Secretary of State for Transport what account he took of accident casualty rates on the A650 trunk road between Cottingley Bar and Fox Corner, Shipley, before reaffirming the decision to terminate the Airedale route at Cottingley Bar.

Mrs. Chalker: Accident rates are one of a number of important matters taken into account in the choice of a route.

Mr. Waller asked the Secretary of State for Transport what effect he expects the decision to terminate the A650 Airedale route at Cottingley Bar will have on projected traffic levels on the proposed Shipley eastern bypass.

Mrs. Chalker: The choice of route to the east of Bingley is unlikely to have any significant effect on the amount of the forecast traffic on the Shipley eastern bypass southwards from the point where traffic from the Airedale route will join it. North of that point the traffic level is expected to be about half of the amount on the southern part of the bypass.

Mr. Waller asked the Secretary of State for Transport if, for the past five years, he will provide comparative accident casualty statistics showing *(a)* deaths, *(b)* serious injuries and *(c)* minor injuries for the section of the A650 trunk road between Cottingley Bar and Fox Corner, Shipley, and for convenient equivalent sections between Kildwick and Cottingley Bar.

Mrs. Chalker: The following is the information available. 1984 figures are not yet to hand.

Section	*Length (kilometres)*	*Number of accidents* 1980				1981				1982				1983			
		FA	*SER*	*SL*	*T*	*FA*	*SER*	*SL*	*T*	*FA*	*SER*	*SL*	*T*	*FA*	*SER*	*SL*	*T*
Kildwick to Steeton	3·08	0	4	10	14	1	6	5	12	0	3	11	14	0	3	13	16
Steeton to Victoria Park Roundabout, Keighley	4·63	1	6	13	20	1	8	25	34	0	8	20	28	0	1	19	20
Victoria Park to Crossflats	3·39	2	12	23	37	1	8	27	36	0	4	23	27	2	9	14	25
Crossflats to Cottingley Bar	4·47	2	3	26	31	0	13	30	43	2	10	30	42	0	5	22	27
Cottingley Bar to Fox's Corner	3·20	0	8	14	22	0	3	14	17	1	6	21	28	0	5	14	19

Note: FA = Fatal SER = Serious SL = Slight T = Total

Mr. Waller asked the Secretary of State for Transport what is the current daily traffic flow on the A650 trunk road between Bingley and Cottingley Bar and the forecast daily traffic flow on the proposed Airedale route between the same points.

Mrs. Chalker: The current daily traffic flow on the A650 between Bingley and Cottingley Bar is about 31,000 vehicles per day. The traffic flow on the proposed Airedale route between the same points in the design year 2001 is expected to be about 35,000 vehicles per day.

Vehicle Taxation and Road Costs

Mr. Ashdown asked the Secretary of State for Transport what is the estimated loss to public funds for last year and the current year of tax concessions on business cars and for heavy lorries *(a)* the money raised by excise duty and *(b)* the estimated value of the damage, wear and tear on roads.

Mrs. Chalker: None. Business cars pay the same rates of excise duty (fuel duty and VED) as other cars. Both cars

and heavy lorries pay substantially more in duty than their shares of road track costs (which cover road construction as well as maintainence).

Road Accident Statistics

Mr. Nicholls asked the Secretary of State for Transport how many rear seat passengers have died in vehicle accidents since September 1983; how many have suffered serious injury or slight injury during the same period; and whether the relative proportion of fatal and serious injuries between seat belt wearers and non-wearers since that date has altered.

Mrs. Chalker: From October 1983 to September 1984 the number of rear seat passenger casualties were as follows:

Rear seat car passenger casualties
1 October 1983 to 30 September 1984

	Number
Fatal	368
Serious	4,476
Slight	20,040

The proportion of fatal and serious injuries between seat belt wearers and non-wearers is as follows:

	1 October 1982 to 30 September 1983 Per cent.	*1 October 1983 to 30 September 1984 Per cent.*
Wearing belt	2·6	3·5
Not wearing belt	83·6	83·9
Not recorded	13·8	12·6
Total	100·0	100·0
(Number)	(4,685)	(4,844)

Coach Services

Mr. Chapman asked the Secretary of State for Transport if he will make a statement on the working party he has set up to deal with matters relating to coaches and coach operators in London; what liaison there is between the working party and the Greater London council, the London boroughs and other interested organisations; and if he is satisfied his Department has access to all information required and the working party the necessary expertise to act upon it.

Mrs. Chalker: I have asked for a report by officials drawing together the information currently available within the Department. Among the issues under consideration are whether this information is sufficient and what consultation will be desirable in the future stages of policy development. I will make further statements as appropriate.

Seat Belts

Mr. Peter Bruinvels asked the Secretary of State for Transport (1) how many lives were estimated to have been saved since the introduction of the compulsory wearing of seat belts; and if he will make a statement;

(2) if any evidence is available to him indicating an increase in the number of casualties and deaths of pedestrians and cyclists since the introduction of the compulsory wearing of seat belts; and if he will make a statement.

Mrs. Chalker: From February 1983 to September 1984, the 20 months immediately following the introduction of compulsory wearing of seat belts, there were 421 (18 per cent.) fewer car driver deaths and 235 (20 per cent.) fewer front seat passenger deaths than in the corresponding 20 months before compulsion.

The number of car drivers and front and rear seat car passengers who were killed or seriously injured over the same period fell by 11,110 (19 per cent.); whereas the numbers of pedestrians and pedal cyclists who were killed or seriously injured by cars increased by 1,129 (5 per cent.) and by 1,223 (19 per cent.) respectively.

Overall, the number of fatal and serious injuries to car occupants and to pedestrians, pedal cyclists, and motor-cyclists who were hit by cars fell by 10,702 (10 per cent.). This included a reduction of 453 (7 per cent.) deaths.

My Department will be issuing a paper later this year analysing the changes since seat belt wearing became compulsory.

Okehampton Bypass

Mr. Mudd asked the Secretary of State for Transport what assessment he has made of the effect of the recent decision of the joint committee on the Okehampton bypass special procedure orders on the timetable for the provision of the A30, Okehampton, bypass; and if he will make a statement.

Mrs. Chalker: I am considering the implications of the Joint Committee's report, and have no statement to make at this stage.

Roads (London)

Mr. Tony Banks asked the Secretary of State for Transport what factors were considered in his decision not to make the extra 65 miles of London roads, proposed to be trunked, the responsibility of the appropriate borough councils as with designated roads.

Mrs. Chalker [*pursuant to the reply*, 4 April 1985; c. *740*]: As key routes serving an area wide purpose, it is appropriate that these should be the Secretary of State's responsibility.

NORTHERN IRELAND

Dogs

Mr. Maclean asked the Secretary of State for Northern Ireland if he will make a statement about the effect of the Dogs (Northern Ireland) Order 1983 in controlling dogs.

Dr. Boyson: The main provisions of the Dogs (Northern Ireland) Order 1983 were brought into operation on 19 December 1983 and their impact on the exceptional problems caused by stray dogs in the Province has been most encouraging.

In the year to 31 December 1984, district councils issued licences in respect of some 86,600 dogs; under previous legislation some 46,650 licences were issued in 1982, and some 58,400 in 1983 (when there was public awareness of the imminence of the new regulations), 12 guard dog kennels and 519 breeding establishments were registered.

Some 8,300 stray dogs were impounded, of which 810 were sold 1,650 were reclaimed and 5,820 had to be

humanely destroyed; in addition, some 1,340 stray dogs were returned directly to their owners with a warning or a fixed penalty. Some 2,170 dogs were collected by councils from owners who no longer wished to keep them, of which some 160 were sold and 2,010 were destroyed.

Councils received some 6,830 complaints, relating to straying, attacks on people and livestock, uncontrolled dogs, fouling and unlicensed dogs. Most were dealt with through advice and warnings, but some 360 fixed penalties were imposed, and 43 prosecutions were undertaken in respect of serious offences resulting in 39 convictions; a further 156 cases were under consideration with a view to prosecution.

Birth Statistics

Mr. Carter-Jones asked the Secretary of State for Northern Ireland if he will give the mean birthweight and standard deviation for *(a)* total births, *(b)* live births and *(c)* stillbirths in 1980, 1981, 1982, 1983 and 1984, respectively in Northern Ireland.

Mr. Chris Patten: The available information is as follows:

Grams

Year	*Total births*		*Live births*		*Still births*	
	Mean birth weight	*Standard deviation*	*Mean birth weight*	*Standard deviation*	*Mean birth weight*	*Standard deviation*
1980	3,357	600	3,368	580	2,161	1,261
1981	3,349	588	3,360	572	2,090	982
1982	3,358	583	3,368	568	2,081	1,015
1983	3,373	584	3,382	569	2,053	996

Mr. Carter-Jones asked the Secretary of State for Northern Ireland if he will give the mean birthweight and standard deviation for *(a)* total births and *(b)* live births in 1983 and 1984, respectively, for each area health board in Northern Ireland.

Mr. Chris Patten: The information for 1983 is as follows. Final figures for 1984 are not yet available.

Grams

Health and Social Services Board	*Total births*		*Live births*	
	Mean birth weight	*Standard deviation*	*Mean birth weight*	*Standard deviation*
Eastern	3,365	584	3,374	569
Northern	3,371	587	3,382	572
Southern	3,391	561	3,400	545
Western	3,371	600	3,379	586
Northern Ireland	3,373	584	3,382	569

Driving Licences

Mr. McCusker asked the Secretary of State for Northern Ireland how long it now takes to process an application for a provisional driving licence in Northern Ireland.

Mr. Chris Patten: Eleven working days normally.

Remanded Prisoners (Counsel)

Mr. A. Cecil Walker asked the Secretary of State for Northern Ireland if he will take steps to enable prisoners on remand to have access to counsel of their choice.

Mr. Scott: Prisoners in custody on remand are allowed reasonable access to solicitors and counsel of their choice, provided these are available.

Housing Executive (Modernisation Schemes)

Mr. Nicholson asked the Secretary of State for Northern Ireland what has been the total amount of money spent by the Northern Ireland Housing Executive on modernisation schemes each year since 1980 in *(a)* Newry and Mourne district council area and *(b)* in Armagh District Council area.

Mr. Chris Patten [*pursuant to his reply*, 4 April 1985, c. *730*]: This is a matter for the Northern Ireland Housing Executive; however, I understand from the chairman that total capital expenditure on modernisation schemes was as follows:

Year	*Armagh*	*Newry & Mourne*
	£	*£*
1979-80	293,458	409,122
1980-81	210,442	369,952
1981-82	830,556	671,551
1982-83	2,099,286	2,565,250
1983-84	585,284	1,353,339
1984-85	1,434,139	2,047,996

Mr. Nicholson asked the Secretary of State for Northern Ireland what is the proposed expenditure by the Northern Ireland Housing Executive on modernisation schemes during 1985-86 in *(a)* Newry and Mourne district council area and *(b)* Armagh district council area.

Mr. Chris Patten [*pursuant to his reply*, 4 April 1985, c. *730*]: This is a matter for the Northern Ireland Housing Executive. However, I understand from the chairman that it is estimated capital expenditure on modernisation schemes will be as follows:

	£
Armagh	1,311,039
Newry and Mourne	2,772,575

Housing Executive (Contracts)

Mr. Nicholson asked the Secretary of State for Northern Ireland (1) how many contracts advertised by the Northern Ireland Housing Executive during the financial year 1983-84 were cancelled after tenders were received, and if he will list them;

(2) how many contracts advertised by the Northern Ireland Housing Executive during the financial year 1984-85 were cancelled after tenders had been received; and if he will list them.

Mr. Chris Patten [*pursuant to his reply*, 4 April 1985, c. *730*]: I am advised by the chairman of the Northern Ireland Housing Executive that the information is as follows:

1983-84

One: re-roofing, Unity Flats, Belfast (work deferred for inclusion in overall improvement scheme).

1984-85

Nil (to date).

SCOTLAND

Birth Statistics

Mr. Carter-Jones asked the Secretary of State for Scotland (1) if he will give the mean birthweight and standard deviation for *(a)* total births, *(b)* live births and *(c)* still births in 1980, 1981, 1982, 1983 and 1984 respectively, in Scotland;

(2) if he will give the mean birthweight and standard deviation for *(a)* total births and *(b)* live births in 1983 and 1984, respectively, for each health board in Scotland.

Mr. John MacKay: Information is given in the tables. Figures for 1983 are provisional and those for 1984 not yet available.

Mean Birthweight and Standard Deviation—Scotland 1980-1983

	Mean Birthweight (Grammes)	*Standard Deviation*
1980		
Total Births	3307·9	553·5
Live Births	3314·9	543·1
Still Births	2188·4	926·1
1981		
Total Births	3314·8	552·4
Live Births	3321·4	542·5
Still Births	2187·0	937·4
1982		
Total Births	3316·2	555·8
Live Births	3322·7	545·7
Still Births	2135·9	968·8
1983 (Provisional)		
Total Births	3318·8	561·2
Live Births	3325·3	551·6
Still Births	2111·1	912·1

Mean Birthweight and Standard Deviation by Health Board—Scotland 1983 (Provisional)

Health Board	*Total Births*		*Live Births*	
	Mean (grams)	*Std. Dev.*	*Mean (grams)*	*Std. Dev.*
Argyll & Clyde	3303·3	566·2	3310·0	557·8
Ayrshire & Arran	3316·1	586·6	3325·6	569·9
Borders	3416·1	484·6	3416·1	484·6
Dumfries and Galloway	3319·4	539·6	3325·2	533·2
Fife	3294·8	563·7	3301·5	554·2
Forth Valley	3304·2	591·2	3310·9	582·3
Grampian	3312·4	559·4	3319·4	547·9
Greater Glasgow	3289·8	565·4	3295·7	557·5
Highland	3381·3	575·4	3390·3	561·6
Lanarkshire	3303·8	598·5	3311·9	578·1
Lothian	DATA NOT YET AVAILABLE			
Orkney	3547·2	430·2	3555·1	418·3
Shetland	3475·1	478·1	3479·0	475·1
Tayside	3311·6	565·2	3316·7	557·3
Western Isles	3423·3	567·6	3426·2	566·3

Development Projects (Funding)

Mr. Bruce asked the Secretary of State for Scotland whether he will provide additional funding for development projects for unemployed adults in Scotland.

Mr. Allan Stewart: Substantial Government funds are spent on special employment measures, operated through the Manpower Services Commission in Scotland, including about £76 million on the community programme in 1984-85. The measures, and their funding requirements, are kept under review and as announced in the Budget speech the community programme is to be expanded in 1985-86 by 100,000 places in Great Britain. Scotland can expect to derive its full share of these extra places. A sum of £10 million is also being made available to fund pilot projects in Great Britain to explore, on an experimental basis, further ways of helping the long-term unemployed.

Quangos

Sir Philip Holland asked the Secretary of State for Scotland on how many occasions in the 12 months to 31 March the Advisory Committee on Medical Establishments submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. John MacKay: The committee met three times during the year. On each occasion its advice was accepted by the Scottish Home and Health Department and reflected in decisions conveyed to health boards on control of medical manpower at training and career levels.

Sir Philip Holland asked the Secretary of State for Scotland on how many occasions in the 12 months to 31 March the Advisory Committee on Scotland's Travelling People submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Ancram: On three occasions. The committee submitted, in June 1984, a report on the number of pitches required at regional or sub-regional level to provide a full network of sites for travelling people in Scotland and a report on a modification to the Government's policy of toleration and non-harassment which links this policy to pitch targets, and, in March 1985, a report on the number of pitches required at district level.

My right hon. Friend has accepted the committee's advice on each occasion. Departmental circulars conveying his decisions in the light of the Committee's recommendations were issued to local authorities on 8 November 1984 and 10 April 1985.

Sir Philip Holland asked the Secretary of State for Scotland on how many occasions in the 12 months to 31 March the Hill Farming Advisory Committee for Scotland submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. John MacKay: The committee, through discussion at its two meetings last year chaired by a senior official of the Department of Agriculture and Fisheries for Scotland, tendered advice on a number of general and specific matters relating to hill farming including the interaction between farming and forestry, the re-definition of the less-favoured areas, the administration of hill livestock compensatory allowances, and the sheep and beef support schemes.

The views expressed by members are being taken into account in the administration of the Government's agricultural policy towards the hills and uplands of Scotland.

Fishery Protection Service

Mr. McQuarrie asked the Secretary of State for Scotland if he has any plans to increase the fishery

protection service in Scottish waters in advance or upon the accession of Spain and Portugal to the European Community.

Mr. John MacKay: My right hon. Friend is of the opinion that the resources available to the fishery protection service in Scottish waters are sufficient for it to be able to fulfil its tasks following the accession of Spain and Portugal to the European Community. We shall, however, keep the matter under review.

Peterhead Prison

Mr. McQuarrie asked the Secretary of State for Scotland how many prison officers are employed at Peterhead prison; and what are the average weekly hours undertaken by the officers.

Mr. Ancram: The number of members of the prison officer grade employed at Peterhead prison on 1 April 1985 was 226. They are conditioned to a 40-hour week and over the period 6 January to 2 March 1985 they worked an average of 11 hours overtime per week per officer.

Teachers

Mr. McQuarrie asked the Secretary of State for Scotland if he will make a statement on the impact which the present teachers' dispute is having on the education of pupils in Scottish schools.

Mr. Allan Stewart: In the period from 15 January to the beginning of the Easter holidays 5·22 million pupil hours out of a possible total of 125·5 million have been lost in Scotland as a result of the teachers' industrial action. Selective strikes have affected all regions in Scotland but the action has been concentrated on certain schools in the constituencies of Ministers and Conservative MPs. The pupils in these schools have been seriously affected.

The teachers' unions' boycott of curricular development work has led to postponement for one year of the introduction of phases 2 and 3 of standard grade, planned to begin August 1985. Also while Standard grade courses in phase 1 which have already started (English, mathematics, science and social and vocational skills) will continue for first examination in 1986, Ordinary grade examinations in English, mathematics and arithmetic will also be retained in 1986 as an emergency measure for pupils who in the light of the teachers action cannot fairly be assessed on the basis of standard grade. We expect schools to continue teaching standard grade wherever possible.

The 1985 SCE examinations are taking place as planned. The threatened disruption of procedures was countered by the Scottish Examination Board's contingency arrangements; and the Educational Institute of Scotland has advised teachers after all to co-operate with the holding of practical examinations, and the submission of project work and internally assessed marks. The board cannot make allowance in marking for loss of teaching time resulting from the dispute but it will be taken into account as grounds for appeal, and appeals can be made on the basis of available evidence for A and B band awards as well as simply against failure.

I am extremely concerned about the effects of the dispute and I expect education authorities to do everything possible to limit the damage and inconvenience caused to pupils and their parents. The Scottish Education Department has written to authorities asking for a report on the action being taken, particularly for pupils who are to sit examinations this year and next. We have suggested various steps which could be considered such as opening schools during the holidays and providing financial assistance to enable pupils to receive private tutorial help.

In addition, we have asked authorities to take account of such powers as they may have to suspend employees who refuse to work normally, to deduct pay in respect of work not performed and to dismiss employees and offer re-employment under new contracts. Authorities may also wish to consider taking legal action against any of the teachers' unions, on the basis that the union may be acting unlawfully in causing the authority to breach its statutory duty to provide adequate and efficient school education.

Mr. McQuarrie asked the Secretary of State for Scotland if he will set up a committee to undertake a complete review of the educational system in Scotland covering pupil education and supervision, teachers' conditions of service and pay structure, teacher grading according to ability and qualifications, shortages of teachers in engineering, maths, science and technological subjects, and other related matters.

Mr. Allan Stewart: I do not consider that this is necessary. The Scottish Education Department, with the relevant statutory and advisory bodies and the education authorities as appropriate, keeps the various aspects of the educational system in Scotland under close review.

Fisheries Agreement

Mr. McQuarrie asked the Secretary of State for Scotland if he is satisfied that the agreement reached between the European Commission and Spain and Portugal will properly safeguard the interests of the Scottish fishing fleet in all waters where the fleet at present operates; and if he will make a statement.

Mr. John MacKay: My right hon. Friend is satisfied that the terms on which Spain and Portugal are to join the European Community safeguard the interests of the Scottish fishing fleet. I would refer my hon. Friend to the statement given to the House by my right hon. Friend the Prime Minister on 2 April.

Housing Defects Act

Lord James Douglas-Hamilton asked the Secretary of State for Scotland why the issuing of the pamphlet to district councils on the operation of the Housing Defects Act has been delayed; and if he will make it his policy to ensure that this pamphlet will be issued without further delay.

Mr. Ancram: The issue to local authorities of the booklet for private owners has been held up largely because of the delay in reaching agreement on the arrangements required to enable building societies to accept repaired PRC houses as being suitable for a loan on their security. Copies of the booklet will be sent to local authorities within the next few weeks.

DEFENCE

School of Music, Deal

Mr. Hancock asked the Secretary of State for Defence on what date the decision was taken to site the new defence school of music at Deal.

Mr. Lee: 2 July 1984.

Peace Chapel, Molesworth

Mr. Strang asked the Secretary of State for Defence with whom his Department is going to consult over the future of the peace chapel at Molesworth.

Mr. Lee: The partial structure referred to is not a chapel in the recognised sense since we understand it has never been awarded any formal religious status. Furthermore, it was erected without either the permission of the owner of the land or planning consent. Consultations over its future are taking place with the relevant bodies. The details must remain confidential.

Service Records (Pension Calculations)

Mr. McNamara asked the Secretary of State for Defence whether all service records held on computers for the purpose of pension calculation are now accurate.

Mr. Lee: Every effort is made to ensure the accuracy of all service records. There is no evidence of any general defect in the systems in use.

Mr. McNamara asked the Secretary of State for Defence what errors have been identified resulting from the computerising of Royal Navy and Royal Marine personal records which have led to wrong awards being made to pensioners when reaching the age of 55 years; what steps he is taking to remedy the situation for future pensioners in all services; and if he will make a statement.

Mr. Lee: Sixteen cases have been identified where Royal Navy ratings and Royal Marine other ranks have reached age 55 and the wrong increase has been paid. Of these seven were underpayments. Pensioners in all these cases are not receiving the correct award and arrears of pension have been paid. Steps have been taken to ensure that similar errors do not recur. The errors arose mainly from wrong information being passed to the Paymaster General's office. They did not arise from the computerisation of personal records as such.

Mr. McNamara asked the Secretary of State for Defence what errors have been identified in the awarding of Royal Air Force and Army pensions since personal records have been computerised; and if he will make a statement.

Mr. Lee: There is no evidence of error in the awarding of RAF and Army pensions arising from the computerisation of personal records.

Mr. McNamara asked the Secretary of State for Defence if he will give an assurance that following the decision to transfer Royal Navy and Royal Marine pensions from the Director General of Defence Accounts, Worcester, to HMS Centurion, no action will be taken to transfer the work and personal files until all individual pension rights have been checked.

Mr. Lee: No. The transfer of responsibility will proceed as planned. Appropriate arrangements will be made at the time for any checking that remains to be done.

Service Pensioners

Mr. McNamara asked the Secretary of State for Defence if he will make it his policy that in all cases where Service pensioners have been found to be underpaid, interest will automatically be paid when additional sums are due.

Mr. Lee: No. Payment of interest may, however, be considered where an underpayment of pension is of a substantial amount, where it arose from departmental error, and where the period of underpayment is protracted. The amount of interest would be equal to that which would have been paid had the underpayment been invested in a building society ordinary account at the relevant time.

Mr. McNamara asked the Secretary of State for Defence what is the total sum so far returned to service pensioners as a result of errors arising from the computerisation of pension records; what was the highest, lowest and average award made; and what is the continuing cost each year.

Mr. Lee Pensions errors are corrected when detected and no separate record is maintained. However, from the available information since 1 April 1983 £188,372 was returned to service pensioners as arrears of pension previousy underpaid. The highest individual sum was £8,208; the lowest £8; and the average sum of arrears £1,265. These figures relate to the correction of all underpayments irrespective of their cause. They were in the main clerical errors and do not point to any general defect in the systems in use. During this period the sum of money paid out as servicemens' pensions, not including lump sums, exceeded £1,000 million pounds.

Strategic Defence Initiative

Mr. Colvin asked the Secretary of State for Defence if he will make a statement on his response to the offer by the United States of America of participation by North Atlantic Treaty Organisation countries in the research programme for the strategic defence initiative.

Mr. Butler: The Government are now considering a response to the formal invitation from the US Secretary of Defence to indicate areas of research in which the United Kingdom would be interested in participating.

RAF Molesworth

Mrs. Clwyd asked the Secretary of State for Defence on how many days repair work has been necessary to *(a)* the outer fence and *(b)* the inner fence at RAF Molesworth since the day of the erection of an outer perimeter fence.

Mr. Lee: There have been a number of minor instances of fence cutting at RAF Molesworth on both the outer barbed wire fence, and the inner permanent weld mesh fence. None of these incidents has been of any security significance, and work on the site has progressed normally and has not been impaired in any way.

RAF Aircraft (Accident Information)

Mr. Bruce asked the Secretary of State for Defence if he will take steps to require that information about

accidents involving Royal Air Force aircraft is passed on to the original manufacturers, civil airworthiness authorities and thence to commercial users of similar aircraft, in view of the findings of the report of the crash of the Bristow Tiger helicopter G-TIGP at Aberdeen airport on 4 July 1983.

Mr. Butler: There are well established procedures which ensure that all necessary information about accidents involving Royal Air Force aircraft is passed to the design authority for the aircraft type, normally the manufacturer. If at the time there are similar aircraft listed on the British Civil Register the information is also passed to the Civil Aviation Authority to enable them to advise civil operators.

HOUSE OF COMMONS

Parliamentary Lobbyists

Mr. Alton asked the Lord Privy Seal if he has any plans to bring forward proposals to regulate the activities of parliamentary lobbyists in relation to Select Committees; and if he will make a statement.

Mr. Biffen: I have nothing to add to my reply to the right hon. Member for Bethnal Green and Stepney (Mr. Shore) in the course of business questions on 4 April at column 1350.

Select Committees (Overseas Trips)

Mr. Alton asked the hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission (1) what is the policy of the Commission towards the involvement of private outside sources of finance in the financing of overseas trips by Select Committees;

(2) what criteria the Commission has laid down for the financing of overseas trips by Select Committees of the House of Commons.

Mr. Beith: The Commission has responsibility for determining the annual amount to be included in the Vote for House of Commons administration on account of Select Committee overseas travel. Subject to guidelines concerning matters such as the class of travel to be used, responsibility for detailed decisions on the use and apportionment of this total sum has been devolved to the Liason Committee. The guidelines do not address the issue of private financing; but I understand that the Liaison Committee in the last Parliament agreed on one occasion that it was not appropriate for a Select Committee to accept an offer of facilities or finance for overseas travel from private sources.

Members' Travel

Mr. Campbell-Savours asked the Lord Privy Seal, further to his answer of 3 April to the hon. Member for Workington, if he will explain the reasons for the increase in the amount of money allocated for hon. Members' travel, by air, within the United Kingdom between 1983-84 and 1984-85.

Mr. Biffen: Estimate provision for Members' travel within the United Kingdom by air, rail or car, cannot be determined precisely since the costs are demand related. The reasons for the increase in the provision for Members' travel by air in the United Kingdom between 1983-84 and 1984-85 are as follows:

(a) 1983-84 was a general election year and travel facilities for Members were withdrawn during the dissolution period, resulting in a reduction in total travel costs by comparison with expenditure which would otherwise have been incurred in a full year;

(b) a general upward trend in the use of air travel by Members;

(c) an increase in the cost of air travel.

Debates

Mr. Teddy Taylor asked the Lord Privy Seal what was the average number of debates on orders, regulations and other statutory instruments per week in the current and in each of the previous 10 Sessions of Parliament.

Mr. Biffen: The average number of debates in the House each week relating to statutory instruments and measures for the current Session and each of the previous ten Sessions was as follows:

Year	*Number of weeks*	*Number of debates*	*Average*
1984-85	19	48	2·53
1983-84	42	105	2·50
1982-83	23	51	2·22
1981-82	35	73	2·09
1980-81	33	76	2·30
1979-80	49	109	2·22
1978-79	17	29	1·71
1977-78	33	56	1·70
1976-77	30	59	1·97
1975-76	38	79	2·08
1974-75	40	66	1·65

Mr. Teddy Taylor asked the Lord Privy Seal if he will take steps to arrange debates on groups of statutory instruments requiring debate on occasional days at the commencement of public business instead of after 10 pm; and if he will make a statement.

Mr. Biffen: There are a great many demands on parliamentary time which must be taken into consideration when arranging debates. My hon. Friend will however wish to know that so far this Session there have been six occasions on which statutory instruments were taken as the first item of public business.

Adjournment Times

Mr. Teddy Taylor asked the Lord Privy Seal what has been the average time at which the House has adjourned on Mondays to Thursdays in the current Session of Parliament to date.

Mr. Biffen: The average time at which the House rose on Mondays to Thursdays in the present Session, to Wednesday 3 April, was 12.52 am.

Mr. Teddy Taylor asked the Lord Privy Seal on how many sitting days, excluding Fridays, the House has adjourned at 10.30 pm in the Session to date.

Mr. Biffen: The House has adjourned at 10.30 pm on one day this Session.

Business of the House

Mr. Teddy Taylor asked the Lord Privy Seal if he will estimate the savings to public funds which would accrue if no business was dealt with after 10 pm; and if he will make a statement.

Mr. Biffen: No. The assumptions on which such an estimate would have to be based would inevitably be hypothetical and unreliable. For information about the identifiable costs of late night sittings I refer my hon. Friend to answers given recently to my hon. Friend the Member for Leicester, East (Mr. Bruinvels) on 21 March at columns *575-6*, and 22 March at columns *639-640*.

Norman Porch

Mr. Burt asked the Lord Privy Seal why the door to the Norman porch was not opened to visitors wishing to follow the line of route until 3.40 pm on 29 March instead of 3 pm.

Mr. Biffen: There was a delay in opening the Norman porch entrance on the afternoon of Friday 29 March because of a problem with the redeployment of staff. Steps have been taken to ensure against any recurrence.

Mr. Burt asked the Lord Privy Seal whether he is satisfied with the arrangements at the Norman porch for the entry of visitors to the line of route through the Palace of Westminster.

Mr. Biffen: The arrangements for the administration of the line of route are currently under review by the Accommodation and Administration Sub-Committee of the Services Committee.

SOCIAL SERVICES

Population Statistics

Mr. Batiste asked the Secretary of State for Social Services how many people, showing men and women separately, he forecasts will be retiring at normal retirement age in each of the next five years.

Mr. Whitney: The Government do not forecast the number of people who will be retiring in future years; not all men and women give up employment at the minimum pensionable age of 65 for men and 60 for women and awards of retirement pension are made to people who have been receiving another benefit as well as to people who have retired. Estimates are, however, made of the number of men and women who will reach minimum pensionable age and be awarded retirement pension in future years as follows:

Great Britain

Year	*Men '000s*	*Women* '000s*
1985-86	270	190
1986-87	255	190
1987-88	245	185
1988-89	230	180
1989-90	230	180

* Including married women receiving pension on their husband's contributions

Industrial Injuries Scheme

Mr. Michie asked the Secretary of State for Social Services (1) what was the number of appeals and references decided under the industrial injuries scheme by each of the medical appeals tribunals in England and Wales, listed separately, for the last three years for which figures are available;

(2) what was the number of appeals and references decided favourably to the claimant in the last three years for which figures are available by each of the medical appeal tribunals in England and Wales, both in absolute terms and as a percentage of those submitted; what was the number decided unfavourably to the claimant both in absolute terms and as a percentage; and what was the number of unchanged decisions both in absolute terms and as a percentage;

(3) what was the number of appeals and references decided by each of the medical appeal tribunals for England and Wales, listed separately, for mobility allowance for the last three years for which figures are available.

Mr. Newton: I regret that information is not available in the form requested. The tables show figures for the industrial injuries scheme in each region in England and Wales and for mobility allowance for Great Britain as a whole.

1. *Industrial Injuries Scheme*

Under this scheme, a decision which is unfavourable to the claimant does not necessarily mean that benefit entitlement is extinguished.

Decisions on appeals by claimants—1982

Region	*All decisions*	*Favourable to claimant*		*Unfavourable to claimant*		*No change*	
		Number	*Per cent.*	*Number*	*Per cent.*	*Number*	*Per cent.*
England and Wales	7,895	3,045	39	333	4	4,517	57
North Eastern	2,290	922	40	93	4	1,275	56
London North	579	252	44	7	1	320	55
London South	380	147	39	34	9	199	52
Wales and South Western	1,615	461	28	26	2	1,128	70
Midland	1,480	485	33	121	8	874	59
North Western	1,551	778	50	52	3	721	47

Decisions on Secretary of State references

Region	All decisions	Favourable to claimant		Unfavourable to claimant		No change	
		Number	Per cent.	Number	Per cent.	Number	Per cent.
England and Wales	1,639	682	42	661	40	296	18
North Eastern	366	158	43	153	42	55	15
London North	129	90	70	18	14	21	16
London South	114	42	37	61	54	11	9
Wales and South Western	280	79	28	150	54	51	18
Midland	398	161	40	142	36	95	24
North Western	352	152	43	137	39	63	18

Decisions on appeals by claimants—1983

Region	All decisions	Favourable to claimant		Unfavourable to claimant		No change	
		Number	Per cent.	Number	Per cent.	Number	Per cent.
England and Wales	8,334	3,245	39	372	4	4,717	57
North Eastern	2,305	943	41	99	4	1,263	55
London North	667	317	48	7	1	343	51
London South	429	173	40	52	12	204	48
Wales and South Western	1,660	462	28	48	3	1,150	69
Midland	1,517	492	32	105	7	920	61
North Western	1,756	858	49	61	3	837	48

Decisions on Secretary of State references

Region	All decisions	Favourable to claimant		Unfavourable to claimant		No change	
		Number	Per cent.	Number	Per cent.	Number	Per cent.
England and Wales	1,363	567	42	556	41	240	17
North Eastern	225	93	41	95	42	37	17
London North	93	60	64	13	14	20	22
London South	133	50	38	74	55	9	7
Wales and South Western	260	85	33	124	48	51	19
Midland	278	110	40	112	40	56	20
North Western	374	169	45	138	37	67	18

Decisions on appeals by claimants—1984

Region	All decisions	Favourable to claimant		Unfavourable to claimant		No change	
		Number	Per cent.	Number	Per cent.	Number	Per cent.
England and Wales	7,794	3,195	41	338	4	4,261	55
North Eastern	2,068	872	42	88	4	1,108	54
London North	700	323	46	17	2	360	52
London South	500	189	38	43	9	268	53
Wales and South Western	1,500	454	30	46	3	1,000	67
Midland	1,374	539	39	91	7	744	54
North Western	1,652	818	50	53	3	781	47

Decisions on Secretary of State references

Region	All decisions	Favourable to claimant		Unfavourable to claimant		No change	
		Number	Per cent.	Number	Per cent.	Number	Per cent.
England and Wales	927	405	44	346	37	176	19
North Eastern	96	55	57	29	30	12	13
London North	74	42	57	18	24	14	19
London South	126	33	26	77	61	16	13
Wales and South Western	256	105	41	92	36	59	23
Midland	134	63	47	38	28	33	25
North Western	241	107	44	92	38	42	18

2. *Mobility Allowance*

Decisions by medical appeal tribunals which confirmed the decision of a medical board are shown as being

unfavourable to the claimant in the case of appeals and favourable in the case of references.

Decisions on appeals by claimants

Year	All decisions	Favourable to claimant		Unfavourable to claimant	
		Number	Per cent.	Number	Per cent.
1982	2,663	703	26	1,960	74
1983	3,070	1,000	33	2,070	67
1984	3,933	1,107	28	2,826	72

Decisions on Secretary of State references

Year	All decisions	Favourable to claimant		Unfavourable to claimant	
		Number	Per cent.	Number	Per cent.
1982	68	26	38	42	62
1983	32	19	59	13	41
1984	10	6	60	4	40

Homeless People

Mr. Irving asked the Secretary of State for Social Services when he will implement the recommendation of the Social Security Advisory Committee concerning a concerted approach by all the agencies involved, including the health, social services and housing departments, to achieve a permanent solution to the needs of homeless people dependent on temporary board and lodging accommodation.

Mr. Newton: The new regulations on supplementary benefit for board and lodging which will operate from 29 April are designed to ensure that payments go only to those who need them and that the benefit system does not stimulate the provision of inappropriate board and lodging accommodation. We shall continue to do everything possible to support the efforts of my right hon. Friend the Secretary of State for the Environment to overcome housing problems, and to encourage health and social services departments to co-operate with housing departments at the local level.

Vaccine Damage

Mr. Stephen Ross asked the Secretary of State for Social Services if he will name the vaccines which caused the 810 adverse reactions reported in 1983 by the yellow card system to the Committee on Safety of Medicines.

Mr. Kenneth Clarke: The Committee on Safety of Medicines in fact received 525 reports of suspected adverse reactions to vaccines during 1983. The vaccines reported were:

Influenza (inactivated)
Polio (oral)
Measles (live attenuated)
Yellow fever
Rubella
Pertussis
Salmonella typhi
Salmonella paratyphi B
Cholera
BCG
Diptheria
Tetanus
Tetanus antitoxin
Grass pollen
Specific desensitizing
Tuberculin
Rabies
Dust mite extract
Influenza live attenuated
Corynebacterium parvum extract
Antihaemophilic factor
Hepatitis B surface antigen
Human serum albumin

It is very important to note that a report does not necessarily establish a causal relationship between the reaction and the vaccine concerned.

Drugs

Mrs. Renée Short asked the Secretary of State for Social Services if he will take steps to provide resources to scientists and researchers to enable them to perform more thorough investigations into the effects of non-steroidal anti-inflammatory drugs on patients.

Mr. Kenneth Clarke: We see no reason at present to provide more funds from a central source for this purpose. Pre-marketing research into the effect of medical products, including these drugs, is undertaken or financed by pharmaceutical companies. Through its stringent examination for evidence of safety, efficacy and quality in all applications for new product licences for these and other medicines, the United Kingdom licensing authority, as advised by the Committee on the Safety of Medicines, actively encourages industry to undertake thorough pre-marketing research.

In the last 2 years the CSM has specially reviewed adverse reactions and the benefit risk ratios of the marketed non-steroidal anti-inflammatory drugs. The CSM can call on this experience in assessing any drug in this class, both at the licensing stage and following introduction on the market.

Comparatively rare adverse reactions to medicines may not be detectable until the medicines are in wider use than is possible before marketing. The committee therefore monitors all medical products after they have been marketed and pays particular attention to drugs substances which are comparatively new on the market.

National Health Service (Contracting-Out)

Mrs. Renée Short asked the Secretary of State for Social Services what consultations he intends to seek with trade union members representing hospital ancillary workers and cleaners and with chairmen of district and regional health authorities to discuss the progress made in improving National Health Service hospitals' standards resulting from contracting-out of services to private firms.

Mr. Kenneth Clarke: I am quite satisfied that health authorities are ensuring that satisfactory standards are maintained. I see no point in national consultations on the subject.

Mr. Galley asked the Secretary of State for Social Services how many managing contractors are engaged by district health authorities to operate laundry, catering and other ancillary services; and how many consortia of private firms are used to operate a range of services.

Mr. Kenneth Clarke: I refer my hon. Friend to my reply to the hon. Member for Oldham, West (Mr. Meacher) on 5 March at columns *520-21*.

National Health Service (Stock Losses)

Mr. Galley asked the Secretary of State for Social Services what is the total level of stock losses in the National Health Service.

Mr. John Patten: The 1983-84 accounts of health authorities in England show total stores losses of £2·8 million.

National Health Service (Tendering)

Mr. Galley asked the Secretary of State for Social Services what rules are applied relating to capital costs and depreciation in determining the award of tenders for laundry, catering and other ancillary services in the National Health Service.

Mr. Kenneth Clarke: We issued specimen contracts for laundry services to health authorities in March 1984 and this included advice on the treatment of capital expenditure at annex 4 of the guidance notes. This guidance is also applicable when tendering for catering or any other ancillary service if capital expenditure is involved. A copy of this document was placed in the Library.

Health authorities should only contemplate new capital investment in support services if that is really the highest priority call on their capital programme. I would expect most authorities to find that capital investment in some aspect of direct patient services commanded higher priority.

Mr. Galley asked the Secretary of State for Social Services if he will estimate the savings which would accrue to the National Health Service from commercial tendering for linen and other clothing and equipment services.

Mr. Kenneth Clarke: It is not possible to estimate the savings which might accrue nationally from commercial tendering for these services, but I expect every health authority to follow our guidance that linen rental services and similar arrangements should be considered as options for cost saving in support services.

Family Income

Mr. Ralph Howell asked the Secretary of State for Social Services (1) if he will estimate the net weekly spending power of a man with a wife and two children aged eight and 11 years, whose gross earnings are *(a)* £80 and *(b)* £90 per week and whose rent and rates are £20 and £7, respectively (i) when he is working and (ii) if he was unemployed and assuming that he and his wife were both earning £4 per week disregarded income, and in each case were receiving all benefits to which they were entitled;

(2) if he will estimate the net weekly spending power of a man with a wife and two children aged eight and 11 years, whose gross earnings are £110 per week and whose rent and rates are £20 and £7, respectively *(a)* when he is working and *(b)* if he was unemployed and assuming that he and his wife were both earning £4 per week disregarded income, and in each case were receiving all benefits to which they were entitled.

Mr. Whitney: The net weekly spending power of a man with a wife and two children aged eight and eleven years if the man's gross earnings were *(a)* £80, *(b)* £90 and *(c)* £110 a week would be £80.37, £79.82 and £81.33 respectively.

If the family's only income, apart from benefits, was from part-time earnings, and both the man and his wife had £4 of their part-time earnings disregarded for supplementary benefit purposes, the net weekly spending power would be £82.70.

Water rates of £1.50 are assumed to be included in the rates figure of £7. Other, unspecified, assumptions are as in the November 1984 edition of the DHSS Tax/Benefit Model Tables.

Mr. Ralph Howell asked the Secretary of State for Social Services if he will estimate the net weekly spending power of a man with a wife and two children aged eight and 11 years, whose gross earnings are *(a)* £130, *(b)* £140 and *(c)* £150 per week and whose rent and rates are £30 and £10, respectively (i) when he is working and (ii) if he was unemployed and assuming that he and his wife were both earning £4 per week disregarded income, and in each case were receiving all benefits to which they were entitled.

Mr. Whitney: The net weekly spending power of a man with a wife and two children aged eight and eleven years if the man's gross earnings were *(a)* £130, *(b)* £140 and *(c)* £150 a week would be £80.74, £83.04 and £85.14 respectively.

If the family's only income, apart from benefits, was from part-time earnings, and both the man and his wife had £4 of their part-time earnings disregarded for supplementary benefit purposes, the net weekly spending power would be £82.70.

Water rates of £1.50 are assumed to be included in the rates figure of £10. Other, unspecified, assumptions are as in the November 1984 edition of the DHSS Tax/Benefit Model Tables.

Old People (Residence and Maintenance Payments)

Mr. Ron Davies asked the Secretary of State for Social Services what has been the total annual sum by year from 1980 paid to claimants in respect of residence and maintenance in old persons' homes.

Mr. Whitney: Separate figures are not available on expenditure on residents in old people's homes. The total expenditure on supplementary pensioners in all types of private and voluntary residential care and nursing homes, based on December figures for each year is as follows:

	£ million
1980	18
1981	23
1982	34
1983	90

Source: Annual Statistical Enquiries.

National Insurance Pension

Mr. Higgins asked the Secretary of State for Social Services on what date the increases in prices caused by indirect tax increases in the Budget will be reflected in an increase in the national insurance pension.

Mr. Whitney: Under the provisions of Sections 125 and 126 of the Social Security Act 1975 retirement pensions are increased in November each year at least in line with the movement in the retail prices index in the twelve months to the preceding May. Thus any changes in prices or taxes which have had an effect on the RPI by May 1985 would be reflected in the November 1985 uprating.

Dentists (Discretionary Fees)

Mr. Wilkinson asked the Secretary of State for Social Services what representations he has received about long delays in the payment of discretionary fees to National Health Service dentists by the Dental Estimates Board in Eastbourne.

Mr. Kenneth Clarke: Our Department has received only one complaint in the past twelve months which came from a member of the public.

Benefits (Leicester)

Mr. Peter Bruinvels asked the Secretary of State for Social Services how many persons are in receipt of *(a)* supplementary benefit and *(b)* unemployment benefit in the Leicester, East constituency, as compared with the whole of the city of Leicester; if he will list the categories under which benefit is claimed; and if he will give the equivalent figures for the past five years.

Mr. Whitney: Leicester, East constituency is served by two of the Department's offices: Leicester (Yeoman street) and Leicester (Norton street). Their boundaries are not coterminous with the Leicester, East constituency. The number of persons in receipt of supplementary benefit at February 1985 and for the preceding five years was:

February	*Persons over pension age*	*Persons under pension age required to register for employment*	*Persons under pension age not required to register for employment*
1985	10,641	11,981	8,623
1984	10,371	11,939	7,875
1983	10,650	11,599	6,678
1982	10,224	9,623	5,543
1981	10,149	6,833	4,733
1980	10,009	3,991	4,410

Leicester city is served by four of the Department's offices. Their boundaries are not coterminous with Leicester city. The number of persons in receipt of supplementary benefit at February 1985 and for the preceding five years was:

February	*Persons over pension age*	*Persons under pension age required to register for employment*	*Persons under pension age not required to register for employment*
1985	18,203	20,069	14,328
1984	18,170	19,559	13,020
1983	18,741	19,555	10,871
1982	18,028	15,967	8,931
1981	17,730	11,339	7,693
1980	17,637	6,503	7,277

Details of the number of persons in receipt of unemployment benefit in the Leicester, East constituency are not available. The number of persons in receipt of unemployment benefit in Leicester in November 1983 (the latest available information) and the five preceding years was:

	Number
November 1983	7,777
November 1982	8,905
February 1982*	9,555
November 1980	8,514
November 1979	3,134
February 1979*	3,273

* Figures for November 1981 and November 1978 are not available.

Benefits

Mr. Peter Bruinvels asked the Secretary of State for Social Services what was the total amount of *(a)* supplementary benefit and *(b)* unemployment benefit paid to claimants in the most recent 12-month period for which figures are available; and what information he has as to the average number of claimants under each heading during that period.

Mr. Whitney: A total of £5,593 million was paid to all supplementary benefit claimants and £1,497 million to unemployment benefit claimants in the 1983-84 financial year. The estimated average number receiving the benefits at any one time in 1983-84 was 1 million unemployment benefit claimants and 4·4 million claimants of supplementary benefit.

Birth Statistics

Mr. Carter-Jones asked the Secretary of State for Social Services if he will give the mean birthweight and standard deviation for *(a)* total births, *(b)* live births and *(c)* stillbirths in 1980, 1981, 1982, 1983 and 1984, respectively for (i) the United Kingdom, (ii) England and (iii) each regional health authority.

Mr. John Patten: The figures for 1980 to 1983 are shown in the table. No information for 1984 is yet available.

Means and standard deviations of the distributions of birthweights (grams)

United Kingdom, England and Wales, England, Regional Health Authorities, 1980 to 1983

Area		*1980*		*1981*		*1982*		*1983*	
		Mean	*Standard deviation*	*Mean*	*Standard deviation*	*Mean*	*Standard deviation*	*Mean*	*Standard deviation*
United Kingdom	Total births	3,281	561	3,291	569	3,290	569	3,292	571
	Live births	3,290	548	3,304	546	3,297	553	3,299	555

Area		1980 Mean	1980 Standard deviation	1981 Mean	1981 Standard deviation	1982 Mean	1982 Standard deviation	1983 Mean	1983 Standard deviation
	Stillbirths	2,089	982	2,078	986	2,144	979	2,115	967
England	Total births	3,272	560	3,279	567	3,283	563	3,286	565
	Live births	3,281	546	3,293	545	3,290	553	3,292	555
	Stillbirths	2,070	970	2,064	983	2,149	976	2,114	968
Regional Health Authorities									
Northern	Total births	3,291	560	3,295	566	3,301	565	3,302	568
	Live births	3,302	544	3,311	539	3,309	553	3,309	556
	Stillbirths	2,023	922	1,962	936	2,082	926	1,994	926
Yorkshire	Total births	3,252	563	3,248	573	3,270	566	3,275	568
	Live births	3,263	547	3,265	545	3,278	554	3,282	557
	Stillbirths	2,045	958	2,061	1,012	2,103	974	2,143	990
Trent	Total births	3,267	566	3,271	565	3,278	563	3,280	571
	Live births	3,276	552	3,282	547	3,285	553	3,288	560
	Stillbirths	2,101	1,032	2,154	997	2,184	972	2,054	969
East Anglian	Total births	3,305	555	3,321	551	3,318	567	3,327	554
	Live births	3,312	547	3,335	526	3,325	557	3,334	543
	Stillbirths	2,131	817	1,910	942	2,212	1,038	2,141	911
North West Thames	Total births	3,253	557	3,258	573	3,262	557	3,260	561
	Live births	3,260	546	3,274	544	3,267	548	3,266	553
	Stillbirths	2,000	935	2,104	1,137	2,162	965	2,126	927
North East Thames	Total births	3,252	561	3,263	569	3,258	565	3,261	567
	Live births	3,260	547	3,275	552	3,265	555	3,267	558
	Stillbirths	2,150	1,001	2,156	938	2,109	991	2,138	983
South East Thames	Total births	3,282	554	3,286	570	3,286	559	3,283	562
	Live births	3,291	541	3,301	547	3,292	551	3,290	552
	Stillbirths	2,044	938	2,095	991	2,243	989	2,150	948
South West Thames	Total births	3,298	544	3,305	548	3,305	559	3,304	556
	Live births	3,304	535	3,315	531	3,311	549	3,310	546
	Stillbirths	2,158	915	2,012	970	2,150	1,023	2,212	1,042
Wessex	Total births	3,301	542	3,302	557	3,313	555	3,313	558
	Live births	3,308	531	3,316	534	3,318	546	3,320	547
	Stillbirths	2,151	959	1,959	982	2,125	984	2,008	970
Oxford	Total births	3,287	558	3,292	564	3,301	557	3,299	557
	Live births	3,295	545	3,304	545	3,307	548	3,304	549
	Stillbirths	2,008	942	2,026	955	2,180	999	2,187	942
South Western	Total births	3,301	547	3,308	558	3,314	551	3,314	555
	Live births	3,309	535	3,320	540	3,320	543	3,320	546
	Stillbirths	2,175	973	2,000	918	2,170	928	2,147	961
West Midlands	Total births	3,255	568	3,264	576	3,260	565	3,268	570
	Live births	3,265	552	3,282	548	3,268	553	3,276	557
	Stillbirths	2,023	997	2,005	926	2,138	1,004	2,091	1,005
Mersey	Total births	3,290	566	3,283	569	3,307	565	3,313	569
	Live births	3,299	551	3,295	551	3,314	555	3,319	561
	Stillbirths	2,048	999	2,235	967	2,252	978	2,061	891
North Western	Total births	3,247	572	3,253	585	3,262	577	3,268	576
	Live births	3,257	556	3,268	562	3,269	567	3,275	567
	Stillbirths	2,040	984	2,117	992	2,085	913	2,180	967
Wales	Total births	3,310	561	3,290	595	3,310	567	3,305	570
	Live births	3,318	551	3,311	558	3,317	558	3,312	560
	Stillbirths	2,168	898	2,068	1,155	2,115	969	2,187	979

Footnote to table

1. The 1983 figures for the United Kingdom include provision information for Scotland.
2. The 1981 figures for areas of England are based on a 10 per cent. sample.

Mr. Carter-Jones asked the Secretary of State for Social Services if he will give the mean birthweight and standard deviation for *(a)* total births and *(b)* live births in 1983 and 1984, respectively, for each district health authority in England.

Mr. John Patten: The information for 1983 is shown in the table. No information for 1984 is yet available.

Means and standard deviations of birthweights (grams) District Health Authorities in England—1983

District Health Authority		Mean	Standard deviation
Northern RHA			
Hartlepool	Total Births	3,270	546
	Live Births	3,271	544
North Tees	Total Births	3,283	585
	Live Births	3,293	568
South Tees	Total Births	3,326	580
	Live Births	3,331	570
East Cumbria	Total Births	3,327	538
	Live Births	3,337	521
South Cumbria	Total Births	3,360	550
	Live Births	3,362	546
West Cumbria	Total Births	3,312	585
	Live Births	3,320	578
Darlington	Total Births	3,290	581
	Live Births	3,297	569
Durham	Total Births	3,304	579
	Live Births	3,312	566
North West Durham	Total Births	3,287	561
	Live Births	3,292	553
South West Durham	Total Births	3,290	576
	Live Births	3,295	567
Northumberland	Total Births	3,307	542
	Live Births	3,314	532
Gateshead	Total Births	3,276	575
	Live Births	3,286	560
Newcastle	Total Births	3,265	573
	Live Births	3,274	559
North Tyneside	Total Births	3,274	564
	Live Births	3,283	552
South Tyneside	Total Births	3,297	558
	Live Births	3,309	543
Sunderland	Total Births	3,324	567
	Live Births	3,334	551
Yorkshire RHA			
Hull	Total Births	3,309	559
	Live Births	3,313	554
East Yorkshire	Total Births	3,355	546
	Live Births	3,359	539
Grimsby	Total Births	3,318	563
	Live Births	3,331	540
Scunthorpe	Total Births	3,290	548
	Live Births	3,300	530
Northallerton	Total Births	3,325	585
	Live Births	3,329	582
York	Total Births	3,324	561
	Live Births	3,333	546
Scarborough	Total Births	3,353	580
	Live Births	3,364	566
Harrogate	Total Births	3,307	556
	Live Births	3,317	537
Bradford	Total Births	3,189	569
	Live Births	3,196	558
Airedale	Total Births	3,219	557
	Live Births	3,223	551
Calderdale	Total Births	3,231	582
	Live Births	3,244	560
Huddersfield	Total Births	3,285	538
	Live Births	3,290	530
Dewsbury	Total Births	3,221	555
	Live Births	3,227	545
Leeds Western	Total Births	3,284	601
	Live Births	3,289	594
Leeds Eastern	Total Births	3,269	563
	Live Births	3,276	555
Wakefield	Total Births	3,287	570
	Live Births	3,296	556
Pontefract	Total Births	3,277	567
	Live Births	3,280	562
Trent RHA			
North Derbyshire	Total Births	3,278	565
	Live Births	3,286	553
Southern Derbyshire	Total Births	3,287	574
	Live Births	3,294	562
Leicestershire	Total Births	3,264	569
	Live Births	3,272	556
North Lincolnshire	Total Births	3,309	565
	Live Births	3,315	554
South Lincolnshire	Total Births	3,299	564
	Live Births	3,311	548
Bassetlaw	Total Births	3,283	567
	Live Births	3,294	549
Central Nottinghamshire	Total births	3,291	559
	Live births	3,297	553
Nottingham	Total births	3,252	583
	Live births	3,259	571
Barnsley	Total births	3,281	560
	Live births	3,284	555
Doncaster	Total births	3,293	581
	Live births	3,300	568
Rotherham	Total births	3,292	585
	Live births	3,302	571
Sheffield	Total births	3,295	567
	Live births	3,300	561
East Anglian RHA			
Cambridge	Total births	3,330	547
	Live births	3,336	538
Peterborough	Total births	3,305	579
	Live births	3,316	566
West Suffolk	Total births	3,325	569
	Live births	3,331	562
East Suffolk	Total births	3,367	529
	Live births	3,372	521
Norwich	Total births	3,314	564
	Live births	3,322	553
Great Yarmouth and Waveney	Total births	3,308	550
	Live births	3,315	539
West Norfolk and Wisbech	Total births	3,314	528
	Live births	3,319	517
Huntingdon	Total births	3,343	556
	Live births	3,351	540
North West Thames RHA			
North Bedfordshire	Total births	3,351	567
	Live births	3,355	561
South Bedfordshire	Total births	3,289	563
	Live births	3,295	556
North Hertfordshire	Total births	3,281	539
	Live births	3,286	530
East Hertfordshire	Total births	3,335	546
	Live births	3,340	539
North West Hertfordshire	Total births	3,304	546
	Live births	3,311	535
South West Hertfordshire	Total births	3,253	535
	Live births	3,256	531
Barnet	Total births	3,255	543
	Live births	3,261	535
Harrow	Total births	3,214	545
	Live births	3,221	536
Hillingdon	Total births	3,265	568
	Live births	3,272	561
Hounslow and Spelthorne	Total births	3,267	573
	Live births	3,273	562
Ealing	Total births	3,209	554
	Live births	3,214	547
Brent	Total births	3,139	582
	Live births	3,145	574
Paddington and North Kensington	Total births	3,199	608
	Live births	3,210	592
Hammersmith and Fulham	Total births	3,261	553
	Live births	3,267	546
Victoria	Total births	3,285	553
	Live births	3,286	552

District Health Authority		Mean	Standard deviation
North East Thames RHA			
Basildon and Thurrock	Total births	3,305	550
	Live births	3,311	541
Mid Essex	Total births	3,328	539
	Live births	3,333	530
North East Essex	Total births	3,283	552
	Live births	3,288	544
West Essex	Total births	3,355	561
	Live births	3,360	551
Southend	Total births	3,328	544
	Live births	3,336	534
Barking, Havering and Brentwood	Total births	3,305	561
	Live births	3,310	554
Hampstead	Total births	3,248	579
	Live births	3,252	570
Bloomsbury	Total births	3,218	590
	Live births	3,227	578
Islington	Total births	3,233	577
	Live births	3,236	573
City and Hackney	Total births	3,198	563
	Live births	3,202	559
Newham	Total births	3,180	577
	Live births	3,189	564
Tower Hamlets	Total births	3,169	558
	Live births	3,179	539
Enfield	Total births	3,246	581
	Live births	3,251	574
Haringey	Total births	3,203	584
	Live births	3,212	569
Redbridge	Total births	3,274	551
	Live births	3,278	544
Waltham Forest	Total births	3,220	592
	Live births	3,225	583
South East Thames RHA			
Brighton	Total births	3,292	556
	Live births	3,299	545
Eastbourne	Total births	3,291	555
	Live births	3,295	550
Hastings	Total births	3,309	544
	Live births	3,317	531
South East Kent	Total births	3,316	559
	Live births	3,320	556
Canterbury and Thanet	Total births	3,321	552
	Live births	3,327	542
Dartford and Gravesham	Total births	3,302	550
	Live births	3,310	539
Maidstone	Total births	3,337	552
	Live births	3,346	537
Medway	Total births	3,303	562
	Live births	3,310	553
Tunbridge Wells	Total births	3,330	530
	Live births	3,334	524
Bexley	Total births	3,290	550
	Live births	3,293	546
Greenwich	Total births	3,264	568
	Live births	3,270	558
Bromley	Total births	3,338	526
	Live births	3,340	523
West Lambeth	Total births	3,194	583
	Live births	3,201	574
Camberwell	Total births	3,186	599
	Live births	3,194	588
Lewisham and North Southwark	Total births	3,225	575
	Live births	3,236	557
South West Thames RHA			
North West Surrey	Total births	3,307	562
	Live births	3,315	549
West Surrey and North East Hampshire	Total births	3,312	542
	Live births	3,319	527
South West Surrey	Total births	3,356	555
	Live births	3,359	547
Mid Surrey	Total births	3,292	541
	Live births	3,299	530
East Surrey	Total births	3,324	573
	Live births	3,332	559
Chichester	Total births	3,333	558
	Live births	3,348	534
Mid Downs	Total births	3,336	541
	Live births	3,340	533
Worthing	Total births	3,324	552
	Live births	3,329	545
Croydon	Total births	3,287	565
	Live births	3,290	561
Kingston and Esher	Total births	3,308	549
	Live births	3,314	539
Richmond, Twickenham and Roehampton	Total births	3,320	538
	Live births	3,322	535
Wandsworth	Total births	3,215	580
	Live births	3,223	569
Merton and Sutton	Total births	3,285	553
	Live births	3,290	545
Wessex RHA			
East Dorset	Total births	3,294	552
	Live births	3,302	538
West Dorset	Total births	3,333	563
	Live births	3,336	558
Portsmouth and South East Hampshire	Total births	3,288	559
	Live births	3,295	549
Southampton and South West Hampshire	Total births	3,320	573
	Live births	3,327	560
Winchester	Total births	3,311	577
	Live births	3,318	564
Basingstoke and North Hampshire	Total births	3,306	531
	Live births	3,311	523
Salisbury	Total births	3,351	545
	Live births	3,354	541
Swindon	Total births	3,324	548
	Live births	3,330	537
Bath	Total births	3,325	562
	Live births	3,333	547
Isle of Wight	Total births	3,371	544
	Live births	3,377	536
Oxford RHA			
East Berkshire	Total births	3,298	553
	Live births	3,305	542
West Berkshire	Total births	3,313	550
	Live births	3,319	543
Aylesbury Vale	Total births	3,297	584
	Live births	3,302	580
Wycombe	Total births	3,277	545
	Live births	3,280	540
Milton Keynes	Total births	3,280	590
	Live births	3,285	583
Kettering	Total births	3,293	549
	Live births	3,299	541
Northampton	Total births	3,314	576
	Live births	3,320	566
Oxfordshire	Total births	3,301	543
	Live births	3,306	537
South Western RHA			
Bristol and Weston	Total births	3,279	566
	Live births	3,286	557
Frenchay	Total births	3,318	571
	Live births	3,324	562
Southmead	Total births	3,331	564
	Live births	3,334	557
Cornwall and Isles of Scilly	Total births	3,319	554
	Live births	3,326	543
Exeter	Total births	3,320	561
	Live births	3,324	555
North Devon	Total births	3,287	553
	Live births	3,296	538
Plymouth	Total births	3,310	537
	Live births	3,316	526
Torbay	Total births	3,316	573
	Live births	3,322	562
Cheltenham and District	Total births	3,310	530

District Health Authority		Mean	Standard deviation
Gloucester	Live births	3,314	526
	Total births	3,321	553
Somerset	Live births	3,328	541
	Total births	3,331	544
	Live births	3,335	539
West Midlands RHA			
Bromsgrove and Redditch	Total births	3,329	563
	Live births	3,334	556
Herefordshire	Total births	3,333	573
	Live births	3,346	553
Kidderminster and District	Total births	3,297	564
	Live births	3,301	559
Worcester and District	Total births	3,338	547
	Live births	3,347	532
Shropshire	Total births	3,325	570
	Live births	3,335	552
Mid Staffordshire	Total births	3,311	565
	Live births	3,322	547
North Staffordshire	Total births	3,273	579
	Live births	3,283	564
South East Staffordshire	Total births	3,338	553
	Live births	3,345	541
Rugby	Total births	3,294	550
	Live births	3,301	536
North Warwickshire	Total births	3,319	560
	Live births	3,332	540
South Warwickshire	Total births	3,316	522
	Live births	3,318	518
Central Birmingham	Total births	3,189	573
	Live births	3,198	560
East Birmingham	Total births	3,212	562
	Live births	3,222	546
North Birmingham	Total births	3,282	579
	Live births	3,286	569
South Birmingham	Total births	3,261	570
	Live births	3,268	561
West Birmingham	Total births	3,160	578
	Live births	3,168	567
Coventry	Total births	3,229	548
	Live births	3,236	537
Dudley	Total births	3,284	578
	Live births	3,291	569
Sandwell	Total births	3,209	574
	Live births	3,218	565
Solihull	Total births	3,302	568
	Live births	3,307	560
Walsall	Total births	3,227	582
	Live births	3,233	573
Wolverhampton	Total births	3,215	580
	Live births	3,222	566
Mersey RHA			
Chester	Total births	3,346	568
	Live births	3,349	564
Crewe	Total births	3,290	571
	Live births	3,296	561
Halton	Total births	3,348	560
	Live births	3,353	552
Macclesfield	Total births	3,344	573
	Live births	3,353	562
Warrington	Total births	3,300	566
	Live births	3,306	559
Liverpool	Total births	3,296	567
	Live births	3,303	557
St. Helens and Knowley	Total births	3,274	576
	Live births	3,280	568
Southport and Formby	Total births	3,397	546
	Live births	3,400	543
South Sefton	Total births	3,286	564
	Live births	3,294	550
Wirral	Total births	3,355	570
	Live births	3,360	563
North Western RHA			
Lancaster	Total births	3,312	553
Blackpool, Wyre and Fylde	Live births	3,315	548
	Total births	3,312	570
Preston	Live births	3,322	556
	Total births	3,248	575
Blackburn, Hyndburn and Ribble Valley	Live births	3,259	562
	Total births	3,235	582
Burnley, Pendle and Rossendale	Live births	3,242	573
	Total births	3,258	569
West Lancashire	Live births	3,262	564
	Total births	3,315	587
Chorley and South Ribble	Live births	3,319	579
	Total births	3,326	568
Bolton	Live births	3,334	557
	Total births	3,258	563
Bury	Live births	3,266	553
	Total births	3,307	570
North Manchester	Live births	3,318	553
	Total births	3,231	590
Central Manchester	Live births	3,236	585
	Total births	3,175	599
South Manchester	Live births	3,179	594
	Total births	3,240	577
Oldham	Live births	3,245	570
	Total births	3,244	594
Rochdale	Live births	3,249	575
	Total births	3,222	564
Salford	Live births	3,228	557
	Total births	3,262	587
Stockport	Live births	3,269	577
	Total births	3,294	552
Tameside and Glossop	Live births	3,299	545
	Total births	3,282	565
Trafford	Live births	3,288	557
	Total births	3,279	584
Wigan	Live births	3,284	577
	Total births	3,301	583
	Live births	3,309	571

Severe Disablement Allowance

Mr. Alfred Morris asked the Secretary of State for Social Services if he will classify refusals of severe disablement allowance to *(a)* men, *(b)* single women and *(c)* married women according to the following reasons: (i) over pension age, (ii) not incapable of work, (iii) failed the 80 per cent. test, (iv) failed residence and presence conditions and (v) other.

Mr. Newton: The available information as at 12 March is as follows.

	Men	*Single and divorced women and widows*	*Married women*
Over pension age	119	71	167
Not incapable of work	5	1	2
Disablement condition not satisfied	16	8	71
Other	34	17	22
TOTAL	174	97	262

Separate information is not available on the number who failed the residence or presence conditions. These cases are included under "Other".

Mr. Alfred Morris asked the Secretary of State for Social Services how many applications for severe

disablement allowance have been received; and how many claims have been decided at the last date for which figures are available.

Mr. Newton: As at 12 March 18,983 claims for severe disablement allowance had been received of which 1,041 had been decided.

Mr. Alfred Morris asked the Secretary of State for Social Services how many *(a)* favourable and *(b)* unfavourable decisions on applications for severe disablement allowance have been made to date.

Mr. Newton: 508 and 533 respectively, as at 12 March.

Mr. Alfred Morris asked the Secretary of State for Social Services if he will classify awards of severe disablement allowance to *(a)* men, *(b)* single women and *(c)* married women according to whether they (i) were exempt from the 80 per cent. test on the grounds of age, (ii) were passported to the 80 per cent. test or (iii) passed the 80 per cent. test.

Mr. Newton: The information as at 12 March is as follows.

	Men	*Single and divorced women and widows*	*Married women*
Exempt from disablement condition (under 20 when incapacity arose or claim links with non-contributory invalidity pension or housewives non-contributory invalidity pension)	79	59	42
Passported to disablement condition	25	13	269
Disablement condition satisfied	5	—	16
	109	72	327

Cervical Cancer

Mr. Oakes asked the Secretary of State for Social Services (1) if he will estimate the cost of computerising the cervical cancer smear test scheme for the whole of the United Kingdom;

(2) how many and which area health authorities have proposed to install computerised cervical cancer smear test schemes; and how many and in which areas such schemes have been approved.

Mr. Kenneth Clarke: I shall let the right hon. Member have a reply as soon as possible.

Mr. Oakes asked the Secretary of State for Social Services if he will estimate the cost of computerising the cervical cancer smear scheme in the Cheshire area health authority; what representations he has received from the authority to do this; and what replies he has given.

Mr. Kenneth Clarke: We have received no representations on this subject from the district health authorities in Cheshire who are responsible for cervical screening and for whom the FPC already operates a manual recall scheme. So far as we are aware, this scheme is working satisfactorily.

It would cost rather over £100,000 to put the female patient registration records of Cheshire family practitioner committee onto a computer suitable for cervical cytology call and recall, not including operating costs. Cheshire FPC is keen to have a computer for patient registration and other activities when funds are available, and has been advised of our overall plans and priorities for installing computers in FPCs.

Mr. Oakes asked the Secretary of State for Social Services how many errors have come to light during the last five years which have arisen from the use of a manual cervical cancer smear test scheme; and if any of these occurred in the Cheshire area health authority.

Mr. Kenneth Clarke: We are not aware of any such errors. Cervical cytology recall schemes, whether manual or computerised, are designed to invite women who have already been tested to attend for routine cervical cytology tests at regular intervals. The hon. Member may wish to approach the district health authority for information on the system currently operating in Cheshire.

Once any test has been taken, it is essential that proper arrangements are made by the clinician to ensure follow-up of any abnormal smears. The hon. Member may have in mind reported cases of error in these arrangements but they are nothing to do with the arrangement for recall.

Mr. Oakes asked the Secretary of State for Social Services how many women have died from cervical cancer in the Cheshire area health authority area in each of the last five years; and how this compares with the United Kingdom average.

Mr. Kenneth Clarke: The information requested is shown in the following table, for the five most recent years for which data are available.

To provide a comparison with the United Kingdom figure a standardised mortality ratio (SMR) is shown. The SMR for the United Kingdom is 100.

*Deaths from cancer of cervix uteri (ICD 180) and Standardised Mortality Ratios based on United Kingdom, 1979-83 Cheshire Area Health Authority**

Year	*Numbers of deaths*	*SMR*
1979	50	137
1980	50	140
1981	49	138
1982	40	116
1983	45	129

* Cheshire Area Health Authority up to 1 April 1982; County of Cheshire from 1 April 1982. (The Area Health Authority equated to the County).

Infertility

Mr. Fatchett asked the Secretary of State for Social Services whether he intends to set up an inquiry into the causes, treatment, and treatment provision in the area of infertility as recommended in the Warnock report.

Mr Kenneth Clarke: We have no plans to do at present.

Mr. Fatchett asked the Secretary of State for Social Services whether his Department collects information as to the current provision of treatment of infertility.

Mr. Kenneth Clarke: The statistics we collect do not identify this information.

Quangos

Sir Philip Holland asked the Secretary of State for Social Services on how many occasions in the 12 months to 31 March the Advisory Group on Hepatitis submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. John Patten: The Advisory Group on Hepatitis met twice. On the basis of the Group's advice, in December 1984 the Department issued guidance for health care personnel dealing with patients infected with Hepatitis B virus. this is contained in CMO(84)11 and CNO(84)7, copies of which are in the Library.

Sir Philip Holland asked the Secretary of State for Social Services on how many occasions in the 12 months to 31 March the Advisory Committee on Assessment of Laboratory Standards submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. John Patten: The Advisory Committee on Assessment of Laboratory Standards (ACALS)met three times during the 12 months to 31 March 1985 and submitted wide-ranging advice on all three occasions with the objective of improving the concordance of clinical laboratory results throughout the National Health Service and in the private health care sector. It thus plays an important part in securing accurate and reliable diagnosis of dise.. e. We took action to disseminate or follow up by other appropriate means all the advice received.

Sir Philip Holland asked the Secretary of State for Social Services (1) on how many occasions in the 12 months to 31 March the Committee on Dental and Surgical Materials submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given;

(2) on how many occasions in the 12 months to 31 March the Committee on the Review of Medicines submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Kenneth Clarke: The statutory committees on the Review of Medicines and on Dental and Surgical Materials provide a continuous flow of written advice on general matters and on individual cases concerned with the safety, quality and efficacy of medicinal products and related subjects. The action taken on such matters depends on the particular circumstances but it is exceptional for the advice not be accepted. Information about detailed advice given by the committees is commercially confidential.

The latest available figures cover the 12 months until 31 December 1984. During that period the number of product licence applications referred for advice to the Committee on the Review of Medicines was 108 and to the Committee on Dental and Surgical Materials was 100. In addition advice was obtained from the Committee on the Review of Medicines about the revocation on safety grounds of 11 product licences.

Sir Philip Holland asked the Secretary of State for Social Services on how many occasions in the 12 months to 31 March the Central Advisory Committee on Rural Practice Payments submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Kenneth Clarke: On one occasion. As a result, fees for visits paid by general medical practitioners to lighthouses and islands were revised with effect from 1 January 1985.

Sir Philip Holland asked the Secretary of State for Social Services on how many occasions in the 12 months to 31 March the Joint Group on Performance Indicators submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. John Patten: The Joint Group on Performance Indicators formally submitted its Report in January 1985. That report gave as its main recommendation that the Department should issue a set of Performance Indicators in 1985 based on the work of the joint group and its working groups. The report also contained twelve detailed recommendations. The Department is now taking action to implement all the recommendations of the joint group; a new package of Performance Indicators will be issued to the Health Service this summer.

Sir Philip Holland asked the Secretary of State for Social Services on how many occasions in the 12 months to 31 March the Maternity Services Advisory Committee submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. John Patten: In the 12 months ending 31 March 1985, the Maternity Services Advisory Committee submitted advice on one occasion, in the form of its 3rd and last report "Care of the Mother and Baby", published on 21 February 1985. We distributed over 13,000 copies of this report to the Health Service, and to professional and lay organisations; and have asked health authorities to take its recommendations into account when considering what improvements might be needed to their services in this field. Having completed its work, the committee has now been wound up.

Sir Philip Holland asked the Secretary of State for Social Services on how many occasions in the 12 months to 31 March the Advisory Committee on Borderline Substances submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Kenneth Clarke: In the 12 months to 31 March 1985 the Advisory Committee on Borderline Substances met 3 times and considered some 36 products put to it by manufacturers. The committee advised that 11 of these products were either toilet preparations or foods and therefore should not be prescribable at National Health Service expense and that 25 products should be prescribable under the NHS but only for certain clinical conditions. We accepted this advice and informed the medical profession accordingly.

Sir Philip Holland asked the Secretary of State for Social Services on how many occasions in the 12 months to 31 March the Advisory Committee on Dialysis

Equipment submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. John Patten: The Advisory Committee on Dialysis Equipment held one meeting during the twelve months ending 31 March 1985. At that meeting levels of aluminium and fluoride in the water supply for haemodialysis were discussed which resulted in the publication of a Safety Information Bulletin No. 20, SIB(85)2; Water for Haemodialysis: Aluminium and Fluoride Levels. This Bulletin gives recommendations for minimising exposure of patients undergoing haemodialysis to these substances. The safety information bulletin was issued to health authorities throughout the United Kingdom.

Sir Philip Holland asked the Secretary of State for Social Services on how many occasions in the 12 months to 31 March the Health Services Human Growth Hormone Committee submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. John Patten: The Health Services Human Growth Hormone Committee meets quarterly and its minutes are circulated within the Department. The committee's functions are executive rather than advisory and its responsibilities are mainly clinical; in 1984 they considered 248 cases for growth hormone therapy. In 1977 it replaced the Medical Research Council's working party on human growth hormone. Health circular HC(77)21 which announced the change and outlined the committee's remit was placed in the Library. The remit remains unaltered.

Sir Philip Holland asked the Secretary of State for Social Services on how many occasions in the 12 months to 31 March the Joint Committee on Vaccination and Immunisation submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. John Patten: The Joint Committee on Vaccination and Immunisation met twice. In addition, there was regular contact between our officials and the Chairman and Members of the committee as the need arose. The committee's advice was taken into account on all issues relating to the Government's policy on immunisation.

Sir Philip Holland asked the Secretary of State for Social Services on how many occasions in the 12 months to 31 March the Joint Committee on the Medical Aspects of Water Quality submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. John Patten: None. This committee and another committee which had advised on the contamination of air and soil were replaced (in 1984) by the Committee on the Medical Aspects of the Contamination of Air, Soil and Water.

This committee will, amongst other functions, provide advice on questions referred by the Department of the Environment, directly or on behalf of the water industry, on the medical significance of chemicals and physical agents which may be present in drinking water. Any action required as a result of this advice will usually be for that Department or the water industry.

The committee met in November 1984 and February 1985 and is expected to meet four times a year in future. No fresh action has been required as a result of advice given at these meetings other than to seek additional information on questions under review.

Westminster Hospital Cardiac Unit

Mr. McQuarrie asked the Secretary of State for Social Services what action he proposes to take on the decision by the Victoria health authority to close the cardiac surgical unit at Westminster hospital; and if he will make a statement.

Mr. Kenneth Clarke: We are currently considering this proposal in the light of the representations we have received. I shall write to my hon. Friend when a final decision has been reached.

NHS (Management Consultants)

Mr. Cohen asked the Secretary of State for Social Services how much has been spent on management consultants' services in the National Health Service in each year since 1979; and what is the proposed figure for 1985-86.

Mr. Kenneth Clarke: Management consultants are commissioned for work in the National Health Service both by health authorities and by our Department. No record of the work commissioned by health authorities is kept centrally and the information cannot be produced without disproportionate cost. Consultancy work commissioned by the Department covers both National Health Service and Departmental applications but separate figures are not kept. Central funding since 1979 was as follows:

	£
1979-80	411,026
1980-81	390,930
1981-82	731,276
1982-83	1,315,588
1983-84	3,622,887
1984-85	*7,600,000

* Estimated.

Proposed expenditure for 1985-86 is estimated at £13·8 million. Separate figures for work commissioned in the National Health Service by our Department cannot be produced without disproportionate cost.

The increase in expenditure in the last two to three years has been influenced substantially by the need to obtain expert technical assistance with the development of advanced on-line computer systems for social security operations.

Mr. Cohen asked the Secretary of State for Social Services what information he has regarding the incidence of management consultants employed by the National Health Service seeking to attract National Health Service employees away from the National Health Service and into employment with those consultants; and if he will make a statement.

Mr. Kenneth Clarke: We do not have such information.

Private Contractors

Mr. Thurnham asked the Secretary of State for Social Services if he is satisfied with the progress being made by Bolton district health authority in inviting tendering by private companies for laundry services; and if he will make a statement.

Mr. Kenneth Clarke: The North Western regional health authority is carrying out a study of its laundry services and when this is completed tendering programmes will be drawn up by the district health authorities, including Bolton.

Benefits (Coventry)

Mr. Park asked the Secretary of State for Social Services what number and percentage of those unemployed in the Coventry travel-to-work area have exhausted their right to unemployment benefit.

Mr. Ray Whitney: At November 1983 there were 12,360 unemployment claimants in the area covered by the Coventry unemployment benefit offices, including the office in Leamington, who had exhausted their entitlement to unemployment benefit. This was 38·7 per cent. of the total number of unemployed claimants in that area. Information on the benefit position of unemployed claimants is not available for the travel-to-work area.

Mr. Park asked the Secretary of State for Social Services how many extra-statutory payments have been made by the Coventry offices of his Department in the latest year; and how much money is involved, giving separate figures for compensation and payment in respect of benefit.

Mr. Whitney: In the year ended 31 March 1985, the Department made two special payments in respect of cases from the Coventry East local office: an extra statutory payment of £32·50 as compensation for delay in payment of a statutory entitlement of £679·65, and an ex-gratia payment of £19·32 in recognition of loss suffered as a result of official misdirection.

Extra-statutory authority was given in a third case to give home responsibilities protection cover during the 1984-85 tax year to safeguard the individual's pension rights; no cash payment was involved.

Orthoptists

Mr. Ashdown asked the Secretary of State for Social Services if he will make it his policy that, because of the increasing work load associated with glaucoma patients health authority staffing of orthoptists in proportion to catchment population should be 1 to 40,000; and if he will make a statement.

Mr. Kenneth Clarke: We value highly the work of orthoptists, including the work they do with glaucoma patients. Provision of staff for this work must however be a matter for individual health authorities, based on their knowledge of local circumstances and priorities.

Mr. Ashdown asked the Secretary of State for Social Services if he will describe the work done by orthoptists employed by the health authorities.

Mr. Kenneth Clarke: Orthoptists work under the overall direction of consultant ophthalmologists. They are concerned mainly with the diagnosis and non-surgical treatment of patients, most of them children, and with disorder of the function of the eye muscles, particularly squints. They may also work in the diagnosis and treatment of glaucoma and other eye diseases.

Mr. Ashdown asked the Secretary of State for Social Services if he will publish a list showing, by regional health authorities *(a)* the number of whole-time equivalent orthoptists employed in each year since 1981 and *(b)* on the latest available figures, the ratio of whole-time equivalent orthoptists to catchment population.

Mr. Kenneth Clarke: The information is as follows. The latest available figures are for 30 September 1983. As there are no centrally defined catchment populations for orthoptists the ratios to resident population have been given.

National Health Service Orthoptists as at 30 September

Region	*Whole-time equivalent**			*Whole-time equivalent per 100,000 resident population as at 30 September 1983*
	1981	*1982*	*1983*	
Northern RHA	19	21	20	0·64
Yorkshire RHA	28	31	30	0·84
Trent RHA	38	38	39	0·84
East Anglian RHA	15	17	17	0·87
NW Thames RHA	26	29	28	0·82
NE Thames RHA	19	21	21	0·55
SE Thames RHA	28	30	31	0·86
SW Thames RHA	19	21	19	0·63
Wessex RHA	20	20	21	0·73
Oxford RHA	26	24	28	1·19
South Western RHA	34	39	34	1·10
West Midlands RHA	58	60	61	1·17
Mersey RHA	23	23	23	0·93
North Western RHA	52	51	52	1·29
London Post Graduate SHAs	22	19	23	
ENGLAND TOTAL	425	444	444	0·95

* Owing to rounding the sum of the Regional figures may not add up to the total shown.

Community Health Councils

Mr. Tony Lloyd asked the Secretary of State for Social Services how much money was promised to the Association of Community Health Councils in England and Wales for 1983-84 and 1984-85; how much will be made available; and if he will make a statement.

Mr. Kenneth Clarke: A Government grant of £15,000 was offered to the association in respect of 1983-84 and paid in April 1984. A further grant of up to £27,500 was offered to clear the association's projected deficit in 1984-5, subject to a number of conditions, one of which was that if the deficit in 1984-85 proved to be less than £27,500, only the actual amount would be met. The association confirmed their acceptance of the conditions in accepting the grant offer. Payments totalling £21,100, based on monthly statements of receipts and payments provided by the association, have been made.

Our policy continues to be that the association's main source of income should be subscriptions from individual community health councils for whose benefit the association exists and who are best placed to judge the value of the association's work. We have also made it quite clear that we expect the association to manage its financial affairs so as to operate within the income it attracts.

Medical Aid for Poland Fund

Mr. Tony Lloyd asked the Secretary of State for Social Services (1) how much aid was given in 1984 to the Medical Aid for Poland fund; and how much he expects to be given in 1985 and of what kind;

(2) how much surplus medical equipment and supplies were given to Equipment for Charity Hospitals Overseas in 1984; and how much he expects will be given in 1985.

Mr. John Patten: I shall let the hon. Member have a reply as soon as possible.

Private Hospitals (NHS Equipment)

Mr. Tony Lloyd asked the Secretary of State for Social Services how much surplus medical equipment and supplies was given to or disposed of at less than cost price to private hospitals in 1984; and how much he expects will be given in 1985.

Mr. John Patten: We do not have this information centrally.

Tenosynovitis

Mr. Nicholas Brown asked the Secretary of State for Social Services if he will ask the Industrial Injuries Advisory Council to consider widening the terms of the prescribed disease tenosynovitis to include carpal tunnel syndrome and other diseases from the class of diseases known as repetitive strain injury.

Mr. Tony Newton: The Industrial Injuries Advisory Council considered repetition strain injuries, including carpal tunnel syndrome, in its report, published in 1981, "Industrial Diseases: a Review of the Schedule and the Question of Individual Proof", (Cmnd. 8393, paragraphs 51 to 55). In 1983 the council studied two of these conditions, epicondylitis of the humerus and rotator cuff syndrome, in more detail. This report was not published but copies are available in the Library. Both reports took the view that there was insufficient evidence to warrant widening the terms of prescription.

Vibration White Finger

Mr. Nicholas Brown asked the Secretary of State for Social Services if he will publish his Department's estimates of the likely cost of compensation payments to the victims of vibration white finger who will be able to claim benefit for the first time from April.

Mr. Newton: The latest estimate places the cost at £188,000 for 1985-86 and £486,000 for 1986-87. These estimates can be only rough approximations due to the lack of comprehensive statistics on workers suffering from the disease and the difficulty of predicting how many of those eligible will actually claim benefit.

Asbestos

Mr. Nicholas Brown asked the Secretary of State for Social Services what are his Department's estimates of the likely cost of compensation payments to the victims of asbestos who will be able to claim benefit for the first time from April.

Mr. Newton: The latest estimate places the cost at £75,000 for 1985-86 and £170,000 for 1986-87. These estimates can be only rough approximations due to the lack of comprehensive statistics on workers suffering from the diseases and the difficulty of predicting how many of those eligible will actually claim benefit.

Sympathetic Hearing Scheme

Mr. Ashley asked the Secretary of State for Social Services (1) how much money has been allocated by his Department to the sympathetic hearing scheme for deaf people since it was launched by his predecessor; and how much is likely to be paid in the future;

(2) what is his assessment of the value of the sympathetic hearing scheme for deaf people; if he intends to continue to support it; and if he will make a statement.

Mr. Newton: The Panel of Four Principal National Organisations representing deaf people and their interests has indicated to us that the sympathetic hearing scheme has been a great success. The Department has paid grants totalling £235,000 towards the support of the scheme and we are in touch with the Panel of Four about its future financing.

Nursing and Residential Care

Mrs. Renée Short asked the Secretary of State for Social Services what assessment he intends to make of the extent to which his proposal to limit payments for elderly people in nursing homes to £138·60 a week will be adequate to cover the additional costs of nursing care over residential care.

Mr. Newton: We have no firm evidence at present that the differential between the supplementary benefit board and lodging limit for nursing homes and that for residential homes is inadequate, but we have accepted the recommendation of the Social Security Advisory Committee that this issue merits further research. We are arranging for this to be undertaken, and will review the position when fuller information is available.

Deaf Persons (Interpreters)

Mr. Viggers asked the Secretary of State for Social Services if he will institute a register of qualified interpreters in sign language for the deaf.

Mr. Newton: The Council for the Advancement of Communication with Deaf People, which is grant aided by this Department, maintains such a register.

Supplementary Benefit

Mr. Craigen asked the Secretary of State for Social Services if he will estimate the number of mortgage payers on supplementary benefit and the amount involved in the past year in meeting the interest payments of those unemployed.

Mr. Whitney: There are no figures yet available for 1984. The latest information on the number of claimants in Great Britain receiving supplementary benefit housing addition payments for mortgage interest and the estimated cost of meeting the interest payments of those supplementary benefit claimants who are unemployed is as follows:

	1982	**1983*
Total number of supplementary beneficiaries in receipt of mortgage interest	235,000	250,000
Number of those who are unemployed	140,000	142,000
Average weekly amount of mortgage interest in unemployed cases	£16.92	†
Estimated annual cost of meeting mortgage interest in unemployed cases	£123,000,000	†

* (estimate)
† Not yet available

Students (Benefits)

Mr. Gordon Brown asked the Secretary of State for Social Services (1) what is the estimated cost of meeting the entitlement to supplementary benefit of full-time students in advanced education *(a)* for the short Easter and Christmas vacations and *(b)* for the long vacations;

(2) what is the estimated cost of meeting the entitlement of full-time students in advanced education *(a)* in respect of certificated housing benefit and *(b)* in respect of standard housing benefit.

Mr. Newton: I shall let the hon. Member have replies as soon as possible.

Nursing Homes

Mr. Dobson asked the Secretary of State for Social Services if he will list the registered nursing homes with operating theatres in England on 31 December 1983 giving in each case the number of beds and the health district and region.

Mr. Kenneth Clarke [*pursuant to his reply,* 21 January 1985 c. *327*]: The available information is given in the table.

Private hospitals, nursing homes and clinics with operating theatres registered under the Nursing Homes Act 1975, as amended by the Health Service Act 1980
Position at 31 December 1983

Region, institution and district	*Number of beds*
Northern	
The Cleveland Nuffield Hospital, North Tees	36
Newcastle Nuffield Hospital, Newcastle Upon Tyne	38
Yorkshire	
Hull Nuffield Hospital, Hull	30
St. Hughs Nursing Home, Grimsby	36
Crosby Nursing Home Ltd., Scunthorpe	16
St. John of God Hospital, Northallerton	125
Purey Cust Nursing Home, York	24
York Alternative Medical Practice, York	0
The Belvedere Nursing Home, Scarborough	40
Duchy House Hospital, Harrogate	37
Biograft Medical Group. Bradford	0
The Yorkshire Clinic, Airedale	45
Huddersfield Nuffield Hospital, Huddersfield	21
Fulford Grange Private Hospital, Leeds Western	20
Mid Yorkshire Nuffield Hospital, Leeds Western	30
Marie Stopes Centre, Leeds Western	0
Falloden Private Nursing Home, Leeds Eastern	21
Trent	
The East Midlands Nuffield Hospital, South Derbyshire	32
St. Mary's Nursing Home, South Derbyshire	26
Lancaster House Private Hospital, Leicestershire	31
London Road Private Hospital, Leicestershire	37
The Bromhead Nursing Home, North Lincolnshire	30
Cranleigh Grange Private Surgical Hospital, Nottingham	21
Little Company of Mary Convent Nursing Home, Nottingham	60
The Park Hospital, Nottingham	70
Danum Lodge Nursing Home, Doncaster	24
St. Wilfrid's Nursing Home, Doncaster	14
Parkfield Private Hospital, Rotherham	19
Beechwood Private Clinic, Sheffield	45
The Claremont Nursing Home, Sheffield	65
The Leicester Clinic, Leicestershire	44
East Anglian	
Bourn Hall Clinic, Cambridge	30
Hope Nursing Home, Cambridge	26
The Evelyn Nursing Home, Cambridge	61
Fitzwilliam Hospital, Peterborough	44
St Edmunds Nursing Home, West Suffolk	31
Ipswich Surgical Home, East Suffolk	32
All Hallows Hospital, Norwich	20
BUPA Hospital, Norwich	56
The Manor House Nursing Home, Huntingdon	8
North West Thames	
The Manor House Hospital, North Bedfordshire	30
Pinehill Hospital, North Hertfordshire	30
BUPA Hospital, Harpenden, North West Hertfordshire	40
BUPA Hospital, Bushey, South West Hertfordshire	60
The Garden Hospital, Barnet	30
Novaford Clinic, Barnet	16
The Manor House Hospital, Barnet	163
Chatsworth Clinic, Barnet	17
The Clementine Churchill Hospital, Harrow	99
St. Vincent's Orthopaedic Hospital, Hillingdon	132
The Poutney Hair Clinic, Hounslow and Spelthorne	6
The Old Court Clinic, Ealing	49
Parkview Clinic, Ealing	30
Hillside Hospital, Ealing	29

Region, institution and district	Number of beds
Bobley Private Clinic, Paddington and North Kensington	17
The Royal Masonic Hospital, Hammersmith and Fulham	263
Cromwell Hospital, Victoria	168
North East Thames	
Fairfield Nursing Home, West Essex	31
Holly House Private Hospital, West Essex	51
Wellesley Hospital, Southend	36
Essex Nuffield Hospital, Barking, Havering and Brentwood	42
Hartswood Hospital, Barking, Havering and Brentwood	42
Marie Stopes Nursing Home, Hampstead	13
Avenue Clinic, Hampstead	34
West Hampstead Clinic, Hampstead	14
The Devonshire Hospital, Bloomsbury	54
Fitzroy-Nuffield Nursing Home, Bloomsbury	64
The Italian Hospital, Bloomsbury	49
The London Clinic, Bloomsbury	186
Marie Stopes House, Bloomsbury	0
Nightingale BUPA Hospital, Bloomsbury	72
St. Lukes Hospital for the Clergy, Bloomsbury	27
Wellington Day Surgery Centre, Bloomsbury	12
The Harley Street Clinic, Bloomsbury	133
Princess Grace Hospital, Bloomsbury	128
Wellington Hospital, Bloomsbury	227
Hospital of St. John and St. Elizabeth, Bloomsbury	103
Regent's Park Day Clinic, Bloomsbury	5
London Private Hospital, Bloomsbury	50
The New Cavendish Street Clinic, Bloomsbury	3
101 Private Clinic Ltd., Bloomsbury	2
The Portland Hospital for Women and Child, Bloomsbury	88
North East Thames	
Transform Clinic, Bloomsbury	0
The North London Nuffield Hospital, Enfield	30
Highgate Private Clinic, Haringey	34
The Park Clinic, Redbridge	21
Pemberdeen Laser and Cosmetic Surgery Clinic, Redbridge	0
Colchester Nursing Home, North East Essex	29
South East Thames	
The Avenue Private Clinic, Brighton	33
Sussex Nuffield Hospital, Brighton	40
Wistons Nursing Home, Brighton	51
Esperance Nursing Home, Eastbourne	49
Sussex Private Clinic, Hastings	28
St. Saviour's Hospital, South East Kent	37
Faukham Manor Clinic, Dartford and Gravesham	40
Somerfield Nursing Home, Maidstone	20
Victoria House Clinic, Medway	6
Benenden Chest Hospital, Tunbridge Wells	196
Laverstock Halliwell Nursing Home, Tunbridge Wells	30
Tunbridge Wells Nuffield Hospital, Tunbridge Wells	30
The Sloane Clinic, Bromley	66
Leigham Clinic, West Lambeth	29
Raleigh Nursing Home, Camberwell	16
Churchill Clinic, Lewisham and North Southwark	65
The Chaucer Hospital, Canterbury and Thanet	60
South West Thames	
Woking Nuffield Hospital, North West Surrey	37
Clare Park Clinic, West Surrey and North East Hampshire	34
Holy Cross Hospital, South West Surrey	101
Mount Alvernia Hospital, South West Surrey	121
North Downs Clinic, East Surrey	24
The Southern Clinic, East Surrey	14
St. Francis Nursing Home, Worthing	24
West Sussex Clinic Ltd, Worthing	28
New Victoria Hospital, Kingston and Esher	29
Rosslyn, Richmond, Twickenham and Roehampton	37
St. Teresas Hospital, Merton and Sutton	65
St. Anthonys Hospital, Merton and Sutton	110
Parkside, Merton and Sutton	63
Wessex	
Hazeldene Private Orthopaedic Clinic, East Dorset	4
Dean Park Nursing Home, East Dorset	26
Lansdowne Private Hospital, East Dorset	55
Strath Allan Hospital, East Dorset	32
Winterbourne Hospital, West Dorset	32
Lonsdale Nursing Home, Portsmouth and South East Hampshire	16
St. George's Hospital, Southampton and South West Hampshire	29
Sarum Road Nursing Home, Winchester	32
Winchester Private Clinic, Winchester	41
Wessex Nuffield Hospital, Winchester	30
New Hall Hospital, Salisbury	24
Bath Clinic, Bath	55
Oxford	
HRH Princess Christians Hospital, East Berkshire	32
Nuffield Hospital, Slough, East Berkshire	43
Princess Margaret Hospital, East Berkshire	58
Dunedin Private Clinic, West Berkshire	38
Gables Nursing Home, Aylesbury Vale	20
St. Joseph's Nursing Home, Wycombe	30
The Paddocks Independent Hospital, Wycombe	43
Chiltern Hospital, Wycombe	65
Three Shires Hospital, Northampton	29
St. Matthew's Private Hospital Northampton	34
Acland Nuffield Hospital, Oxfordshire	39
Foscote Private Hospital, Oxfordshire	21
South Western	
The Chesterfield Clinic, Bristol and Weston	36
St. Mary's Private Hospital, Bristol and Weston	61
St. Michael's Hospital, Cornwall and Isles of Scilly	91
The Duchy Hospital, Cornwall and Isles of Scilly	31
Exeter Nuffield Hospital, Exeter	30
Plymouth Nuffield Hospital, Plymouth	32
The Torbay Clinic, Torbay	27
Cotswold Nuffield Hospital, Cheltenham	30
The Gloucester Clinic, Gloucester	20
Somerset Nuffield Hospital, Somerset	28
West Midlands	
Wye Valley Nuffield Hospital, Herefordshire	23
Salop Nuffield Nursing Home, Shropshire	32
North Staffordshire Nuffield Hospital, North Staffordshire	32
T.C.C. Group Ltd., South East Staffordshire	10
New You Ltd., South East Staffordshire	13
St. Gerard's Hospital, North Warwickshire	82
Blackdown Nursing Home, South Warwickshire	39
Warwickshire Private Hospital, South Warwickshire	30
Victoria Nursing Home, South Warwickshire	22
Calthorpe Nursing Home, Central Birmingham	23
Edgbaston Nuffield Hospital, Central Birmingham	66
Priory Hospital, Central Birmingham	101
Robert Nursing Home, South Birmingham	14
Halesowen Private Nursing Home, Dudley	19
Scott Clinic Private Medical Centre, Sandwell	0
Solihull Private Hospital, Solihull	38
Wolverhampton Nuffield Hospital, Wolverhampton	34

Region, institution and district	Number of beds
Mersey	
Grosvenor Nuffield Hospital, Chester	30
Cranbrook Clinic, Liverpool Central	2
Lourdes Hospital, Liverpool Central	62
Merseyside Nursing Home, Liverpool Central	31
Fairfield Hospital, St. Helens and Knowsley	62
Carlton Nursing Home, North Sefton	12
Park House Nursing Home, South Sefton	76
BUPA Murrayfield Hospital, Wirral	41
North Western	
Fylde Coast Independent Hospital, Blackpool, Wyre and Fylde	44
St. Joseph's Hospital, Preston	124
Our Lady of Compassion Hospital, Blackburn, Hyndburn and Ribble Valley	45
Buxton Hall Independent Hospital Ltd., Chorley and South Ribble	20
Norwich Clinic, Bolton	14
Beaumont Hospital, Bolton	30
Transform Partnership (CS) Ltd., North Manchester	0
Sister Rose Private Health Care Clinic, North Manchester	0
BUPA Hospital Manchester, South Manchester	93
Rochdale Private Surgical Unit, Rochdale	3
Alexandra Hospital, Stockport	149
South Manchester Private Clinic, Stockport	21

Private Hospitals, Homes and Clinics

Mr. Dobson asked the Secretary of State for Social Services (1) if he will give for 31 December 1983 and for each health district, the total number of beds in private hospitals, nursing homes and clinics registered under section 3 of the Nursing Homes Act 1975 which contain operating theatres, the total number of state registered nurses working in those institutions and the appropriate whole-time equivalent figure and the total number of all nursing staff working in those institutions and the appropriate whole-time equivalent figure;

(2) if he will give for 31 December 1983 and for each health district, the total number of beds in private hospitals, nursing homes and clinics registered under section 3 of the Nursing Homes Act 1975, the total number of state registered nurses working in those institutions, and the appropriate whole time equivalent figure, and the total number of all nursing staff working in those institutions and the appropriate whole time equivalent figure.

Mr. Kenneth Clarke: [*pursuant to his reply*, 21 January 1985, c. *327*]: The available information is given in the table.

Private hospitals, nursing homes and clinics registered under the Nursing Home Act 1975 as amended by the Heath Service Act 1980
Position at 31 December 1983

Regional and District Health Authority	All institutions					Those with operating theatres				
	Number of beds	All nursing staff		State Registered Nurse		Number of beds	All nursing staff		State Registered Nurse	
		Number	Whole time equivalent	Number	Whole time equivalent		Number	Whole time equivalent	Number	Whole time equivalent
Northern										
RHA Total	794	560	395·60	205	140·2	74	110	86·5	73	56·3
North Tees	36	48	39·1	28	22·2	36	48	39·1	28	22·2
South Tees	41	53	24·3	23	8·5	0	0	·0	0	·0
East Cumbria	102	28	17·4	10	6·5	0	0	·0	0	·0
South Cumbria	136	89	63·8	30	19·4	0	0	·0	0	·0
Darlington	263	190	136·2	36	24·3	0	0	·0	0	·0
Durham	34	27	19·9	5	3·8	0	0	·0	0	·0
Northumberland	70	12	10·7	7	6·8	0	0	·0	0	·0
Gateshead	33	15	12·6	4	3·6	0	0	·0	0	·0
Newcastle upon Tyne	79	98	71·6	62	45·1	38	62	47·4	45	34·1
Yorkshire										
RHA Total	2,508	2,229	1,524·4	666	472·4	445	534	435·9	2645	220·2
Hull	85	106	87·2	36	30·5	30	58	49·6	28	24·2
East Yorkshire	24	20	10·0	3	2·0	0	0	·0	0	·0
Grimsby	36	31	25·7	16	14·2	36	31	25·7	16	14·2
Scunthorpe	42	52	26·9	16	8·1	16	22	15·0	7	4·8
Northallerton	125	84	75·6	34	30·7	125	84	75·6	34	30·7
York	407	312	204·2	67	38·1	24	32	25·0	23	17·5
Scarborough	141	131	90·1	49	38·9	40	38	32·8	24	20·8
Harrogate	503	493	284·3	134	79·4	37	44	37·0	25	22·0
Bradford	123	99	58·3	25	16·2	0	4	3·8	2	1·8
Airedale	263	284	211·9	87	64·7	45	70	60·7	25	21·1
Calderdale	145	153	99·1	36	26·5	0	0	·0	0	·0
Huddersfield	37	48	35·7	25	19·6	21	37	27·8	21	16·7
Dewsbury	27	23	12·6	4	1·8	0	0	·0	0	·0
Leeds Western	281	195	152·6	86	67·3	50	85	66·9	52	40·9
Leeds Eastern	269	198	150·2	48	34·4	21	29	16·0	8	5·5
Trent										
RHA total	2,377	2,216	1,510·9	686	462·7	378	492	393·7	230	182·2
North Derbyshire	110	92	64·3	24	15·9	0	0	·0	0	·0
South Derbyshire	270	283	180·3	97	62·6	58	58	45·1	33	26·0
Leicestershire	555	466	309·0	145	90·7	112	101	72·5	44	31·2
North Lincolnshire	368	357	251·4	103	74·7	30	39	33·0	26	21·2
South Lincolnshire	76	57	41·5	9	6·4	0	0	·0	0	·0
Central Nottinghamshire	67	55	41·9	12	7·5	0	0	·0	0	·0

Regional and District Health Authority	All institutions					Those with operating theatres				
	Number of beds	All nursing staff Number	All nursing staff Whole time equivalent	State Registered Nurse Number	State Registered Nurse Whole time equivalent	Number of beds	All nursing staff Number	All nursing staff Whole time equivalent	State Registered Nurse Number	State Registered Nurse Whole time equivalent
Nottingham	580	501	345·1	154	110·4	151	123	112·8	58	52·8
Doncaster	56	76	41·7	19	11·7	38	41	24·4	13	8·1
Rotherham	35	33	29·7	15	13·3	19	19	18·1	9	8·8
Sheffield	260	296	206·0	108	69·5	110	111	87·8	47	34·1
East Anglia										
RHA total	956	984	692·6	409	284·1	308	359	260·6	228	164·8
Cambridge	117	146	115·2	112	85·9	117	146	115·2	112	85·9
Peterborough	55	35	31·8	20	18·4	44	21	21·0	13	13·0
West Suffolk	157	140	94·1	37	26·2	31	45	27·0	15	10·0
East Suffolk	137	201	130·9	85	53·0	32	51	31·5	38	22·0
Norwich	330	340	240·3	112	75·2	76	67	49·1	39	28·9
Great Yarmouth and Waveney	49	31	20·0	8	5·8	0	0	·0	0	·0
West Norfolk and Wisbech	78	43	32·2	14	9·1	0	0	·0	0	·0
Huntingdon	33	48	28·1	21	10·5	8	29	16·8	11	5·0
North West Thames										
RHA Total	2,504	2,201	1,806·6	956	774·7	1,179	1,204	1,053·2	622	546·2
North Bedfordshire	114	135	87·2	58	36·0	30	53	30·5	26	14·5
South Bedfordshire	15	20	10·7	11	5·2	0	0	·0	0	·0
North Hertfordshire	158	166	127·9	64	45·2	30	50	39·8	28	22·1
East Hertfordshire	195	61	52·4	8	6·0	0	0	·0	0	·0
North West Hertfordshire	81	65	49·7	44	31·3	40	31	29·4	22	20·4
South West Hertfordshire	117	117	79·8	52	34·1	60	51	43·9	24	21·0
Barnet	379	331	288·9	143	120·1	226	207	188·1	93	84·0
Harrow	122	123	114·1	74	67·6	99	95	86·1	67	60·6
Hillingdon	132	151	122·0	33	24·5	132	151	122·0	33	24·5
Hounslow and Spelthorne	136	168	100·9	43	22·2	6	16	6·4	12	4·0
Ealing	285	242	192·4	91	71·4	108	128	96·0	63	46·1
Brent	69	66	44·7	38	22·5	0	0	·0	0	·0
Paddington and North Kensington	45	51	38·0	27	21·0	17	26	15·0	13	8·0
Hammersmith and Fulham	339	161	161·0	98	98·0	263	161	161·0	98	98·0
Victoria	317	344	336·9	172	169·6	168	235	235·0	143	143·0
North East Thames										
RHA Total	2,988	2,874	2,503·4	1,420	1,274·5	1,580	1,745	1,644·8	1,088	1,031·5
Mid Essex	169	124	82·2	37	22·6	0	0	·0	0	·0
North East Essex	225	173	119·8	65	44·4	29	34	22·7	22	14·7
West Essex	143	150	122·4	86	68·4	82	112	99·7	63	57·5
Southend	224	228	169·7	88	66·8	36	35	31·0	22	18·2
Barking, Havering and Brentwood	179	184	145·8	72	59·2	84	111	90·6	60	50·0
Hampstead	273	182	159·2	62	57·3	61	54	44·3	26	22·9
Bloomsbury	1,237	1,308	1,286·2	836	823·5	1,203	1,295	1,273·2	827	814·5
City and Hackney	113	110	109·5	26	26·0	0	0	·0	0	·0
Enfield	161	169	121·1	71	51·9	30	54	43·0	41	32·1
Haringey	192	151	126·6	32	27·9	34	17	14·0	8	7·5
Redbridge	72	95	60·9	45	26·5	21	33	26·3	19	14·1
South East Thames										
RHA Total	5,601	4,921	3,588·1	1,578	1,143·2	796	896	762·2	418	357·5
Brighton	1,228	980	719·6	366	255·3	124	131	107·7	59	49·6
Eastbourne	1,001	840	613·6	235	162·4	49	51	47·0	23	20·0
Hastings	896	741	522·0	196	122·9	28	35	26·5	14	11·0
South East Kent	302	275	187·9	75	55·1	37	50	42·1	20	17·2
Canterbury and Thanet	495	383	286·6	110	87·4	60	71	68·5	31	28·5
Dartford and Gravesham	58	61	38·2	25	20·3	40	36	28·8	23	18·8
Maidstone	172	208	147·9	60	46·6	20	38	31·6	32	26·6
Medway	74	43	27·8	9	5·0	6	5	1·2	3	·7
Tunbridge Wells	627	553	410·3	192	146·9	256	235	191·9	97	81·9
Bexley	57	77	38·9	14	5·8	0	0	·0	0	·0
Greenwich	40	24	20·7	4	3·8	0	0	·0	0	·0
Bromley	445	501	363·0	181	133·7	66	106	87·4	39	33·3
West Lambeth	47	53	50·7	25	23·1	29	29	27·5	14	12·9
Camberwell	16	28	21·0	20	14·0	16	28	21·0	20	14·0
Lewisham and North Southwark	143	154	139·9	66	60·9	65	81	81·0	43	43·0
South West Thames										
RHA Total	4,454	4,299	2,854·0	1,348	913·5	687	765	610·3	381	305·6
North West Surrey	223	248	164·9	87	64·1	37	47	39·8	32	26·4
West Surrey and North East Hampshire	140	159	107·8	76	53·9	34	52	42·6	34	29·3
South West Surrey	602	604	447·8	182	135·0	222	249	187·8	94	71·2
Mid Surrey	85	94	65·4	38	25·8	0	0	·0	0	·0
East Surrey	337	306	192·7	123	78·4	38	37	22·5	24	14·5
Chichester	495	447	296·6	101	66·2	0	0	·0	0	·0
Mid Downs	403	453	262·1	113	66·1	0	0	·0	0	·0

Regional and District Health Authority	All institutions					Those with operating theatres				
	Number of beds	All nursing staff Number	All nursing staff Whole time equivalent	State Registered Nurse Number	State Registered Nurse Whole time equivalent	Number of beds	All nursing staff Number	All nursing staff Whole time equivalent	State Registered Nurse Number	State Registered Nurse Whole time equivalent
Worthing	818	690	420·0	210	132·6	52	54	40·9	34	24·3
Croydon	419	327	206·6	90	53·0	0	0	·0	0	·0
Kingston and Esher	146	160	111·7	63	45·6	29	46	36·1	28	23·1
Richmond, Twickenham and Roehampton	282	226	171·8	46	32·2	37	28	25·0	7	6·0
Merton and Sutton	504	585	406·6	219	160·6	238	252	215·6	128	110·8
Wessex										
RHA Total	3,146	3,310	2188·4	1174	781·0	376	461	350·6	234	178·1
East Dorset	1,096	1,183	825·3	432	304·1	117	120	92·3	67	51·9
West Dorset	138	161	109·2	63	45·3	32	26	24·4	16	14·4
Portsmouth and S.E. Hants	452	464	269·9	163	88·9	16	29	12·7	9	4·1
Southampton and S.W. Hants	315	340	181·7	118	66·5	29	32	26·6	16	11·4
Winchester	224	339	221·7	125	82·9	103	161	121·6	79	59·1
Basingstoke and N. Hants	61	83	67·8	17	14·0	0	0	·0	0	·0
Salisbury	196	157	102·0	60	39·3	24	36	25·2	20	13·8
Swindon	93	78	51·0	24	14·3	0	0	·0	0	·0
Bath	447	394	277·8	138	98·9	55	57	47·8	27	23·4
Isle of Wight	124	111	82·0	34	26·8	0	0	·0	0	·0
Oxford										
RHA Total	2,048	1,920	1445·4	677	498·5	452	606	482·8	336	274·5
East Berkshire	389	382	284·2	184	134·2	133	152	123·0	89	70·7
West Berkshire	162	208	180·9	106	93·3	38	63	57·0	61	55·0
Aylesbury Vale	102	140	80·1	53	24·7	20	21	16·8	10	7·3
Wycombe	295	357	245·2	126	92·2	138	201	152·5	79	61·7
Milton Keynes	94	20	17·0	14	11·4	0	0	·0	0	·0
Northampton	616	393	340·0	66	48·9	63	70	53·0	43	34·4
Oxfordshire	390	420	298·0	128	93·8	60	99	80·5	54	45·4
South Western										
RHA Total	3,478	3,350	2321·8	115·3	801·3	386	516	408·1	291	231·9
Bristol and Weston	553	494	338·3	210	143·3	97	122	96·5	85	65·9
Frenchay	103	148	70·9	56	22·3	0	0	·0	0	·0
Southmead	208	173	115·2	52	32·0	0	0	·0	0	·0
Cornwall and Isles of Scilly	455	508	373·3	152	116·0	122	143	120·0	55	46·0
Exeter	445	413	273·8	144	98·4	30	49	40·9	32	26·8
North Devon	175	126	98·7	27	22·9	0	0	·0	0	·0
Plymouth	396	369	255·6	104	75·4	32	45	35·8	22	19·4
Torbay	469	398	303·6	140	107·2	27	25	21·6	23	19·6
Cheltenham	289	361	263·5	131	97·4	30	58	43·9	36	28·5
Gloucester	166	154	95·3	52	31·5	20	29	17·4	10	6·6
Somerset	219	206	133·6	85	54·9	28	45	32·0	28	19·1
West Midlands										
RHA Total	2,531	2,635	1,840·9	862	606·2	578	686	545·2	340	267·1
Bromsgrove and Redditch	64	76	39·7	21	10·6	0	0	0·0	0	0·0
Herefordshire	112	101	77·7	39	29·1	23	36	31·5	21	18·2
Kidderminster and District	101	65	42·6	20	9·2	0	0	0·0	0	0·0
Worcester and District	418	441	306·3	127	82·4	0	0	0·0	0	0·0
Shropshire	91	119	74·9	56	34·6	32	49	37·0	28	22·2
Mid Staffordshire	198	175	122·3	33	25·0	0	0	0·0	0	0·0
North Staffordshire	108	161	108·0	54	42·0	32	65	54·0	32	28·0
South-East Staffordshire	91	100	67·9	35	25·9	23	15	9·9	8	4·5
Rugby	18	23	14·9	10	5·5	0	0	0·0	0	0·0
North Warwickshire	82	54	44·6	14	12·8	82	54	44·6	14	12·8
South Warwickshire	388	424	286·1	131	92·0	91	105	80·3	43	34·9
Central Birmingham	217	251	195·3	128	96·2	190	229	185·1	125	93·7
East Birmingham	86	88	62·9	16	11·2	0	0	0·0	0	0·0
North Birmingham	182	137	89·9	31	21·0	0	0	0·0	0	0·0
South Birmingham	78	67	52·1	19	15·2	14	15	9·5	3	2·3
West Birmingham	34	27	20·9	5	3·3	0	0	0·0	0	0·0
Coventry	10	11	8·1	9	6·5	0	0	0·0	0	0·0
Dudley	19	26	18·6	13	8·3	19	26	18·6	13	8·3
Sandwell	30	15	13·0	4	4·0	0	2	2·0	2	2·0
Solihull	84	101	74·0	43	30·3	38	39	32·4	23	18·4
Wolverhampton	120	173	121·1	54	41·1	34	51	40·3	28	21·8
Mersey										
RHA Total	2,135	1,932	1,336·5	615	425·5	316	411	303·5	165	129·9
Chester	81	97	72·1	45	36·4	30	50	38·6	28	22·9
Crewe	61	53	32·8	20	13·2	0	0	·0	0	·0
Macclesfield	186	131	94·7	46	32·5	0	0	·0	0	·0
Liverpool Central	268	258	202·8	92	70·1	95	124	89·1	60	44·9
St. Helens and Knowsley	214	158	117·8	28	20·3	62	96	60·0	23	15·5
North Sefton	598	488	335·2	156	104.2	12	5	5·0	3	3·0
South Sefton	176	188	140·4	54	43·1	76	87	69·0	29	24·2
Wirral	551	559	340·7	174	105·7	41	49	41·8	22	19·4

Regional and District Health Authority	All institutions					Those with operating theatres				
	Number of beds	All nursing staff Number	All nursing staff Whole time equivalent	State Registered Nurse Number	State Registered Nurse Whole time equivalent	Number of beds	All nursing staff Number	All nursing staff Whole time equivalent	State Registered Nurse Number	State Registered Nurse Whole time equivalent
North Western										
RHA Total	2,534	2,180	1,660·8	641	461·5	543	579	460·4	263	200·9
Lancaster	80	68	54·1	15	12·6	0	0	0·0	0	0·0
Blackpool, Wyre and Fylde	310	237	182·9	54	43·3	44	35	32·9	16	14·9
Preston	124	121	104·7	32	26·1	124	121	104·7	32	26·1
Blackburn, Hyndburn and Ribble Valley	143	147	102·8	39	24·1	45	40	29·2	22	14·4
Burnley, Pendle and Rossendale	87	76	50·8	27	16·1	0	0	0·0	0	0·0
West Lancashire	18	34	27·9	12	8·2	0	0	0·0	0	0·0
Chorley and South Ribble	255	63	54·9	14	13·0	20	26	18·7	10	9·0
Bolton	99	100	62·1	51	29·8	44	56	32·4	38	21·2
Bury	86	91	67·0	14	10·2	0	0	0·0	0	0·0
North Manchester	50	32	28·3	8	7·4	0	10	8·7	4	4·0
South Manchester	152	178	138·4	75	59·6	93	111	98·1	51	45·6
Rochdale	178	160	113·4	45	37·6	3	8	7·7	4	3·7
Salford	56	44	35·3	18	16·2	0	0	0·0	0	0·0
Stockport	746	660	527·8	186	133·2	170	172	128·0	86	62·0
Trafford	150	169	110·4	51	24·1	0	0	0·0	0	0·0
ENGLAND TOTAL	38,054	35,611	25,669·4	12,390	9,039·3	8,105	9,216	7,674·8	4,855	4,083·8

ENVIRONMENT

Crown Suppliers (Services)

Mr. Tony Banks asked the Secretary of State for the Environment what, pursuant to the reply of 28 March, was the value of the services provided by the Crown Suppliers to each of the London boroughs listed in that answer.

Sir George Young: The value of the services provided by the Crown Suppliers to each of the London boroughs listed in answer to the hon. Member's question of Thursday 28 March 1985 is as follows:

	1979-80 £	*1980-81* £	*1981-82* £	*1982-83* £	*1983-84* £	*1984-85* £
Southwark	—	—	5,519	10,813	3,199	265
Bromley	—	—	925	1,017	275	—
Lewisham	—	—	—	68	—	—
Enfield	—	—	—	—	103	—
Croydon	—	—	—	—	1,431	1,874
Harrow	—	—	—	—	—	50
Ealing	—	—	—	—	—	45
Hillingdon	—	—	—	—	—	88
Waltham Forest	—	—	—	197	232	256
Islington	280	—	—	253	—	—
Hammersmith and Fulham	—	—	—	—	2,692	452,545
Havering	—	—	—	—	142	64
Westminster city council	88,069	32,542	9,490	5,008	2,297	4,624
Corporation of London	—	—	—	—	—	24
Walthamstow	—	—	—	—	—	179
Hounslow	—	—	—	—	—	—
Greater London council	2,851	10	1,403	189,501	101,318	—
	91,200	32,552	17,337	206,857	111,689	460,014

As in the reply to the hon. Members question on 28 March at col. *336*, the totals include the value of services provided to the Greater London council, some of which in turn were re-supplied to some London boroughs.

Housing Associations

Mr. Murphy asked the Secretary of State for the Environment if he will ensure regular reviews of the price limits and procedures for the home-ownership scheme for tenants of charitable housing associations; and if he will make a statement.

Sir George Young: My hon. Friend the Minister for Housing and Construction announced changes to the home-ownership scheme for charitable tenants on 1 April. The limits will be reviewed annually. The procedures are kept under constant review with the Housing Corporation.

Quangos

Sir Philip Holland asked the Secretary of State for the Environment on how many occasions in the 12 months to 31 March the Committee on the Management of Privately

Owned Blocks of Flats submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Gow: None. The committee to which my hon. Friend refers was appointed last year under the chairmanship of Mr. Edward Nugee, QC to examine a wide range of problems associated with the management of privately owned blocks of flats and to make recommendations. It is expected to report later this year.

Sir Philip Holland asked the Secretary of State for the Environment on how many occasions in the 12 months to 31 March the Inland Waterways Authority Advisory Council submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Gow: Twice. On one occasion we made consequent drafting changes to the proposed objectives of the British Waterways Board and, on the other a report on BWB marina policies was referred to the BWB for further consideration. But IWAAC also submitted other advice and representations direct to BWB as it is empowered to do under section 110(2) of the Transport Act 1968.

Sir Philip Holland asked the Secretary of State for the Environment on how many occasions in the 12 months to 31 March the Property Advisory Group submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Macfarlane: The Property Advisory Group has met on 22 occasions in the past 12 months and has provided advice on a variety of topics relevant to my Department's current work.

Enterprise Agencies

Mr. Murphy asked the Secretary of State for the Environment what assistance he makes available for the formation of enterprise agencies; and if he will make a statement.

Sir George Young: My Department's regional offices have taken an active part in encouraging the private sector and local authorities to establish local enterprise agencies and, where appropriate, financial support has been provided through the urban programme. Help, advice, and support for local enterprise agencies is also given by my right hon. Friend the Secretary of State for Trade and Industry.

Planning (London)

Mr. Tony Banks asked the Secretary of State for the Environment how many planning applications in Greater London over each of the last five years were called in and decided by his Department.

Mr. Macfarlane: The information is as follows:

	1980	*1981*	*1982*	*1983*	*1984*
Applications called in (includes both Council and private proposals)	22	20	12	16	7
Decisions issued	20	10	10	13	13
Applications withdrawn	9	5	4	5	0

Home Improvements

Mr. Tony Banks asked the Secretary of State for the Environment, pursuant to his reply of 1 April, *Official Report*, column *439*, when he now expects the consultation document on the review of home improvement policy to be published.

Sir George Young: My right hon. Friend intends to issue the consultation document shortly.

Ministers' Offices (Furniture)

Mr. Tony Banks asked the Secretary of State for the Environment if he will itemise the furniture purchased to the sums of £14,044 for Ministers' offices in his Department during 1983-84 and of £8,975 during 1984-85.

Sir George Young: The information is as follows:

Items of furniture	*Year purchased* *1983-84*	*1984-85*
Desk	√	√
Desk chair	—	√
Committee chairs	13	9
Storage units	—	√
Nest of tables	√	—
2 small tables	—	√
Enlargement of committee table	√	—
Desk set	√	—
Glassware	√	—
3 three piece suites	2	1
4 easy chairs	√	—
Hat and coat stand	—	√
Cleaning and renovation of furniture	√	√
Locks	√	—
Lamps	—	√
Carpets	√	√
Curtains	√	√

The figures quoted by the hon. Member include the costs of cleaning and renovating some of the furniture and the Crown Suppliers on-costs.

Historic Building and Monuments Commission

Sir Philip Holland asked the Secretary of State for the Environment how many investigations have been carried out by management consultants at the request of the Historic Building and Monuments Commission for England since it was established; and what has been the cost in each case.

Mr. Macfarlane: I understand there have been three studies, the costs of which are as follows:

	£
Design of temporary accounting system	12,000
Study of commission's organisation and structure	57,000
Design of new accounting system	17,200

Housing Defects

Mr. Campbell-Savours asked the Secretary of State for the Environment what types of repairs of housing defects can be funded from expenditure exempt from the new limit on the use of capital receipts by local authorities.

Sir George Young: There are no exemptions from the revised prescribed proportions of capital receipts set out in the Local Government (Prescribed Expenditure)

(Amendment) Regulations 1985. However, my right hon. Friend the Secretary of State announced on 13 March 1985 that he was prepared to consider requests for additional capital allocations for 1985-86 from local authorities unable to meet their statutory obligations under the Housing Defects Act 1984. Authorities have been invited to submit their bids by 31 May 1985.

Rate-Capping (Leicester)

Mr. Peter Bruinvels asked the Secretary of State for the Environment what information he has as to the amount spent on anti-rate capping propaganda by Leicester city council.

Mr. Kenneth Baker: I do not have precise information; but Leicester has clearly been wasting considerable sums of its ratepayers money on anti-rate capping propaganda, and I understand that the council's policy and resources committee has reported that in this new financial year £150,000 could conceivably be spent on a rate limitation publicity campaign.

Radioactive Waste

Mrs. Renée Short asked the Secretary of State for the Environment what bodies he is presently consulting in preparing his assessment of disposal options in respect of radioactive waste which he intends to publish in the summer.

Mr. Waldegrave: My Department is consulting the Department of Health and Social Security, and Ministry of Agriculture, Fisheries and Food, the National Radiological Protection Board, the Nuclear Industry Radioactive Waste Executive, the Nuclear Installations Inspectorate, the Scottish Development Department and the Radioactive Waste Management Advisory Committee. We have undertaken to keep the Trades Union Congress informed about progress, and to hold discussions with it at an appropriate stage. At the suggestion of the TUC, we have also invited Professor Holliday and the other members of the team which reviewed sea disposal in the Atlantic to comment on the plans for the study, and in due course on the draft results. To provide time for the various consultations, the study will now take longer than originally envisaged, but should be completed by the end of the year.

West Midlands Enterprise Board

Mrs. Renée Short asked the Secretary of State for the Environment if he will make a statement about the effect of the proposed abolition of the West Midlands county council on the spending power of the West Midlands enterprise board of funds accumulated from the finances provided by the private investors.

Mr. Waldegrave: The status of the West Midlands enterprise board as a private company will be unaffected by the proposed abolition of the West Midlands county council and it will be for the enterprise board itself to ensure that it has the necessary funding to continue as a going concern.

Local Government Reform

Mrs. Renée Short asked the Secretary of State for the Environment if the £15,000 sum which he announced recently would require his consent for contracts arranged by the Greater London council and the metropolitan county councils will apply also to the bodies which will replace them when they are finally abolished.

Sir George Young: No.

Palace of Westminster (Interior Cleaning)

Mr. Hoyle asked the Secretary of State for the Environment for how long the Exclusive Cleaning and Maintenance Company has had a contract for cleaning the Palace of Westminster; how often the contract is subject to renewal; how many people it employs in the Palace; and whether it is responsible for cleaning in all parts of the Palace.

Sir George Young: The company has had a contract for cleaning parts of the Palace of Westminster and other parliamentary buildings since 19 January 1979. The original contract, for three years, was extended to 8 October 1982 to cover a rationalisation of the work. The current contract expires in October 1985, and competitive tenders for a new three-year contract will be invited shortly. The company is only responsible for cleaning those public parts of the buildings which are not cleaned by staff of the House of Lords, House of Commons or the Property Services Agency. The number of staff employed to fulfil the terms of the contract is a matter for the company.

Society of Engineers Incorporated

Mr. McQuarrie asked the Secretary of State for the Environment, pursuant to his reply, *Official Report*, 1 April, column *439*, why the Society of Engineers Incorporated is not included in the list of bodies designated for the purposes of approved inspectors for checking and carrying out site supervision under section 49 of the Building Act 1984; and if he will make a statement.

Sir George Young: In September 1984 the Department consulted a number of professional institutions, including the Society of Engineers Incorporated on proposals to designate the eight bodies listed in the answer which I gave on 1 April. The society did not respond and my right hon. Friend does not intend at present to designate other bodies.

Departmental Headquarters

Mr. Rooker asked the Secretary of State for the Environment if the consultants' report on the remedial works required to his Department's headquarters building in Marsham street, referred to in his answer of 25 March, *Official Report*, column *12*, will be published when available.

Sir George Young: The report will be a detailed technical document. I shall publish a summary of its principal findings and recommendations, with the Department's views.

Mr. Rooker asked the Secretary of State for the Environment what is the extent and nature of asbestos materials used in the construction and fittings of his Department's headquarters building in Marsham street; if it is considered that these materials constitute a hazard to health; and if he will make a statement.

Sir George Young: Asbestos-containing materials have been used principally for thermal insulation on

heating and hot water pipework located in service ducts and plant rooms where they do not constitute a hazard to health. As a matter of prudence, these insulating materials will be replaced with an asbestos-free alternative, and a programme of work on this will commence in the summer. Appropriate safety precautions will be taken during the removal operation.

Other asbestos-containing materials present in the building are well sealed and not considered to constitute a hazard to health.

Mr. Rooker asked the Secretary of State for the Environment when the defects in his Department's headquarters building first came to attention; and if any action is proposed in respect of the builders or architects.

Sir George Young: The first isolated incident of spalling concrete was noted in 1980, with further cases in 1982. Repairs were undertaken and investigations to discover the cause were set in hand. Consideration of possible action in respect of other parties must await the outcome of the consultants' investigations, referred to in my answer of 25 March at column *12*.

System-built Tower Blocks

Mr. Spearing asked the Secretary of State for the Environment when he expects to receive the final report and recommendations from the Building Research Establishment concerning safety in system-built tower blocks; and if he will make a statement.

Sir George Young: Last October my hon. Friend the Minister for Housing and Construction announced that the Building Research Establishment was to carry out an urgent investigation of large panel systems of construction. The main conclusions and recommendations of the first stage of this investigation, which relate to the structure of Ronan Point and other Taylor Woodrow Anglian buildings, were reported in the answer I gave to the hon. Member on 19 February last at columns *409-410*. A full report of this first stage of the investigation should be published within the next month. The findings of further studies will be published as soon as they become available.

Water Reserves (North West)

Mr. Pike asked the Secretary of State for the Environment what level of water reserves are held by the North West water authority; and how this compares with last year.

Mr. Macfarlane: Detailed records are not held centrally and up-to-date information should be sought from the water authority. However, I understand that surface water stocks in the major reservoirs range upwards from 80 per cent. of capacity and are holding up well as a result of the recent spell of wet weather. Ground water levels are satisfactory for the time of year.

The water authority considers that the position is rather better than in April 1984.

Small Shops

Mr. Nicholls asked the Secretary of State for the Environment what recent representations he has received from small shopkeepers about the effect on traditional high streets in rural areas of the development of hypermarkets and superstores; and if he will make a statement.

Mr. Macfarlane: I receive representations from time to time from individual small shopkeepers or their representative bodies about hypermarkets and superstores; and I give them careful consideration.

Public Inquiries

Mr. Nicholls asked the Secretary of State for the Environment what machinery is available for checking on commitments to future action made by applicants at public inquiries, after planning permission has been granted and development taken place.

Mr. Macfarlane: The enforcement of any planning obligations is a matter for the local planning authority; in the case of a condition imposed on a planning permission by means of the procedures set out in part V of the Town and Country Planning Act 1971, and in the case of an agreement under section 52 of that Act by application to the courts. I am satisfied that these powers are adequate. If my hon. Friend is concerned about a particular case I would be glad to look into it if he would care to write to me.

Church House (Car Park)

Mr. Pavitt asked the Secretary of State for the Environment how many companies tendered to provide security services at the Church House parliamentary car park; and why the contract was awarded to an American company.

Sir George Young: Five tenders were received. The lowest tender, from Wackenhut (UK) Limited, was accepted in line with normal practice.

Security Officers

Mr. Pavitt asked the Secretary of State for the Environment if he will publish in the *Official Report* the number of security officers previously employed by his Department who have been replaced by private agencies in the last five years, together with a list of the agencies now used and the number of guards provided by each.

Sir George Young: The information is as follows:

Security staff replaced by private agencies*	*Agencies now used*	*Number of guards provided by each agency*
35	Securiguard Ltd.	18
	Bewes Security Services Ltd.	2
	Centuryan Security Ltd.	1
	Sunlight Security Services Ltd.	5
	Wackenhut (UK) Ltd.	5
		31

*The Department does not employ the grade of Security Officers. The staff replaced have been messengers.

Textile Industry

Mr. Pike asked the Secretary of State for the Environment if he will list the criteria used in determining which areas shall receive allocations under the European regional development fund non-quota textile areas scheme.

Sir George Young: The criteria are set out in the regulation governing the non-quota textile measures (EEC No. 219/84). They are:

(a) A minimum number of jobs in the textile and clothing industry;
(b) Industrial employment dependent in large measure on textiles and clothing;
(c) Major job losses in the industry in recent years;
(d) The social and economic situation in the region assessed on the basis of the per capita gross domestic product and structural unemployment;
(e) Eligibility for a national regional-aid scheme.

Mr. Pike asked the Secretary of State for the Environment what account he takes in determining allocations under the European regional development fund non-quota textile measures scheme of recent trends in the size of the textile industry in Lancashire and in the numbers of people employed.

Sir George Young: The allocation of non-quota ERDF funds under the textile measure followed criteria used in the European Commission's allocations between member states and was agreed by them. It took account of (i) the numbers of jobs lost in the textile and clothing industry, (ii) the dependency of employment upon textiles and (iii) unemployment.

Mr. Pike asked the Secretary of State for the Environment if he will list in the *Official Report* allocations approved to date for each local authority under the European regional development fund non-quota textile measures scheme.

Sir George Young: The Department has not yet made any allocations of non-quota ERDF grant but expects to do so shortly.

Civil Servants (Extra-departmental Work)

Mr. Tony Banks asked the Secretary of State for the Environment what arrangements are made to log the work of civil servants undertaken outside his Department.

Sir George Young [*pursuant to his reply*, 4 April 1985, c. *760*]: Staff require Departmental permission for outside activities which do not meet conditions relating to conflict of interests etc. These are set down in the Departmental staff rules and are, in turn, derived from the Civil Service pay and conditions of service code. All applications (and enquiries in cases where there are doubts) are dealt with centrally and are recorded.

Royal Parks Constabulary

Sir John Biggs-Davison asked the Secretary of State for the Environment what increase there has been in the last decade in the use of motor vehicles by police and other services in the royal parks; and if he will require it to be kept to a minimum for the avoidance of pollution.

Mr. Macfarlane [*pursuant to his answer*, 4 April 1985, c. *760*]: 74 motor vehicles are in use by the Royal Parks constabulary and other services in the royal parks in 1985, compared with 79 in 1976.

These numbers exclude vehicles used by the Metropolitan police who are responsible for policing Hyde Park. In addition, 97 items of road registered operational plant, tractors etc. are now used in the royal parks compared with 117 in 1975.

Greater London Council

Mr. Tony Banks asked the Secretary of State for the Environment why requests for consents from the Greater London council for the provision of vehicle hire, services and printing were refused; and if he will make a statement.

Sir George Young [*pursuant to his answer*, 4 April 1985, c. *760*]: No such requests have been refused. Consent to an application under section 9 of the Local Government (Interim Provisions) Act 1984 for a contract for vehicle hire was given on 29 March. Applications for consent to contracts for services and printing contained in an application dated 28 March are being considered.

London Docklands Development Corporation

Mr. Tony Banks asked the Secretary of State for the Environment if he will list the sites referred to in paragraph 5.2.1 of the London Docklands Development Corporation 5-year operational plan published in January, that the corporation has identified for possible acquisition, and identify the sites that are regarded by the corporation as high priority sites.

Sir George Young [*pursuant to his answer*, 4 April 1985, c. *761*]: No. Potential acquisitions must always be discussed with the owners before a public statement can be made.

Mr. Tony Banks asked the Secretary of State for the Environment what is *(a)* the cost of acquisition, *(b)* infrastructure and reclamation costs and *(c)* the disposal price of each site listed separately, so far disposed of by the London Docklands Development Corporation.

Sir George Young [*pursuant to his answer*, 4 April 1985, c. *761*]: I refer the hon. Gentleman to the answer I gave him on 20 February 1985 at column *488*, which gives aggregate totals to 31 March 1984, the latest date for which figures are available.

Infrastructure and reclamation costs in docklands vary greatly depending on ground conditions but generally range between £100,000 and £300,000 per acre. Sales prices for housing land are subject to similar variations and prices ranging from £30,000 to about £650,000 per acre have been offered by the market since the Corporation was established. The selling price of other land has ranged from about £100,000 to £500,000 per acre depending on size, location and building conditions imposed.

The site by site breakdown that the hon. Gentleman requests would breach commercial confidentiality and could prejudice existing and future negotiations by the LDDC for both the purchase and disposal of land.

Written Answers to Questions

Tuesday 16 April 1985

ENERGY

Nuclear Fuel (Reprocessing)

Mr. Deakins asked the Secretary of State for Energy what are the arrangements for the disposal of plutonium from spent nuclear fuel imported from Japan; and if there are similar arrangements for all countries which have agreed to send spent nuclear fuel to the United Kingdom for reprocessing.

Mr. Goodlad: I refer the Hon. Member to my reply of 1 April, at column 465. Plutonium from spent fuel reprocessed in the United Kingdom is returned to its country of origin or to any other destination only on receipt of assurances covering peaceful use, application of safeguards, physical protection and controls on retransfer.

Mr. Deakins asked the Secretary of State for Energy if the United Kingdom agreement with France on joint development of reprocessing facilities contains any safeguards to ensure that the plutonium produced is not used for military purposes.

Mr. Goodlad: In January 1984 the United Kingdom concluded with France, the Federal Republic of Germany, Italy and Belgium, an inter-governmental memorandum of understanding on co-operation in the field of fast reactors. Clause 5 explicitly states that the collaboration is directed to the peaceful development of nuclear energy.

Within this framework, the UKAEA and BNFL and their French counterparts (the CEA and COGEMA) signed, in March 1984, a memorandum of understanding setting out the general principles of co-operation in the field of fast reactor fuel reprocessing, but no agreement has been concluded relating to any specific project for the joint development of associated reprocessing facilities.

Nuclear Weapons (Fast Breeder Reactor)

Mr. Deakins asked the Secretary of State for Energy if the United Kingdom fast breeder reactor has any role in relation to the United Kingdom nuclear weapons programme.

Mr. Goodlad: None.

Domestic Energy Supplies

Mr. Pavitt asked the Secretary of State for Energy how many copies of "Paying Electricity and Gas Bills", a code of practice for domestic customers, have been printed; how they were distributed; and if he will make a statement.

Mr. Buchanan-Smith: I have asked the chairmen of the British Gas Corporation and the Electricity Council to provide the information direct to the hon. Member.

Sizewell Reactor

Mr. Weetch asked the Secretary of State for Energy when he expects to announce a decision on the proposed siting of a Central Electricity Generating Board reactor at Sizewell.

Mr. Goodlad: I shall announce my decision when I have received the inspector's report and had time to consider it.

Combined Heat and Power (Sheffield)

Mr. Caborn asked the Secretary of State for Energy if, in the light of his announcement that Sheffield will not be among the selected cities for Government financial assistance in respect of combined heat and power, he will support the Sheffield project in any further applications for financial assistance under the European Economic Community's energy saving projects.

Mr. David Hunt: I am happy to give the hon. Member the assurance he seeks. The United Kingdom delegate to the advisory committee for the European Community demonstration scheme, who is an official of my Department, will support a technically and economically sound proposal from the Sheffield CHP consortium provided that there is substantial private sector participation. Preliminary discussions with my officials on the Sheffield consortium's EEC application have already taken place.

AGRICULTURE, FISHERIES AND FOOD

Fish (Mortality Research)

Dr. Godman asked the Minister of Agriculture, Fisheries and Food what investigations have been conducted by his Department, or on its behalf, by universities or other research institutions into the mortality of any species of fish in United Kingdom waters; and what was the annual cost of such research to his Department for each year from 1975 to 1984 inclusive.

Mrs. Fenner: Whilst there are no projects currently supported by MAFF specifically relating to mortality of fish, estimates of both natural and fishing mortality are included in any stock assessment exercises carried out for management purposes. The full economic cost of these studies has been:

	£
1975-76	*
1976-77	*
1977-78	992,800
1978-79	1,166,600
1979-80	1,536,100
1980-81	2,076,700
1981-82	2,264,000
1982-83	2,556,100
1983-84	3,154,600
1984-85†	3,159,800

* Not available in comparable form.
† Estimate.

Pesticides

Mr. Body asked the Minister of Agriculture, Fisheries and Food whether it is the practice of his Department to

inquire whether pesticides imported into the United Kingdom are prohibited from being used in the exporting country.

Mrs. Fenner: It is not the practice of my Department to base decisions on clearance for the marketing of pesticides in this country on the decisions of other countries. Applicants for clearance are required to submit data on many facets of pesticide safety, as applicable to United Kingdom use; these requirements are set out in the pesticides safety precautions scheme (PSPS) which is available in the Library of the House. Additionally, the scientific assessors of the nine Government Departments and agencies involved in the PSPS have contacts throughout the world and take account of all the scientific evidence on the safety of pesticides available to them.

Mr. Ashdown asked the Minister of Agriculture, Fisheries and Food if he will describe the process of testing a new pesticide for approval by the advisory committee on pesticides; and if he will describe what arrangements are made to monitor the effects of commercial use after approval.

Mrs. Fenner: There are many detailed tests covering various aspects of pesticide safety which must be undertaken in support of a notification for clearance considered by the advisory committee on pesticides. These are set out in the pesticides safety precautions scheme, which is available in the Library of the House.

Arrangements made to monitor the effects of commercial use include surveys on usage patterns and the continuous monitoring of both home-produced and imported food for residues of pesticides. In addition, reported incidents of suspected poisoning of people, where the commercial use of pesticides may have been involved, are investigated by the Health and Safety Executive, and incidents involving wildlife and other animals are investigated by the wildlife incident investigation scheme.

Mr. Ashdown asked the Minister of Agriculture, Fisheries and Food if he will describe the typical number and species of animals used as subjects in testing a new pesticide in tests approved by the Advisory Committee on Pesticides.

Mrs. Fenner: Pesticides notified under the pesticides safety precautions scheme and considered by the advisory committee on pesticides are subject to a variety of tests, some of which require the use of live animals, mainly rats. Full details of all test requirements are in the scheme book, a copy of which is held in the Library of the House. The tests are subject to continual review and the requirement to use live animals kept to a minimum consistent with the thorough safety screening of pesticides.

Sugar Prices

Mr. Nicholas Baker asked the Minister of Agriculture, Fisheries and Food if he has received representations about the price of sugar from commercial beekeepers consequent on United Kingdom membership of the European Economic Community; and if he will make a statement.

Mrs. Fenner: I have received a number of representations from professional and amateur beekeepers about the price of sugar for feeding to bees.

Under a three-year European Community programme of aid for beekeepers, aid was payable through recognised associations of beekeepers which could be used for the purchase of feeding sugar or for more general projects of benefit to the longer term future of beekeeping. Since the scheme ended last year, European Community resources have been concentrated on further research into bee diseases. The Government support this form of assistance which is of more benefit to beekeeping as a whole than the provision of sugar at concessionary prices to individual beekeepers.

Intervention Beef (Stores)

Mr. Body asked the Minister of Agriculture, Fisheries and Food whether a standard rate is paid to owners of privately owned stores for holding stocks of beef in intervention.

Mr. MacGregor: Information on storage rates for intervention beef is not given on grounds of commercial confidentiality.

Warbecide

Mr. Body asked the Minister of Agriculture, Fisheries and Food what advice is given by his Department about the optimum quantity of warbecide to be applied to cattle when treated in accordance with the regulations.

Mrs. Fenner: Warble fly treatments are licensed under the Medicines Act 1968, and licences include detailed dosage instructions which are shown on product labels. The Warble Fly (England and Wales) Order 1982 requires cattle to be treated in accordance with these instructions.

Radioactive Waste

Mr. Wallace asked the Minister of Agriculture, Fisheries and Food what is the Government's policy towards amendment of the London dumping convention to regulate the control of under-seabed emplacement of radioactive waste; and if he will make a statement.

Mr. MacGregor: The emplacement of radioactive waste beneath the seabed was discussed at the eighth consultative meeting of the London dumping convention in February 1984. It was generally agreed that the convention was the appropriate international forum in which to address the question, but no conclusion was reached on whether the convention applied to such emplacement. It was agreed that no such disposal should take place until it had been shown to be both technically feasible and environmentally acceptable and a regulatory mechanism had been elaborated under the convention. However, investigatory work, without the use of radioactive waste, was not ruled out. The United Kingdom Government are party to these decisions.

Abbatoirs

Mr. Hanley asked the Minister of Agriculture, Fisheries and Food (1) if he will take steps to ensure that properly designed unloading bays are provided in new and existing abbatoirs;

(2) whether he will consider introducing measures to regulate the space requirements for animals held overnight in abattoirs.

Mrs. Fenner: These matters are the subject of recommendations by the Farm Animal Welfare Council in

its report on the welfare of livestock at the time of slaughter. The Government are considering the council's recommendations.

Animal Welfare

Mr. Hanley asked the Minister of Agriculture, Fisheries and Food whether he will designate an officer within his Department with special responsibility for the welfare of animals at the time of slaughter.

Mrs. Fenner: Certain officers in the Ministry's veterinary service and animal health group already have responsibilities for this subject.

Outgoers' Scheme

Mr. Wainwright asked the Minister of Agriculture, Fisheries and Food, of those milk producers to whom he wrote on 25 March offering participation in the outgoers' scheme by ceasing all production in mid-April, what proportion joined the scheme.

Mr. MacGregor: Of the 125 producers who were invited to join the scheme on 25 March, 40 have now accepted—a take-up rate of 32 per cent. Five more producers also wish to become outgoers but are still awaiting either landlord's consent or final professional advice. The final acceptance rate could therefore be as high as 36 per cent.

Quangos

Sir Philip Holland asked the Minister of Agriculture, Fisheries and Food on how many occasions in the 12 months to 31 March the Agricultural Economics Technical Committee submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mrs. Fenner [*pursuant to her reply*, 15 April 1985, c. *24*]: The Agricultural Economics Technical Committee provides advice annually on the collection of data within the farm management survey in England and farm enterprise studies for which my Department is responsible. It met once during the 12 months to 31 March 1985. Following this, officials within my Department commissioned work from eight academic departments of agricultural economics to collect information on farm incomes for 1984-85 and carry out selected farm enterprise studies.

Sir Philip Holland asked the Minister of Agriculture, Fisheries and Food on how many occasions in the 12 months to 31 March the Hill Farming Advisory Committee for England, Wales and Northern Ireland submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mrs. Fenner [*pursuant to her reply*, 15 April 1985, c. *24*]: The Hill Farming Advisory Committee for England, Wales and Northern Ireland met twice in the 12 months to 31 March. On both occasions the committee commented and advised on a wide range of subjects affecting the hills and uplands. Its views have been taken fully into account and have proved valuable in the formulation of the Government's policies towards the less favoured areas.

Intervention Stores

Mr. Ron Brown asked the Minister of Agriculture, Fisheries and Food, pursuant to the answers of 7 December 1984, *Official Report*, column *295*, and 19 December 1984, *Official Report*, column *201* onwards, if he will provide the latest available figures for the quantities of produce stored in European Economic Community foodstores in the United Kingdom.

Mr. Jopling [*pursuant to his reply*, 15 April 1985, c. *26*]: I refer the hon. Member to the reply given to my hon. Friend the Member for Gainsborough and Horncastle (Mr. Leigh) on 14 January at column *30*. The note referred to in that reply was updated on 15 April, and I am sending a copy.

ENVIRONMENT

Housing

Mr. Hargreaves asked the Secretary of State for the Environment what is the current total estimated cost of remedying all the deficiencies in the housing stock as defined by the English House Condition Survey 1981.

Sir George Young: In "Housing Survey Report No. 13" on the 1981 English House Condition Survey, it was estimated that the total cost of remedying every single defect in the national housing stock would be of the order of £30 billion (1981 prices). Information is not available on the total cost now.

Mr. Hargreaves asked the Secretary of State for the Environment what was the total estimated expenditure on improvement-repair work on houses for each of the past 10 years in the private sector and public sectors, respectively.

Sir George Young: Information in the form requested is not available for the private sector stock. However the English House Condition Survey in 1981 indicated that expenditure by households (including grants) was some £6 billion in 1981.

The information available on expenditure on local authority, new town and housing association stock respectively up to 1983-84 is as follows:

£ million

	*Local Authority**	*New Towns†*	*Registered Housing Associations‡*
1974-75	582·0	9·0	80·0
1975-76	626·5	11·4	102·0
1976-77	704·2	12·9	133·6
1977-78	813·3	15·6	171·8
1978-79	1,034·1	8·2	201·1
1979-80	1,413·8	10·4	259·6
1980-81	1,532·9	13·0	312·7
1981-82	1,557·5	16·3	305·6
1982-83	2,002·7	18·3	394·1
1983-84	2,306·8	23·5	361·7

* Capital and revenue expenditure by local authorities on their own stock.

† Annual totals of expenditure by the new town development corporations and the Commission for New Towns on repairs and maintenance.

‡ Capital funding for repairs and improvement by the Housing Corporation and local authorities (including acquisition costs).

Local Authorities (Political Publicity Campaigns)

Mr. Watson asked the Secretary of State for the Environment whether the Government propose to submit evidence to the committee of inquiry into local authority business on local authorities' involvement in political publicity campaigns.

Mr. Patrick Jenkin: I have today placed in the Library copies of the submission to the Widdicome inquiry made jointly by my Department, the Scottish Office and the Welsh Office on the use of the local authorities' discretionary powers to engage in political campaigning and publicity at public expense.

The Departments' evidence demonstrates that in recent years there has been a dramatic escalation in the use by local authorities of public funds to publish material and carry out publicity campaigns of a political nature. There is increasing public concern and resentment at this development, which many believe to be both undesirable and contrary to the spirit of local government in this country. The Government fully share this concern, particularly where it results in the involvement of local authority staff in political campaigning and the intrusion of political advertising in every corner of public life.

Local Government (Staff)

Sir Geoffrey Finsberg asked the Secretary of State for the Environment if he will set out in descending order for each London borough the number of local authority employees per 100 inhabitants allowing for the Inner London education authority and the Greater London council.

Mr. Waldegrave [*pursuant to his reply*, 1 April 1985, c. *438-39*]: The information is as follows:

Staff Per Hundred Population

Inner London Boroughs (including GLC and ILEA)

Borough	*Staff*
Camden	6·17
Hackney	5·85
Lambeth	5·84
Islington	5·58
Lewisham	5·29
Greenwich	5·07
Tower Hamlets	4·98
Westminster	4·73
Hammersmith	4·59
Kensington & Chelsea	3·86
Wandsworth	3·77

Information is not available for Southwark.

Staff Per Hundred Population

Outer London Boroughs (including GLC)

Borough	*Staff*
Haringey	6·76
Newham	6·37
Brent	5·50
Waltham Forest	5·44
Barking and Dagenham	5·32
Kingston-upon-Thames	5·19
Hounslow	4·86
Hillingdon	4·79
Ealing	4·41
Harrow	4·34
Havering	4·28
Bexley	4·26
Barnet	4·13
Enfield	4·06
Croydon	3·99
Redbridge	3·89
Bromley	3·68
Richmond-upon-Thames	3·67
Sutton	3·49
Merton	3·17

Notes to Tables:

1. The figures relate to total number of employees (full-time and part-time).
2. Employees of GLC and ILEA have been distributed to the appropriate boroughs pro rata to the population in each borough, and added to the number of employees in each borough.

Conduct of Local Authority Business (Inquiry)

Mr. Chope asked the Secretary of State for the Environment whether he is now able to make a statement on the membership of the inquiry into the conduct of local authority business, the establishment of which he announced on 6 February.

Mr. Patrick Jenkin [*pursuant to his reply*, 8 March 1985, c. *634*]: My right hon. Friends the Secretaries of State for Scotland and for Wales and I propose to appoint one further member to the committee of inquiry into the conduct of local authority business:

Mrs Diana Eccles, vice-chairman, National Council for Voluntary Organisations, who lives in Yorkshire.

Royal Parks Constabulary

Sir John Biggs-Davison asked the Secretary of State for the Environment how many houses are available to the Royal Parks constabulary.

Mr. MacFarlane [*pursuant to his reply*, 4 April 1985, c. *760*]: Twelve houses are currently occupied by serving members of the Royal Parks constabulary, and eight by former members of the constabulary or their widows.

FOREIGN AND COMMONWEALTH AFFAIRS

Spain

Mr. Frank Field asked the Secretary of State for Foreign and Commonwealth Affairs if agreement on Spanish membership of the European Community as led to that country's agreement to cease paying export subsidies on steel.

Mr. Rifkind: As I told the House on 19 December 1984, at columns 193-94, Spain has undertaken to phase out all state aids, including export subsidies, to its steel industry in the three years following accession.

Iran-Iraq War

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs whether he will list the United Nations Security Council resolutions still extant and operating which call for a ceasefire in the war between Iran and Iraq, indicating in each case how the United Kingdom representative voted.

Mr. Luce: Four United Nations Security Council resolutions have called for a ceasefire in the conflict between Iran and Iraq: Numbers 479 of 28 September

1980; 514 of 12 July 1982; 522 of 4 October and 540 of 31 October 1983. In addition, resolution 552 of 1 June 1984 called for a cessation of attacks on shipping. the United Kingdom voted for all these resolutions, which are still operative.

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's Government have called for an arms embargo in respect of the belligerent powers in the Gulf war, by promoting a resolution to that effect in the Security Council of the United Nations Organisation; and whether he will make a statement on his policy in this matter.

Mr. Luce: The United Kingdom is impartial in the Gulf conflict and supplies no items of defence equipment to either side which might significantly prolong or exacerbate the conflict. We do not believe an arms embargo would be an effective method of ending this conflict, although we would welcome it if other countries followed our own very restrictive policy; national defence sales policies remain a matter for the individual countries concerned.

Anglo-Irish Encounter Group

Rev. Martin Smyth asked the Secretary of State for Foreign and Commonwealth Affairs how many officials from his Department have attended conferences organised by the Anglo-Irish Encounter Group; and if he will give the sections of his Department from which they came.

Mr. Renton: The Foreign and Commonwealth Office has been represented at each of the three encounter group conferences to date by the head of the Republic of Ireland Department.

Nicaragua and El Salvador (Elections)

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs if he will list the criteria regarding the degree of electoral choice available in *(a)* Nicaragua and *(b)* El Salvador upon which Her Majesty's Government based their decisions on whether or not to send observers to oversee the recent elections in those countries.

Mr. Rifkind: We expected voters in Nicaragua and El Salvador to be offered a genuine political choice in the elections and that the political parties in those countries should have had equal freedom to campaign. In El Salvador, both these criteria were met, but in Nicaragua, intimidation and physical harassment led the main opposition group to withdraw from the elections.

Warsaw Pact Countries (Ministerial Visit)

Mr. Parry asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his recent visit to Warsaw pact countries.

Sir Geoffrey Howe: I visited East Berlin and the German Democratic Republic from 8 to 10 April, Czechoslovakia from 10 to 11 April and Poland from 11 to 13 April.

In addition to my official talks with the Foreign Ministers of the three countries, I called on the Presidents and Prime Ministers and other members of the leaderships. I and members of my delegation also made a point in each country of meeting a range of non-governmental figures, including representatives of the Church.

On this tour, as during my visits to Romania and Bulgaria in February, I had a number of aims: to broaden the dialogue with Eastern Europe; to try to improve East-West relations; to demonstrate our concern for human rights and contacts between peoples; and to develop bilateral relations and promote trade.

The central question in my discussions was the East-West relationship. There were inevitable differences of view, but the vital importance of the Geneva talks reaching a successful conclusion was common ground. I reminded my hosts of the defensive nature of the North Atlantic Treaty Organisation alliance; and left them in no doubt of the sincerity of our search for security at a lower level of armaments through negotiation and genuinely balanced and verifiable agreements.

I was also able to make plain the sincerity and strength of British concern about human rights throughout Europe. I pointed out that the credibility of the conference on security and co-operation in Europe process was undermined if elementary freedoms were not respected.

I had full and detailed discussions about bilateral relations. Trade has an important role to play.

I am grateful to my hosts for the hospitality shown in all these countries; and for the friendly and businesslike atmosphere of the talks. The visit was useful and worth while. It broadened my own knowledge and understanding. I believe that it also led to a better perception of Western positions on the other side.

Malaysia

Mr. Parry asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's relations with Malaysia.

Mr. Luce: Britain enjoys good relations with Malaysia which have been strengthened by the recent visit by my right hon. Friend the Prime Minister and her discussions wth the Malaysian Prime Minister.

NORTHERN IRELAND

Anglo-Irish Encounter Group

Rev. Martin Smyth asked the Secretary of State for Northern Ireland how many officials from his Department have attended conferences organised by the Anglo-Irish Encounter Group; and if he will indicate the sections of his Department from which they came.

Mr. Hurd: Ten officials from the Northern Ireland Office and Northern Ireland Departments have attended conferences organised by Encounter. Those from the Northern Ireland Departments represented the Departments of Agriculture, Economic Development and Education, the Industrial Development Board and the Public Records Office.

PRIME MINISTER

"The Right to Know"

Q22. **Mr. Dalyell** asked the Prime Minister if she will acquire for the Library of No. 10 Downing Street a copy of "The Right to Know" by Clive Ponting, Sphere Books.

The Prime Minister: No.

South Africa

Q27. **Mr. John Fraser** asked the Prime Minister when she next expects to meet the President of South Africa to discuss recent events in South Africa.

The Prime Minister: I have at present no plans to do so.

Engagements

Mr. Peter Bruinvels asked the Prime Minister if she will list her official engagements for Tuesday 16 April.

Mr. Greenway asked the Prime Minister if she will list her official engagements for 16 April.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House, I will be having further meetings later today. This evening I hope to attend a state banquet in honour of President Banda.

Anglo-Irish Encounter Group

Rev. Martin Smyth asked the Prime Minister how many officials from the Cabinet Office have attended conferences organised by the Anglo-Irish Encounter Group; and if she will give the sections of the Cabinet Office from which they came.

The Prime Minister: The Anglo-Irish Encounter Group is a non-governmental organisation. No officials from the Cabinet Office have attended its conference.

Asian Visit

Mr. Parry asked the Prime Minister if she will make a statement on her recent visit to south-east Asia.

The Prime Minister: I visited Malaysia, Singapore, Indonesia and Sri Lanka and made brief stops in Brunei, India and Saudi Arabia. I had most useful conversations with the Heads of Government of each of the countries I visited.

In my talks with Dr. Mahathir of Malaysia we were able to settle the issue of a fifth frequency for the Malaysian Airline System which has been an obstacle in our relations.

My talks with Mr. Lee Kuan Yew in Singapore ranged widely over international issues. As always, it was of the greatest interest to hear his views.

My visit to Indonesia was the first by a British Prime Minister and enabled me to see at first hand the remarkable development of this large and important country.

I was very struck by the rapid and exciting economic growth of the south-east Asian countries which I visited. I am certain that there are good opportunities for co-operation and trade between them and Britain which it was my purpose to promote.

In Sri Lanka I was able, with President Jayewardene, to commission the Victoria dam, the largest single British aid project in any country. It will bring material benefits to many of Sri Lankan citizens and is also a mark of the British people's concern for the economic well-being and progress of the developing countries. I was also able to discuss with the Sri Lankan Government the communal conflict. I agreed with President Jayewardene that terrorism must not be allowed to succeed, but that efforts should be made to achieve a political solution by consultation and reconciliation with those members of the Tamil community who are prepared to pursue their objectives peacefully.

In India, I was able to continue the exchanges which I have already had with the Indian Prime Minister, Mr. Rajiv Gandhi. I expressed to him directly my concern at the activities of the small number of extremists among the Sikh community in Britain and the Government's willingness to do everything within our powers to prevent Britain being used as a base for incitement or support of intercommunal tension in India.

In Saudi Arabia, I was able to hear directly from his Majesty King Fahd his views on developments and problems in the middle east and other matters.

All the countries I visited have important links with Britain, either through trade or as members of the Commonwealth. They include some of the fastest growing countries of the world, both economically and in terms of their political significance. I have no doubt that my tour deepened Britain's relations with them and will have helped to create new opportunities for British trade.

EC (Budgetary Contributions)

Mr. Spearing asked the Prime Minister if she will set out in the *Official Report* the calculations giving rise to her estimate on 2 April, *Official Report*, column 1063, that the United Kingdom's contribution to integrated Mediterranean programmes will be £10 million a year.

The Prime Minister: The amount of additional funds agreed for integrated Mediterranean programmes was 1·6 billion ecu—about £960 million—over seven years. As a result of the Fontainebleau agreement, the United Kingdom's net contribution to this will be 7 to 7·2 per cent. The total United Kingdom contribution will therefore be around £69 million spread over seven years, or less than £10 million per annum.

Council of Europe

Mrs. Virginia Bottomley asked the Prime Minister if she will announce the composition of the United Kingdom delegation to the Parliamentary Assembly of the Council of Europe.

The Prime Minister: I have appointed 18 delegates from the Parliament of the United Kingdom. The delegation this year will consist of 12 members of the Conservative party, five members of the Labour party and one member of the Liberal party. I have also appointed a number of substitute delegates.

The appointments of representatives and substitutes have been made on the basis of nominations by the leaders of those parties concerned.

The same delegation will be representing the United Kingdom Parliament at the Assembly of Western European Union.

Representatives from the Government Benches will be:

The right hon. Member for Torbay (Sir Frederic Bennett); who will act as leader.

The hon. Members for
Hampstead and Highgate (Sir Geoffrey Finsberg)
Cambridge, South-West (Sir Anthony Grant)
Norfolk, South-West (Sir Paul Hawkins)
Southampton, Test (Mr. Hill)
Twickenham (Mr. Jessel)
Edgbaston (Mrs. Knight)

Hallam (Sir John Osborn)
Harrow, West (Sir John Page)
Warwick and Leamington (Sir Dudley Smith)
Ruislip-Northwood (Mr. Wilkinson)
and the Lord Reay

Representatives from the Labour party will be:

The hon. Members for
Tooting (Mr. Cox)
Wentworth (Mr Hardy)
Makerfield (Mr. McGuire)
East Kilbride (Dr. Miller)
and the Lord Hughes

The representative from the Liberal party will be:

The hon. Member for
Inverness, Nairn and Lochaber (Mr. Johnston)

The following substitutes have been appointed to act as necessary on behalf of the delegates:

From the Government Benches:

The hon. Members for
Bournemouth, East (Mr. Atkinson)
Cunninghame, North (Mr. Corrie)
Epping Forest (Sir John Biggs-Davison)
Northampton, South (Mr. Morris)
Welwyn-Hatfield (Mr. Murphy)
Halesowen and Stourbridge (Mr. Stokes)
Poole (Mr. Ward)
and the Earl of Kinnoull
and the Lord Newall

From the Labour party:

The right hon. Members for
Brent, East (Mr. Freeson)
Glasgow, Govan (Mr. Millan)

The hon. Members for
Newcastle upon Tyne, North (Mr. Brown)
Neath (Mr. Coleman)
Wolverhampton, South-East (Mr. Edwards)
Wallsend (Mr. Garrett)
Riverside (Mr. Parry)
Hemsworth (Mr. Woodall)

From the Liberal party:

The hon. Member for
Isle of Wight (Mr. Ross)

HOME DEPARTMENT

Coal Industry Dispute

Mr. Welsh asked the Secretary of State for the Home Department (1) how many policemen have been the subject of disciplinary action or inquiry, or have been dismissed, in the course of, or arising out of, the coal mining dispute;

(2) how many policemen have been charged with offences arising out of the coal mining dispute.

Mr. Giles Shaw: I understand that a total of 551 complaints were made against the police in connection with policing the dispute, of which 111 were subsequently withdrawn. Investigation of such complaints and subsequent action normally takes several months to complete and it is too early for full information to be available.

I understand, however, that the Police Complaints Board's annual report for 1984 will contain some statistics on cases which reached it in that year on which action has been completed.

Police Sirens

Mr. Soley asked the Secretary of State for the Home Department whether the Metropolitan police keep records of the time and circumstances in which police vehicle sirens are used.

Mr. Giles Shaw: No.

Mr. Soley asked the Secretary of State for the Home Department if he will call for reports from all the chief constables in England and Wales regarding the extent to which they keep records of the time and circumstances in which police vehicle sirens are used.

Mr. Giles Shaw: No. I understand that such records are not kept.

Mr. Soley asked the Secretary of State for the Home Department what guidelines are issued to *(a)* the Metropolitan police and *(b)* other police forces on the use of police vehicle sirens.

Mr. Giles Shaw: The Metropolitan police guidance on use of police vehicle sirens is that they are for use when a police driver answering an urgent call needs to obtain a clear passage through traffic. Guidance in other forces is similar.

Metropolitan Police (Libel Actions)

Mr. Chris Smith asked the Secretary of State for the Home Department if he will list the libel actions brought by senior police officers in the past three years with his Department's consent, in which the Metropolitan police have assumed responsibility for the plaintiffs' legal costs; which of such libel actions are in respect of serving police officers, and which are in respect of police officers who have left the Metropolitan police before the concluion of libel actions; which firms of solicitors are employed to conduct such cases, and in the case of the Metropolitan police solicitor, how many members of his Department are involved in the preparation of such cases; what criteria he or the Metropolitan police employ when negotiating out-of-court cash settlements in such cases; what cash settlements have been received by serving or former police officers as a result of such actions; and what legal costs have been incurred in each of the last three years by the Metropolitan police in respect of both concluded and current libel actions of this kind, including solicitor-and-own-client costs not recoverable from the defendant.

Mr. Giles Shaw: The Metropolitan police require the consent of my right hon. and learned Friend to assume responsibility for the legal costs of any police officer who brings an action for libel. Since 1 January 1982 only one such action has been brought by a Metropolitan police officer. It was brought by Deputy Assistant Commissioner Powis, who has since retired, against *The Observer*. The preparation of that case is in the hands of the Metropolitan police solicitors department, and occupies a small part of the time of one solicitor and one higher executive officer, with typing assistance. Legal costs incurred by the Metropolitan police in this case including solicitor and own client costs are estimated to be £5,700. Negotiations for settlement of this and other cases of this kind take into account the advice of counsel.

Since 1 January 1982, two other cases have been settled: that brought by Commander Stockwell against the *New Statesman* and others in 1981 in which the defendants agreed in court to pay damages and full costs; and that of Assistant Commissioner Kelland and Assistant Commissioner Gibson against *The Times*, which was settled out of court, no action having been brought, for a sum in damages and full costs.

Sir Michael Giddings

Mr. Corbyn asked the Secretary of State for the Home Department if he will call for a report from the chief constable of Thames Valley police as to the nature of the acts alleged to have been committed during the harassment of Sir Michael Giddings in 1984; and if he will make a statement.

Mr. Giles Shaw: I understand from the chief constable of Thames Valley that the acts of harassment reported to him by Sir Michael Giddings include nuisance telephone calls, many of them abusive, made to both Sir Michael and his wife; hundreds of unsolicited letters sent to his private address; demonstrators calling at his home; trespassers in his garden; the breaking of a window; and the posting of a parcel of excreta through the letter box.

The chief constable informs me that it has not been possible to identify people who might be prosecuted for criminal acts committed during this harassment.

Quangos

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Working Party on Magistrates' Courts submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Mellor: The working party provides advice and guidance to the magistrates' courts service on matters of practice and procedure; it does not advise the Department.

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Standing Committee on Crime Prevention submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Giles Shaw: In the past 12 months, the Home Office has taken forward matters remitted to it by the standing committee as follows:

(a) A publicity leaflet on video theft has been published by the Home Office and has been widely disseminated by the police forces and by the National Television Rental Association.

(b) The Home Office, in conjunction with the Department of Transport, is considering the distribution of car security leaflets with postal communications from the Driver and Vehicle Licensing Centre.

(c) The Home Office, in conjunction with the Association of Chief Police Officers and the Society of Local Authority Chief Executives, is undertaking an exercise to identify examples of successful local authority crime prevention initiatives. These will receive national circulation in due course.

Effective crime prevention requires the particiaption of all sections of the community, not simply central Government action. For this reason, the Standing Committee, which has a wide membership, including representatives of industry, commerce, the police, local authorities and Government, provides a valuable national forum for the exchange of ideas, experience and expertise in crime prevention matters. The Committee, (now designated the Standing Conference on Crime Prevention) has recently been strengthened by the addition of a steering body and working groups tasked to examine selected aspects of crime and their prevention.

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Police Advisory Committee on Sexual Offences submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Mellor: During the period in question the Policy Advisory Committee on Sexual Offences has submitted no advice direct to my right hon. and learned Friend. It has, however, given advice to the Criminal Law Revision Committee on several occasions during that committee's review of the law on prostitution.

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Police Advisory Board submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Giles Shaw: The Board, which meets under the chairmanship of my right hon. and learned Friend, met twice during the 12 months to 31 March 1985. The main result was a revision of the board's constitution, to provide more effective methods of working. Certain amendments were also agreed to the drafts of new complaints and discipline regulations and to the draft of guidance on complaints and discipline procedures which is to be issued to chief officers of police. The board is also the basis of wide-ranging formal and informal consultations between the Department, the local authority associations and the police staff associations.

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Advisory Committee on Animal Experiments submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Mellor: In the past 12 months the advisory committee made recommendations on 10 specific matters arising out of the administration of the Cruelty to Animals Act 1876 which had been referred to them by the Secretary of State. Eight of the recommendations have been adopted by the Department. The other two are under consideration.

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Advisory Board on Restricted Patients submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Mellor: During the period in question my right hon. and learned Friend sought and received the board's advice on 52 cases. In a few cases the advice has only recently been received and is still being considered. In the remainder he decided to act in accordance with the advice given by the board in all cases except one.

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Criminal Law Revision Committee submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Mellor: In July 1984 the Criminal Law Revision Committee submitted to my right hon. and learned Friend

its sixteenth report on "Prostitution in the Street", which he presented to Parliament in August 1984 (Cmnd. 9329). We have given our full support and assistance to my hon. Friend the Member for Plymouth, Drake, (Miss Fookes) whose Sexual Offences Bill seeks to give effect to the recommendations made in that report concerning the accosting of women by men. The other recommendations in the report will be considered alongside those in the committee's report on the remaining aspects of prostitution, which is expected later this year.

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Advisory Council on the Misuse of Drugs submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Mellor: During the year ending 31 March 1985, the Advisory Council on the Misuse of Drugs has considered the possible inclusion of a number of substances within the controls provided by the Misuse of Drugs Act 1971. The council's advice that one drug, alfentanil, should come within the scope of the Act, was implemented with effect from 1 January 1985. The council continues to keep under review other matters relating to the misuse of drugs.

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Licensing Planning Committee submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Mellor: In the period 1 April 1984 to 31 October 1984, when the Licensing Planning Committee for the Metropolis was abolished, no advice was received from the committee.

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Committee on Training for Justices' Clerks' Assistants submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Mellor: The Committee on Training for Justices' Clerks' Assistants, which met three times in those 12 months, provides a forum for the direct exchange of views between representatives of organisations concerned with the magistrates' courts service, and of training institutions, and officials of Government Departments. It does not collectively submit formal advice, but the views expressed by members during meetings and in correspondence are always taken into account by the Home Office in considering the development of existing training or the introduction of new schemes.

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Central Fire Brigades Advisory Council submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Giles Shaw: Six substantive issues requiring action by the Department were considered during this period and appropriate action has been taken on all but one item, in respect of which my right hon. and learned Friend proposes to issue a circular and printed report shortly.

Sir Philip Holland asked the Secretary of State for the Home Department on how many occasions in the 12 months to 31 March the Advisory Council on Race Relations submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Waddington: The council has met twice in the last 12 months. It meets either under my chairmanship or that of my right hon. and learned Friend. Ministers from other Departments are invariably present also. The council provides a valuable forum for discussion of a wide range of issues, but it has not been the practice for it to offer formal advice.

Citizenship Applications

Mr. Peter Bruinvels asked the Secretary of State for the Home Department how many applications for citizenship were under consideration at the end of March; and how this compares with figures for each of the past five years.

Mr. Waddington: There were 35,000 applications for British citizenship under consideration at the end of March. The corresponding figures for that month in each of the five earlier years are as follows; the figures have been rounded.

	Applications
1980	51,000
1981	62,000
1982	80,000
1983	88,000
1984	64,000

Prison Department (Financial Information System)

Mr. Maclean asked the Secretary of State for the Home Department when he expects the first year's results of the prison department's new financial information system to be available.

Mr. Brittan: Information drawn from the prison department's costing system about the costs of the prison service in the financial year ended 31 March 1984 is being made available in a special report — "The Prison Department Financial Report 1983-84" — which is published today. A copy will be placed in the Library.

CIVIL SERVICE

Promotions

Mr. Eggar asked the Minister for the Civil Service how many civil servants in the rank of principal were promoted to assistant secretary in each of the last five years for which figures are available; and if he will also publish a table correlating for each year the age of each candidate at date of promotion with the length of time served as a principal at that date.

Mr. Hayhoe: The numbers of promotions from principal to assistant secretary in each of the years 1980 to 1983 and from principal to grade 5 in 1984 are as follows:

	Number
1980	86
1981	72
1982	65
1983	70
1984	*62

* Provisional.

The tables give details of the age and length of service in the principal grade of the promotees in each of the five years.

Promotions from Principal to Assistant Secretary by Age and by Length of Service in the Principal Grade 1980-1983
Length of Service in Principal Grade (years)

Age	Under 5	5	6	7	8	9	10 or more	Total
1980								
33	—	—	—	1	—	—	—	1
34	—	1	2	4	1	—	—	8
35	—	1	2	7	7	—	—	17
36	1	6	1	2	3	2	1	16
37	1	—	1	—	1	1	—	4
38	2	—	—	1	2	1	—	6
39	—	—	1	—	—	—	—	1
40-44	—	3	3	1	1	1	3	12
45-49	1	1	2	1	2	1	1	9
50 or over	—	—	3	2	2	3	2	12
Total	5	12	15	19	19	9	7	86
1981								
33	—	—	1	—	—	—	—	1
34	—	1	1	6	5	—	—	13
35	—	1	4	5	2	—	—	12
36	—	1	—	2	3	1	1	8
37	—	1	2	1	1	—	—	5
38	—	—	—	2	—	2	3	7
39	—	—	—	1	1	1	—	3
40-44	5	1	2	1	1	—	—	10
45-49	—	2	1	3	1	—	1	8
50 or over	—	2	—	—	1	1	1	5
Total	5	9	11	21	15	5	6	72
1982								
32	—	2	—	1	—	—	—	3
33	—	—	—	2	—	—	—	2
34	—	—	2	2	1	—	—	5
35	—	2	3	2	3	1	—	11
36	—	2	2	—	1	—	2	7
37	3	—	—	2	1	2	1	9
38	2	—	1	1	1	1	—	6
39	1	—	—	—	—	2	—	3
40-44	1	—	1	—	—	3	6	11
45-49	1	—	—	1	—	1	2	5
50 or over	—	—	1	—	2	—	—	3
Total	8	6	10	11	9	10	11	65
1983								
33	—	1	1	2	—	—	—	4
34	—	—	2	3	3	1	—	9
35	—	—	3	4	3	3	—	13
36	1	1	1	5	1	2	1	12
37	—	1	3	2	1	1	1	9
38	—	—	—	1	2	—	—	3
39	—	—	—	—	1	2	1	4
40-44	1	1	1	2	—	—	2	7
45-49	—	—	—	—	—	—	4	4
50 or over	—	1	—	2	1	—	1	5
Total	2	5	11	21	12	9	10	70

Promotions from Principal to Grade 5 by Age and by Length of Service in the Principal Grade 1984 (provisional)
Length of Service in Principal Grade (years)

Age	Under 5	5	6	7	8	9	10 or more	Total
33	1	1	—	2	1	—	—	5
34	—	—	—	1	—	1	—	2

Age	Under 5	5	6	7	8	9	10 or more	Total
35	—	2	3	3	2	1	—	11
36	2	—	—	9	3	2	—	16
37	1	—	—	2	3	1	1	8
38	1	—	—	—	1	—	—	2
39	—	—	1	—	2	2	2	7
40-44	—	1	2	3	—	1	—	7
45-49	1	—	1	—	1	1	—	4
50 or over	—	—	—	—	—	—	—	—
Total	6	4	7	20	13	9	3	62

EDUCATION AND SCIENCE

Teachers (Industrial Action)

Mr. Evennett asked the Secretary of State for Education and Science whether his Department has drawn up contingency plans to deal with the possible disruption of examinations by teachers taking industrial action.

Sir Keith Joseph: I would not expect teachers to damage their pupils' prospects by deliberately disrupting public examinations and I am pleased that the two largest teacher unions decided at their recent conferences to desist from such action.

AS-level Examination

Mr. Spearing asked the Secretary of State for Education and Science, further to his answer to the hon. Member for Newham, South, *Official Report*, 1 April, column 424, what where the numbers and names of organisations which gave specific assent or dissent, respectively, to the principle of introducing an AS-level examination; and by what means the responses of the organisations referred to will be published.

Sir Keith Joseph: As I explained in my earlier answer, no simple tally of those who supported and opposed the proposals is possible. Nor would it be right for the Government to publish the responses to the May 1984 consultative paper. It is for those who responded to decide whether or not to make their views known publicly.

TRADE AND INDUSTRY

British Aerospace

Mr. Millan asked the Secretary of State for Trade and Industry when he proposes to lay a further order under section 7 of the British Aerospace Act 1980 in the light of his intention to dispose of the Government's residual shareholding in British Aerospace.

Mr. Butcher: I intend to make a further order under section 7 of the British Aerospace Act 1980 shortly after the shares to be sold by the Government have been registered in the names of new holders following payment of the final instalment of the purchase price.

Exchange Risk Guarantee Scheme

Dr. Godman asked the Secretary of State for Trade and Industry how many applicants in England have *(a)* applied for and *(b)* been granted loans under the exchange risk guarantee scheme in each year of its existence in the public and private sectors, respectively; what has been (i) the total amount and (ii) the average amount lent to each applicant under the exchange risk guarantee scheme in each year of its existence in the public and private sector schemes, respectively; and if he will estimate the number of jobs created in England as a result of the scheme.

Dr. Godman asked the Secretary of State for Northern Ireland how many applicants in Northern Ireland have *(a)* applied for and *(b)* been granted loans under the exchange risk guarantee scheme in each year of its existence in the public and private sectors, respectively; what has been (i) the total amount and (ii) the average amount lent to each applicant under the exchange risk guarantee scheme in each year of its existence in the public and private sector schemes, respectively; and if he will estimate the number of jobs created in Northern Ireland as a result of the scheme.

Dr. Godman asked the Secretary of State for Scotland how many applicants in Scotland have *(a)* applied for and *(b)* been granted loans under the exchange risk guarantee scheme in each year of its existence in the public and private sectors, respectively; what has been (i) the total amount and (ii) the average amount lent to each applicant under the exchange risk guarantee scheme in each year of its existence in the public and private sector schemes, respectively; and if he will estimate the number of jobs created in Scotland as a result of the scheme.

Dr. Godman asked the Secretary of State for Wales how many applicants in Wales have *(a)* applied for and *(b)* been granted loans under the exchange risk guarantee scheme in each year of its existence in the public and private sectors, respectively; what has been (i) the total amount and (ii) the average amount lent to each applicant under the exchange risk guarantee scheme in each year of its existence in the public and private sector schemes, respectively; and if he will estimate the number of jobs created in Wales as a result of the scheme.

Mr. Trippier: I am also replying on behalf of my right hon. Friends the Secretaries of State for Wales, Northern Ireland and Scotland.

Details of loans made directly by the European Investment Bank and the European Coal and Steel Community and through the agency operated by Her Majesty's Government under the exchange risk guarantee scheme to the private sector are as follows:

£ thousand

Year	England Number	England Total value	England Average loan	Scotland Number	Scotland Total value	Scotland Average loan	Wales Number	Wales Total value	Wales Average loan	Northern Ireland Number	Northern Ireland Total value	Northern Ireland Average loan
1978	5	6,228	1,246	2	395	198	2	220	110	—	—	—
1979	48	35,617	742	12	13,512	1,126	26	38,244	1,471	1	4,000	4,000
1980	29	50,723	1,749	15	39,305	2,620	18	26,070	1,448	1	8,000	8,000
1981	22	21,838	993	5	14,565	2,913	10	22,752	2,275	4	996	249
1982	8	17,705	2,213	4	3,960	990	5	17,264	3,453	3	262	87
1983	9	17,508	1,945	4	20,156	5,093	3	4,390	1,463	8	13,891	1,736
1984	6	1,896	316	—	—	—	3	4,325	1,442	5	11,305	2,261
Total	127	151,515		42	91,893		67	113,265		22	38,454	

Details of applications received, some of which are not formalised, are not readily available. It is estimated that the investment financed by these loans has helped to create or safeguard over 70,000 jobs.

Public sector borrowers are not eligible for support under the exchange risk guarantee scheme.

In addition to the above loans, firms have access to European Community loans through the agency of certain financial institutions, including most clearing banks. Exchange risk guarantees have been provided on about £105 million of Community funds lent to these institutions for them to on-lend in sub-loans to the private sector.

Data on the geographic spread and timing of these sub-loans and their employment effects are not readily available. The following table gives the annual amounts of cover taken up by the agents since January 1982 when the full-scale agencies scheme came into operation.

	£ thousand
1982	19,774
1983	32,897
1984	52,405

WALES

Forestry Land

Mr. Barry Jones asked the Secretary of State for Wales what is the total acreage of forestry land sold by the Forestry Commission in Wales over the last 12 months; and if he will estimate the value of these estates and represent the total acreage sold as a percentage of Welsh Forestry Commission land.

Mr. John Stradling Thomas [*pursuant to his reply*, 4 April, 1985, c. *702*.]: Sales of forest land in Wales by the Forestry Commission in the 12 months to 21 March 1985—the latest date for which figures are available—amounted to 1,900 hectares for a total sale price of £2·4 million. This area represented 1·3 per cent. of the Forestry Commission's forest land holdings in Wales taken at the start of the programme of sales in 1981.

EMPLOYMENT

Quangos

Sir Philip Holland asked the Secretary of State for Employment on how many occasions in the 12 months to 31 March, the Tripartite Steering Group on Job Satisfaction submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Peter Bottomley: The Tripartite Steering Group on Job Satisfaction which is chaired by a Minister of this Department met three times in the 12 months to 31 March. It issued an annual report in June 1984 and a further report is expected in the next few months.

Sir Philip Holland asked the Secretary of State for Employment on how many occasions in the 12 months to 31 March, the Retail Prices Index Advisory Committee submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Alan Clark: None. The compilation of the index follows the recommendations of the Retail Prices Index Advisory Committee as to its coverage and method of construction. The committee is convened from time to time to advise on matters of principle but is not involved in the monthly computations which simply follow established procedures. It was convened in September 1984 to consider a number of specific issues and I hope will make its recommendations by the end of the year.

Sir Philip Holland asked the Secretary of State for Employment on how many occasions in the 12 months to 31 March, the Civil Service Arbitration Tribunal submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Peter Bottomley: It is not the function of the Civil Service Arbitration Tribunal to give advice to the Department.

Sir Philip Holland asked the Secretary of State for Employment on how many occasions in the 12 months to 31 March, the Race Relations Employment Advisory Group submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Alan Clark: None. There were no meetings of this group in the year ending 31 March 1985.

Sir Philip Holland asked the Secretary of State for Employment on how many occasions in the 12 months to 31 March the Advisory Committee on Homeworking submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Peter Bottomley: There have been no meetings of the Homeworking Advisory Committee during the 12 months to 31 March.

Sir Philip Holland asked the Secretary of State for Employment on how many occasions in the 12 months to

31 March the Advisory Committee on Women's Employment submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Alan Clark: None. This committee is in the process of being reconstituted and did not meet in the 12 months to 31 March 1985.

Labour Statistics

Mr. Peter Bruinvels asked the Secretary of State for Employment if he will estimate the total employed labour force, giving figures for men and women to the latest date, and one year ago.

Mr. Alan Clark: In September 1984, the latest date for which information is available, there were an estimated 14,130,000 males and 9,968,000 females in the employed labour force in the United Kingdom. The corresponding figures for September 1983 were 14,053,000 males and 9,707,000 females.

Mr. Peter Bruinvels asked the Secretary of State for Employment how many people were available for employment on 1 January 1985; and how this figure compares with each of the past 10 years.

Mr. Alan Clark: Following is the available information for the periods requested on unemployed people available for work and claiming benefit.

Unmployment—United Kingdom

Thousands

January	*Number of Claimants*
1975	750·1
1976	1,264·9
1977	1,385·8
1978	1,465·5
1979	1,372·8
1980	1,373·7
1981	2,271·1
1982	2,896·3
1983	3,225·2
1984	3,199·7
1985	3,341·0

Self-employed Persons

Mr. Peter Bruinvels asked the Secretary of State for Employment if he will estimate the number of people currently self-employed, and how that figure compares with a year ago.

Mr. Alan Clark: In September 1984, the latest date for which information is available, there were an estimated 2,526,000 self-employed persons in the United Kingdom. The corresponding figure for September 1983 was 2,289,000.

Vacancies

Mr. Peter Bruinvels asked the Secretary of State for Employment (1) if he has any estimate as to the number of jobs currently advertised and unfilled as notified to jobcentres and professional and executive register offices;

(2) whether he will consider detailing the number of known vacancies at the same time as his Department issues the monthly figures for those out of work.

Mr. Alan Clark: A count is made each month of those vacancies notified to Government employment services which remain unfilled on the day of the count. These figures are published on a regional basis in his Department's monthly press notice on unemployment and vacancies which is available in the Library. On 8 March 1985 the number of unfilled vacancies at jobcentres and professional executive recruitment offices in the United Kingdom was 155,559.

Inverclyde

Dr. Godman asked the Secretary of State for Employment how many people in Inverclyde have their wages determined by wages councils.

Mr. Peter Bottomley: This information is not available.

SCOTLAND

Rate Support Grant

Mr. Wallace asked the Secretary of State for Scotland if he will present in tabular form, in respect of each local authority area in Scotland *(a)* the actual amount of rate support grant paid in 1978-79, *(b)* the actual amount of rate support grant paid in 1979-80 and, in each case, the current value in real terms and *(c)* the actual amount of rate support grant presently due to be paid in 1985-86.

Mr. Ancram: The actual amounts of grant paid or to be paid in each year are set out in the table. Rate support grant is not expressed in real terms as relevant expenditure includes loan charges, a variable item, and as provision for local authority expenditure and grant has since 1982-83 been expressed in cash terms.

	1978-79 £	*1979-80* £	*1985-86* £
REGIONAL COUNCILS			
Borders	19,133,234	21,187,280	33,518,943
Central	38,711,845	43,698,462	68,470,620
Dumfries and Galloway	25,009,702	28,044,435	43,621,096
Fife	50,547,344	58,343,305	90,864,347
Grampian	77,033,048	82,276,056	129,612,272
Highland	46,087,298	51,260,463	77,193,406
Lothian	116,193,574	132,829,953	181,969,767
Strathclyde	459,174,304	522,494,405	794,025,542
Tayside	65,930,927	70,984,298	114,186,037
DISTRICT COUNCILS			
Borders			
Berwickshire	370,052	418,255	382,592
Ettrick and Lauderdale	629,866	614,654	649,828
Roxburgh	687,254	936,326	1,482,609
Tweeddale	225,008	261,302	267,714
Central			
Clackmannan	1,007,233	1,089,486	1,013,954
Falkirk	1,555,296	1,747,213	1,616,926
Stirling	1,216,399	1,686,780	1,164,060
Dumfries and Galloway			
Annandale and Eskdale	622,887	761,680	625,407
Nithsdale	801,432	862,659	952,183
Stewartry	267,121	381,042	393,834
Wigtown	520,495	538,405	602,142
Fife			

	1978-79 £	1979-80 £	1985-86 £
Dunfermline	2,170,251	2,462,366	1,643,731
Kirkcaldy	2,190,895	3,097,848	2,619,506
North East Fife	975,842	1,423,500	1,215,796
Grampian			
Aberdeen City	4,001,698	3,621,984	3,495,183
Banff and Buchan	2,131,438	1,170,682	799,973
Gordon	2,049,688	2,222,263	1,444,598
Kincardine and Deeside	812,792	842,680	716,826
Moray	1,768,298	1,883,589	1,076,188
Highland			
Badenoch and Strathspey	40,513	155,728	99,383
Caithness	848,251	842,638	914,144
Inverness	496,908	895,056	525,732
Lochaber	409,815	529,825	319,821
Nairn	220,987	209,228	277,899
Ross and Cromarty	2,315,358	1,783,340	1,285,499
Skye and Lochalsh	203,608	289,991	463,949
Sutherland	611,057	550,607	631,226
Lothian			
East Lothian	1,556,700	1,692,664	1,694,193
Edinburgh City	6,073,513	7,552,867	9,455,143
Midlothian	2,365,190	2,349,199	3,174,693
West Lothian	2,227,513	3,042,953	3,481,292
Strathclyde			
Argyll and Bute	2,289,095	2,326,345	3,446,825
Bearsden and Milngavie	836,493	1,165,226	673,134
Clydebank	2,572,477	2,462,814	3,835,387
Clydesdale	1,242,854	1,559,429	2,051,344
Cumbernauld and Kilsyth	1,286,047	1,515,201	1,948,917
Cumnock and Doon Valley	1,616,440	1,979,983	2,452,327
Cunninghame	2,941,193	3,600,740	4,693,094
Dumbarton	1,520,453	1,839,534	2,138,750
East Kilbride	1,575,258	1,744,391	1,645,065
Eastwood	1,041,639	1,166,537	839,928
Glasgow City	23,874,893	34,305,114	39,214,119
Hamilton	3,813,015	4,148,593	4,777,237
Inverclyde	2,563,610	3,163,034	3,382,925
Kilmarnock and Loudoun	2,045,894	2,724,370	3,498,583
Kyle and Carrick	2,534,074	2,668,942	2,129,808
Monklands	4,470,959	5,065,333	5,382,281
Motherwell	3,851,440	4,936,319	4,993,260
Renfrew	4,780,224	6,050,676	8,143,234
Stathkelvin	2,150,984	2,694,634	3,775,249
Tayside			
Angus	1,915,463	1,945,321	2,010,769
Dundee City	4,685,604	4,159,905	6,810,131
Perth and Kinross	1,876,769	2,272,407	2,009,454
ISLANDS AREAS			
Orkney	3,582,537	5,166,975	7,564,531
Shetland	5,367,071	6,057,165	10,106,448
Western Isles	11,770,880	13,845,545	24,829,146
SCOTLAND	1,035,400,000	1,175,600,000	1,730,300,000

Felled Woodland (Replanting)

Mr. Home Robertson asked the Secretary of State for Scotland if he will publish a table showing the areas of felled woodland which have been replanted by the Forestry Commission in each of the last 10 years, and also showing the percentage of that area which has been planted with each of the main tree species.

Mr. John MacKay [*pursuant to his reply*, 29 March 1985, c. *375*]: The information is as follows:

Percentages of total area restocked by main species

Year to 31 March	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984
Total area restocked (hectares)	3,494	3,242	3,157	3,069	3,567	5,669	5,014	5,510	5,798	6,753
Scots pine	2	3	3	2	2	2	2	1	—	1
Corsican pine	9	8	10	9	12	13	13	10	12	14
Lodgepole pine	2	1	3	5	5	4	2	2	—	—
Sitka spruce	66	73	64	63	55	58	59	61	62	68
Douglas fir	5	3	5	7	8	7	7	9	11	5
Larches	5	5	10	9	12	10	11	8	8	7
Other conifers	9	4	3	4	4	3	4	5	3	2
Broadleaves	2	3	2	1	2	3	2	4	4	3

TRANSPORT

Transport Subventions

Mr. Ashdown asked the Secretary of State for Transport, what is the total subvention from public funds nationally and locally in the last year for which figures are available which goes to *(a)* all public transport, *(b)* British Rail and *(c)* buses.

Mr. David Mitchell: In 1983-84 total subventions from public funds to public transport in Great Britain are estimated at about £1,950 million. About £960 million was for British Railways, £725 million for buses, underground railways and ferries, and £265 million for concessionary fares for the elderly and disabled, mainly on bus services. Further breakdown is not available. In addition, fuel duty rebate of just over £100 million was paid to operators of local bus services.

Rail Services (Timekeeping)

Mr. Pawsey asked the Secretary of State for Transport if, pursuant to the answer of 27 March regarding the punctuality of trains in the London Midland region of British Rail, he will give similar data for services from Birmingham, Glasgow, Manchester, and Liverpool, respectively, via Rugby to London Euston and vice versa.

Mr. David Mitchell: I understand from British Rail that the punctuality of trains over these routes in 1984 was as follows:

per cent.

	On time	*On time or less than five minutes late*	*Over 30 minutes late*
Glasgow-Euston*	47	56	13
Birmingham-Euston*	65	78	2
Liverpool and Manchester-Euston*†	63	76	3

* British Rail records punctuality data either for routes or small groups of routes. Trains from Liverpool and Manchester are recorded as being in the same group of routes and are not therefore available separately.
† And vice versa.

British Rail's strategy for inter-city services sets the objective that, by 1987, 85 per cent. of all inter-city trains should arrive within five minutes of published time.

FV South Stack (Disappearance)

Mr. Hoyle asked the Secretary of State for Transport why it took from 19 January 1984 until March 1985 to prepare and send the factual statement of the events surrounding the disappearance of the South Stack to the next of kin concerned.

Mr. David Mitchell: The FV South Stack was reported missing on 19 May 1984 and the inspector's report was completed on 19 July 1984, not 19 January 1984 as stated in the reply to the hon. Member on 1 April 1985, at column 429.

It is the Department's practice to isue a factual statement only when the report has been considered and departmental action arising from the report has been completed. Although the factual statement was ready for release at the end of October 1984 it is regretted that owing to an oversight it was not so released until March this year. I tender on behalf of my Department apologies for any added distress which may unwittingly have been caused for the relatives of those lost.

Mr. Hoyle asked the Secretary of State for Transport why he will not make available a copy of the inspector's report into the disappearance of the South Stack to the hon. Member for Warrington, North; and if he will make a statement.

Mr. David Mitchell: Reports of preliminary inquiries into shipping casualties are confidential to the Department. They enable the Department to establish the cause of the casualty and to consider what further action is required in the interests of marine safety. However, to be as helpful as possible the Department releases a factual statement based upon the report. I shall send a copy of the factual statement on the South Stack to the hon. Member.

Fishing Vessels (Disappearance)

Mr. Hoyle asked the Secretary of State for Transport if he will list all incidents of disappearances of fishing boats over the last 10 years, and the findings of any inquiry of his Department; and whether any of the disappearances were attributed to the presence of submarines.

Mr. David Mitchell: The following 12 fishing vessels have disappeared or been lost in unexplained circumstances in the 10 years 1975 to 1984 and have been described as "missing" in the departmental records. None was attributed to the presence of submarines.

Year	*Missing Vessel*	*Inquiry*	*Findings*
1975	Nil		
1976	Nil		
1977	Nil		
1978	FV Enterprise 21·76m overall length	Preliminary inquiry under section 464 of the Merchant Shipping Act 1894	Cause unknown
1978	FV Acacia Wood 24·2m overall length	Preliminary inquiry under section 464 of the Merchant Shipping Act 1894	Cause unkonwn
1979	FV Tarradare II 22·3m overall length	Preliminary inquiry under section 464 of the Merchant Shipping Act 1894	Cause unknown
1979	FV Sylvia Marita 14·3m overall length	Preliminary inquiry under section 464 of the Merchant Shipping Act 1894	Cause unknown
1979	FV Carinthia 17·8m overall length	Preliminary inquiry under section 464 of the Merchant Shipping Act 1894	Cause unknown
1979	FV Ocean Monarch 20m overall length	Preliminary inquiry under section 464 of the Merchant Shipping Act 1894	Cause unknown
1980	FV Pat Marie 10m overall length	Preliminary inquiry under section 464 of the Merchant Shipping Act 1894	Cause unknown
1981	FV Celerity 19m overall length	Preliminary inquiry under section 464 of the Merchant Shipping Act 1894	Cause unknown
1981	FV Reborn 5m overall length	The inquiry took the form of the search and rescue reports (the body of the sole occupant was recovered)	Cause unknown
1982	Nil		
1983	FV Zanto 17m overall length	Preliminary inquiry under section 464 of the Merchant Shipping Act 1894	Cause unknown
1983	FV Exuberant 10m overall length	A surveyor's report was obtained on this loss	Cause unknown
1984	FV South Stack 11m overall length	A surveyor's report under section 728 was obtained on this loss	Cause unknown

Driving Test

Mr. Peter Bruinvels asked the Secretary of State for Transport (1) whether he has any plans to amend the scope and nature of his Department's driving test; and if he will make a statement;

(2) whether he will consider including night-time driving and motorway driving as additional criteria in his Department's driving test.

Mrs. Chalker: In its recent report on road safety the Transport Committee recommended that my right hon. Friend consider possible changes to the driving test. He will give his views on this subject when he responds to the committee's report as a whole, which he will do as soon as possible.

NATIONAL FINANCE

"Wealth of Waste"

Sir Geoffrey Finsberg asked the Chancellor of the Exchequer when Her Majesty's Stationery Office first received the manuscript copy of the report of the Trade and Industry Committee Review 1983-84 entitled the "Wealth of Waste"; when proofs were returned to the Committee for checking; when the checked proofs were returned to Her Majesty's Stationery Office; what instructions were received from the Committee regarding the time-scale for the printing of the Report; and if he will make a statement.

Mr. Hayhoe: Her Majesty's Stationery Office received copy on 9 November 1984 and returned proofs on 14 November. The checked proofs were returned to HMSO on 6 December and the report was published on 19 December, as agreed with the Committee clerk.

Business Expansion Scheme

Mr. John Browne asked the Chancellor of the Exchequer whether he will consider extending the scope of the business expansion scheme by reducing the "lock-up" period for funds invested from five years to three years.

Mr. Moore: The purpose of the scheme is to encourage investment in small companies on a reasonably long-term basis. There are no plans to change the rules of the business expansion scheme, apart from the proposed changes announced by my right hon. Friend in his Budget statement on 19 March.

Inflation

Mr. Dubs asked the Chancellor of the Exchequer what has been the change in Britain's rate of inflation over the past 12 months compared with the United States of America, Germany, France and Japan.

Mr. Ian Stewart: The 12-month increases in consumer price indices for February 1984 and February 1985 in the United Kingdom, United States of America, West Germany, France and Japan were:

	per cent. change on a year earlier	
	February 1984	*February 1985*
United Kingdom	5·1	5·4
United States	4·6	3·5
West Germany	3·1	2·3
France	9·0	6·4
Japan	2·9	1·4

Consumer price indices for member countries are published monthly in OECD Economic Indicators.

Value Added Tax

Mr. Hargreaves asked the Chancellor of the Exchequer what is the estimated amount of value added tax received from improvement/repair work on residences in each of the past 10 years.

Mr. Hayhoe: Estimates are as follows:

	£ million
1975	90
1976	100
1977	115
1978	125
*1979	220
1980	345
1981	380
1982	425
1983	485
†1984	660

Notes:

* Standard rate of VAT increased from 8 per cent. to 15 per cent. on 18 June 1979.

† VAT at standard rate imposed on alterations, which were previously zero-rated, from 1 June 1984.

Mr. Coombs asked the Chancellor of the Exchequer if he will list all significant changes from the exposure clauses published in the autumn of 1984 which he has made in his Finance Bill proposals for implementation of the recommendations about value added tax in the Keith committee report.

Mr. Hayhoe: I have decided, in the light of representations made by interested parties and comments from a number of hon. Members, that the following changes to the exposure clauses should be embodied in the Finance Bill, together with a number of other minor modifications of drafting:

Exposure Clause 2 (Finance Bill Clause 12)

As specifically proposed by the Keith committee, provision is now made for statutory cover to safeguard the admissibility of induced evidence, along the lines of S105 Taxes Management Act 1970.

Exposure Clause 3 (Finance Bill Clause 13)

(a) Provision is now made for a statutory defence of due diligence and reasonable excuse, on the basis that the taxpayer will not be liable to penalty under the clause if he satifies the Commissioners of Customs and Excise, or on appeal a VAT tribunal, that he had exercised all due diligence and there was a reasonable excuse for the conduct in question.

(b) Provision is also made that a taxpayer will not be liable to penalty under the clause if, at a time when he had no reason to believe that inquiries were being made into his VAT affairs by Her Majesty's Customs and Excise, he furnished them with full information about the understatement or incorrect payment concerned.

(c) The trigger points for penalty under the three objective arithmetical tests are to be tripled, to 30 per cent., £3,000 or 1·5 per cent. and 15 per cent., respectively.

(d) Where an assessment made by Her Majesty's Customs and Excise in the absence of a return understates the true VAT liability by an amount which would otherwise attract serious misdeclaration penalty, the taxpayer is to be allowed a period of 30 days from the date of the assessment to take all reasonable steps to draw the underassessment to the attention of Customs and Excise, before liability to penalty arises.

(e) Provision is now made that liability to a penalty under the clause in respect of an overpayment made to the taxpayer will only arise in consequence of sums actually claimed by him on VAT returns.

Exposure Clause 4 (Finance Bill Clause 14)

(a) Appropriate provision is now made for a statutory defence of due diligence and reasonable excuse.

(b) Where the fixed element of the penalty under the clause is increased by Treasury order, the increased amount will now apply to failures to comply which continued after the date of the increase.

Exposure Clause 5 (Finance Bill Clause 15)

(a) Appropriate provision is now made for a statutory defence of due diligence and reasonable excuse.

(b) Provision is now made to allow, subject to safeguards, the temporary removal and use by the taxpayer of assets distrained for outstanding VAT debts and held subject to a walking possession agreement.

Exposure Clause 6 (Finance Bill Clause 16)

Appropriate provision is now made for a statutory defence of due diligence and reasonable excuse.

Exposure Clause 8 (Finance Bill Clause 18)

(a) Appropriate provision is now made for a statutory defence of due diligence and reasonable excuse.

(b) The objective conditions for liability to default surcharge and for release from a surcharge liability notice are to be relaxed in order to target more closely on the most persistent defaulters. The new requirement is two defaults in one year, rather than two years, to trigger a surcharge liability notice. Similarly, a notice will expire after one year clear of all defaults, rather than two years.

(c) The proposed extension of liability to surcharge, from the taxpayer to those carrying on his business in a representative capacity, is now withdrawn.

Exposure Clause 9 (Finance Bill Clause 19)

Repayment supplement is now to be made available after a reckonable delay of 30 rather than 60 days.

Exposure Clause 11

No such clause is to be included in this year's Finance Bill for the reasons given in reply to my hon. Friend the Member for Croydon, South (Sir W. Clark) on 15 April.

Exposure Clause 12 (Finance Bill Clause 21)

(a) The time limit after final determination of the tax concerned for assessing tax-geared penalties, interest or surcharges is to be reduced from three years to two years.

(b) The grounds for allowing Her Majesty's Customs and Excise to make assessments of VAT going back more than six years are now narrowed to exclude cases of "serious misdeclaration".

Exposure Clause 18 (Finance Bill Clause 27)

Express statutory provision is now made that in respect of the qualifying elements for liability to penalty under exposure clause 2 (object of evading VAT and conduct involving an element of dishonesty) the burden of proof in an appeal against the assessment of such a penalty shall lie upon the Commissioners of Customs and Excise.

Exposure Clause 20 (Finance Bill Clause 29)

The clause now extends to cover awards of costs in those hearings, for example, in registration cases, where there is no amount of tax to confirm or vary.

Exposure Clause 21 (Finance Bill Clause 30)

The clause now extends to embrace companies subject to an administration order, to reflect the new provision and terminology being introduced by the Insolvency Bill.

Exposure Clause 22 (Finance Bill Clause 32)

In order to take account of the cash flow advantages which VAT confers on most businesses, the interpretation clause now makes it clear that insufficiency of funds to pay any tax due does not constitute a reasonable excuse for any of the defaults introduced by the Finance Bill.

Home Improvement (Tax Relief)

Mr. Hargreaves asked the Chancellor of the Exchequer what is the total estimated amount of tax relief granted in respect of loans for the improvement of a person's main residence for each of the last 10 years.

Mr. Moore: I shall let my hon. Friend have a reply as soon as possible.

EC (Own Resources)

Mr. Butterfill asked the Chancellor of the Exchequer if he will make a statement about the payment of March non-value added tax own resources to the European Communities.

Mr. Ian Stewart: In accordance with article 10(2) of Council Regulation 2891/77 the Commission has invited member states to pay on 22 April instead of 20 May non-VAT own resources collected in March. These own resources consist of agricultural, sugar and isoglucose levies and customs duties. The Government are complying with this request.

An amount not exceeding £83 million will be paid on 22 April; the payment of levies and duties on 20 May 1985, which is made under section 2(3) of the European Communities Act 1972, will be reduced by an appropriate amount. There will therefore be no net addition to public expenditure.

HMSO

Mr. Frank Field asked the Chancellor of the Exchequer if he will list the reasons for changing the staffing of those dealing with Members' requests for Her Majesty's Stationery Office publications at the Nine Elms depot; if the current standard of service will be maintained; what are the financial savings which have resulted; and if the Vote in support of the Stationery Office has been reduced by a similar sum to the savings.

Mr. Hayhoe [*pursuant to his reply*, 15 April 1985, c. *36-7*]: A recent staff inspection within HMSO has recommended that the duties involved in dealing with Members' requests for the priority supply of HMSO publications are appropriate to the Clerical Officer grade rather than Executive Officer, provided that higher level guidance and support are available when necessary to maintain the present level of service. HMSO would expect the implementation of the recommendation to result in the estimated financial savings of around £3,000 pa being reflected in Class XIII Vote 20, Stationery and Printing Supplies to the Houses of Parliament, etc.

Freeports

Mr. McQuarrie asked the Chancellor of the Exchequer if he will carry out a review of the areas which were given designated freeport status and report progress in each area.

Mr. Hayhoe [*pursuant to his reply*, 15 April 1985, c. *37*]: The designation of each of the areas chosen as freeports is subject to review after a five-year period. The Government have commissioned a research study to monitor their progress during that time. Of the six freeports, Southampton and Liverpool have commenced operations.

Value Added Tax (Advertising)

Mr. Tony Lloyd asked the Chancellor of the Exchequer if he will indicate how much tax he expects to raise from the imposition of value added tax on newspaper and magazine advertising; what impact this will have on employment; and how much of the value added tax revenue will come from advertisements placed by charities.

Mr. Hayhoe [*pursuant to his reply*, 15 April 1985, c. *38*]: The extension of VAT at the standard rate to newspaper and magazine advertising is expected to raise £30 million in 1985-86 and £50 million in a full year. Taxation is only one of a number of factors that affects employment and it is not possible to determine the precise effect of this change, though it is not expected to be significant. VAT revenue from advertisements placed by charities is estimated at less than £1 million.

Value Added Tax (Charities)

Mr. Tony Lloyd asked the Chancellor of the Exchequer if he will indicate how much revenue he expects to lose by the exemption from value added tax of computers purchased for medical use by charitable bodies.

Mr. Hayhoe [*pursuant to his reply*, 15 April 1985, c. *38*]: About £5 million in a full year.

SOCIAL SERVICES

Doctors and Dentists (Entry Regulations)

3. **Mrs. Jill Knight** asked the Secretary of State for Social Services if he will take steps to end the free entry into Britain of doctors and dentists.

Mr. Fowler: On 26 March my right hon. and learned Friend the Home Secretary laid before the House a statement of changes to the immigration rules. From 1 April, doctors and dentists from overseas who wish to practise in the United Kingdom need to comply with the immigration arrangements which apply to most other professional groups, except for those seeking entry for the purpose of post-graduate training in hospitals who can obtain permit-free employment for a period of up to four years.

Prescription Charges

15. **Mr. Freud** asked the Secretary of State for Social Services whether he has any plans to amend the schedule of conditions which entitle patients to exemption from prescription charges.

Mr. Kenneth Clarke: We have no plans at present to change the list of medical conditions which entitle people to exemption from prescription charges.

NHS (Expenditure)

16. **Mr. Knox** asked the Secretary of State for Social Services what percentage of the gross domestic product was spent on the National Health Service in the most recent year for which figures are available; and how this compares with the percentage in 1978.

Mr. John Patten: The United Kingdom spent 5·6 per cent. of the gross domestic product on the National Health Service in 1983; the corresponding figure for 1978 was 4·8 per cent.

Psychiatric and Psychologically Disturbed Patients

17. **Mr. Greenway** asked the Secretary of State for Social Services how much is being spent on the re-establishment of former psychiatric and psychologically disturbed patients in the community; and if he will make a statement.

Mr. Kenneth Clarke: Money is spent by a wide range of statutory and voluntary bodies on services for mentally disordered people in the community. We do not have enough detailed information centrally to enable us to make a worthwhile estimate of the total sum spent by all these bodies from all sources.

Cervical Cancer

18. **Mr. Simon Hughes** asked the Secretary of State for Social Services whether he has any plans to amend the regulations governing the remuneration of general practitioners undertaking screening for cervical cancer.

Mr. Kenneth Clarke: No. We particularly encourage general medical practitioners to screen women most at risk from cervical cancer — those over 35 and those who have been pregnant on three or more occasions. They receive a specific fee when they do this. This fee is just one of a number of fees and allowances, including capitation fees, which general medical practitioners receive.

The total contract provides general practitioners with an income and reimburses their practice expenses for providing all general medical services, including all cervical cytology testing, to their NHS patients. We are therefore quite satisfied that general practitioners are adequately remunerated for all the requirements of good up-to-date medical practice, including the screening of all women at risk.

31. **Mr. Madden** asked the Secretary of State for Social Services what action he is taking to ensure that a proposed call and recall system for cervical cancer screening linked to a national computer, is introduced in Bradford.

Mr. Kenneth Clarke: We have instructed all health authorities to introduce effective cervical cancer screening programmes. We will shortly be asking all authorities to check the effectiveness of their particular programmes.

200. **Mr. Evennett** asked the Secretary of State for Social Services whether he has received any representations from (i) scientific research organisations, or (ii) women's health organisations concerning the possible links between the use of oral contraceptives and cervical cancer.

Mr. Kenneth Clarke: We have received no recent representations on this subject. Research findings on the question of a possible link between oral contraceptives and cancer are kept under constant review by the Committee on Safety of Medicines.

Heating Allowances

20. **Mr. Wareing** asked the Secretary of State for Social Services what recent representations he has received about the level and manner of payment of heating allowances.

Mr. Whitney: We regularly receive letters from both right hon. and hon. Members and from outside organisations and members of the public about all aspects of the help with heating costs which we provide for the least well off—those on supplementary benefit.

Social Security Reviews

21. **Mr. Kirkwood** asked the Secretary of State for Social Services if he will publish the evidence submitted to the recent social security reviews.

Mr. Whitney: We have made it clear throughout the review that the Government do not propose to publish or summarise evidence. Individuals and organisations are free to publish their evidence if they wish, and a number have already done so.

Homes for the Elderly

22. **Mr. Boyes** asked the Secretary of State for Social Services how many homes for the elderly were opened in 1984; and if he will make a statement.

Mr. John Patten: Information on the numbers of residential homes is collected as at 31 March each year. Information as at 31 March 1985 is not yet available. Between 31 March 1983 and 31 March 1984 there was a net increase of 717 homes.

Elderly People

23. **Mr. Allan Roberts** asked the Secretary of State for Social Services if any assessment has been made of the total cost to local authorities of maintaining in the community those elderly people previously admitted to residential establishments run by the National Health Service; and if he will make a statement.

Mr. John Patten: Various pieces of work on the comparative costs of different types of provision for elderly people have been or are being carried out, but the wide variations in local circumstances and in the needs of individual elderly people make it impossible to estimate overall costs on the basis of the information at present available.

Bus Deregulation

24. **Mr. Stephen Ross** asked the Secretary of State for Social Services what representations he has received about the effect of the deregulation of buses on patients' and visitors' access to health facilities.

Mr. John Patten: We have had representations from the Strathclyde regional council about the effects of local transport policy on access to health care for the physically impaired. Other representations have been made to my right hon. Friend the Secretary of State for Transport, but under the terms proposed in the Transport Bill local authorities will be able to continue to subsidise services which they believe are socially desirable and which the competitive market does not provide.

Draught-Proofing Grants

25. **Mr. Cohen** asked the Secretary of State for Social Services how he proposes to promote the draught-proofing grant.

Mr. Whitney: Supplementary benefit single payments for draught-proofing are publicised in leaflets issued by our Department and by the Energy Efficiency Office. A further leaflet will be published shortly by the Energy Efficiency Office, which has also issued a number of posters publicising the help available to people whose homes are cold and draughty.

Supplementary Benefit

26. **Mr. Barron** asked the Secretary of State for Social Services if he has any plans to alter the payment of supplementary benefits paid to families of people deemed on strike.

Mr. Newton: The trade dispute provisions of the supplementary benefit scheme apply to any person who is without employment because of a stoppage of work due to a trade dispute at his place of employment, unless he can show that he is not participating in, or directly interested in, the dispute. Whether these provisions apply in a particular case is a question of fact to be decided by the independent adjudicating authorities. There is no question of people being deemed to be on strike.

The Government have at present no plans to change these rules, or the regulations which lay down what is payable to persons affected, except to amend the regulations to allow payments for funeral expenses. The hon. Member will know that extra-statutory payments are being made for such expenses pending this amendment.

Open Heart Surgery (Queen Elizabeth Medical Centre, Birmingham)

27. **Miss Boothroyd** asked the Secretary of State for Social Services what steps are being taken to increase the intensive care facilities for patients undergoing open heart surgery at Queen Elizabeth medical centre in Birmingham; and whether he will make a statement.

Mr. John Patten: I refer the hon. Member to my reply to her on 1 April at column *494*. I shall be writing to the hon. Member shortly in reply to her recent correspondence on this subject.

Kidney Treatment

28. **Mr. Dalyell** asked the Secretary of State for Social Services if he will make a statement on waiting lists for kidney treatment.

Mr. John Patten: The number of patients awaiting treatment for renal failure is not recorded centrally. On 1 April 1985 the number of patients in the United Kingdom who were awaiting a kidney transplant, according to information supplied by the United Kingdom transplant service, was 2,862; virtually all of these patients will already be receiving dialysis. It is likely that this figure will continue to increase despite record numbers of kidney transplant operations performed in 1983 and 1984, since improvements in surgical and immunosuppressive techniques mean that more renal patients are being referred as suitable for transplantation and more patients are being taken on to dialysis.

In the 12 months following the launch in February 1984 of the campaign to promote the donor card scheme, over 12·5 million new cards were issued and the number of kidney transplants performed was 1,415, 30 per cent. more than the total of 1,089 for the previous 12 months.

Medical and Dental Treatment (Charges)

29. **Mr. Chapman** asked the Secretary of State for Social Services what is his latest estimate of the proportion of the population exempt from paying for medical prescriptions and dental treatment.

Mr. Kenneth Clarke: In 1983, the latest year for which figures are available, we estimate that about two fifths of the population of England were eligible for exemption from prescription charges and about one quarter from dental charges. These estimates exclude people who could claim exemption from prescription charges because of a specified medical condition as we do not have figures on the number of people suffering from these conditions at any one time. They also exclude people who are entitled to remission of charges on low income grounds, for example, all supplementary benefit and family income supplement claimants and an unknown number of dependents.

In total, about 60 per cent. of all courses of dental treatment and about 72 per cent. of all prescription items are provided free of charge.

Housing Benefit (Report)

30. **Mr. Andrew Bowden** asked the Secretary of State for Social Services when he expects to publish the housing benefit review report.

Mr. Whitney: As I indicated in my reply to the hon. Member for Newport, East (Mr. Hughes) on 12 March at column *107*, we intend to publish conclusions and proposals for change following the social security review as soon as possible. The report of the independent housing benefit review team will be published at the same time.

Cigarette Manufacturers

32. **Mr. Higgins** asked the Secretary of State for Social Services if he will give direction to health authorities that they should not invest their funds in shares of companies manufacturing cigarettes.

Mr. Kenneth Clarke: No Exchequer funds are involved in shareholding by health authorities. Health authorities—and special trustees appointed by my right hon. Friend—have, in their capacity as trustees, powers under the Trustee Investment Act 1961 to invest any trust funds they hold for National Health Service purposes. The Act obliges trustees to obtain and consider proper advice on investments, but non-financial considerations in relation to investment policies are a matter for the trustees.

Dental Charges

Mr. Roger King asked the Secretary of State for Social Services whether he is satisfied with the operation of the new arrangements for patients' contributions to dental charges.

Mr. Kenneth Clarke: It is too soon to say whether the new system for calculating charges is operating satisfactory since this only came into effect on 1 April. We do not, however, foresee any serious difficulties.

Dactinomycin

Mr. Cohen asked the Secretary of State for Social Services if Her Majesty's Government will seek powers to amend the Biological Compendium to ensure that the antibiotic dactinomycin is tested using high pressure liquid chromatography rather than the LD50 animal test as at present; and if he will make a statement.

Mr. Kenneth Clarke: We are already considering the proposition that reference to the LD50 animal test for this product in the Biological Compendium should be replaced by a reference to another test, possibly the use of high pressure liquid chromatography. Such a change in the compendium could be made under existing powers, after consultation with the Medicines Commission. We hope to reach a decision soon.

Limited List Prescribing

Mr. Greenway asked the Secretary of State for Social Services how many representations he has received on the limited drugs list; and what is the average length of time taken by his Department to reply to letters on this issue.

Mr. Kenneth Clarke: We have received over 13,000 letters about the selected list of drugs since we announced the proposals on 8 November 1984. We are endeavouring to answer all letters as quickly as possible, but the volume of correspondence is such that some delays are occurring. I regret that some apparent discourtesy to correspondents may have occurred, but this is inevitable when organised write-in campaigns by lobbyists swell the volume of correspondence on any subject to this extent.

Social Workers

Mr. Nicholas Winterton asked the Secretary of State for Social Services (1) what consultations he is having with local authorities and the Central Council for Education and Training in Social Work concerning proposals to revise the system of training and assessment of approved social workers as defined by the Mental Health Act 1983;

(2) if he will undertake to provide additional funds for any extra training or assessment costs falling upon local authorities or the Central Council for Education and Training in Social Work arising from the revised system of training approved social workers which takes account of problems resulting from the current industrial action;

(3) what is his estimate of the expenditure incurred by local authorities in training approved social workers under the Mental Health Act 1983.

Mr. John Patten: I shall let my hon. Friend have a reply as soon as possible.

Departmental Reviews

Mr. Pike asked the Secretary of State for Social Services what the latest position is with regard to the current reviews being undertaken by his Department.

Mr. Whitney: I refer the hon. Member to my reply to the hon. Member for Newport, East (Mr. Hughes) on 12 March, at column *107*.

Health Authorities (Headed Notepaper)

Mr. Meadowcroft asked the Secretary of State for Social Services (1) whether he will set out the rules governing the use of health authority headed notepaper by employees resident at health authority premises when writing to hon. Members;

(2) whether any steps have been taken to protect by copyright or other means, the name of National Health Service hospitals when used on headed notepaper.

Mr. John Patten: We would expect health authorities to ensure that all property of the authority, including writing paper, is used for official purposes only. If the

hon. Member has a particular instance in mind, I suggest he takes it up in the first place with the chairman of the appropriate district health authority.

Married Women's Half-Test

Dr. Twinn asked the Secretary of State for Social Services if he will abolish the married women's half-test; and if he will make a statement.

Mr. Fowler: The half-test is an additional contribution test for retirement pension purposes, formerly applying to all married women, which required them to fulfil, in addition to the standard conditions for receiving a pension in their own right, a condition that they must have full-rate national insurance contributions paid or credited up to a minimum level in at least half the number of years between their marriage and their 60th birthday.

This additional condition was abolished in 1979 for married women reaching the age of 60 after 5 April 1979. It has, however, continued to affect those who were already 60 by that date. Following a review of the European Communities' equal treatment directive, which came fully into effect in December 1984, the Government have decided that it would be right to abolish the residual effects of the half-test as from 22 December 1984. I have therefore tabled an amendment to the Social Security Bill now before the House to achieve this end.

I estimate that there are currently about 25,000 married women who may gain from this step, mainly married women whose husbands have not yet reached the age of 65. If Parliament agrees the proposed legislation, my Department will seek to contact them as soon as possible to invite claims. The additional benefit expenditure involved is expected to be about £25 million in 1985-86, and to decline thereafter.

Christmas Bonus

Dr. Twinn asked the Secretary of State for Social Services what plans he has to pay the Christmas bonus in 1985.

Mr. Fowler: A Christmas bonus of £10 will be paid again to people who for the week commencing 2 December are entitled to payment of one of the qualifying benefits.

Dependency Increases (Earnings Test)

Mr. Lord asked the Secretary of State for Social Services how he proposes to use the regulation making powers in clause 7 of the Social Security Bill to provide an earnings test for dependency increases to invalidity benefit and retirement pension.

Mr. Newton: We propose that an adult dependency increase will be available if the weekly earnings of the beneficiary's spouse do not exceed the personal rate of unemployment benefit, currently £28·45. The test will be common to men and women and will apply to invalidity pension, retirement pension, severe disablement allowance and unemployability supplement with industrial disablement benefit. Existing beneficiaries will not lose as they will be protected by a transitional provision.

Leaflet Distribution Unit

Dr. Twinn asked the Secretary of State for Social Services what delays are being experienced at his Department's leaflet distribution unit, Canons park; and if he will make a statement.

Mr. Newton: Emergency repairs to the unit's plumbing system began in January this year and are continuing. The main corridor has had to be torn up, thus severely restricting access to the storage areas. The unit is reduced to working with no mechanical aids, such as a fork-lift truck. Additional effects include the loss of heating, hot water and drinking water.

Every effort has been made to reorganise the work, but it has not been possible to avoid an increase in the time taken to fulfil orders, at present about six weeks.

Before this situation arose, plans were in hand to transfer the unit to new and improved accommodation at Wembley; the move is likely to take place in the summer.

I should like to record my appreciation to the staff at Canons park who have continued to work at the unit despite the many personal inconveniences resulting from the repairs.

Legal Aid

Dr. Twinn asked the Secretary of State for Social Services if he will make a further statement on the use of section 22 of the Legal Aid Act 1974.

Mr. Newton: Legal advice has been received to the effect that if a legal aid assessment officer were to pass information to a social security benefit officer, that would almost certainly contravene section 22(1) of the Legal Aid Act 1974. The departmental instructions providing for the disclosure of information have, therefore, been withdrawn. The Government will keep under review the question of whether amending legislation would be appropriate.

Regional Health Authorities

Mr. White asked the Secretary of State for Social Services if he will publish in the *Official Report* a table showing the total administrative cost of each regional health authority in the last year to a convenient date, including the amounts for expenses and remuneration of chairmen and committees, the number of staff and the total of salaries and wages paid, the cost of rent and equipment, and all other significant items of expenditure.

Mr. Kenneth Clarke [*pursuant to his reply,* 14 March 1985, c. *242*]: The table shows current expenditure on the administration of their own headquarters by each regional health authority in 1983-84. This is, of course, not the total cost of administration within a region as we could not produce figures for the administrative costs of all the districts, units and hospitals without disproportionate effect and expense.

£ thousand

	Northern	Yorkshire	Trent	East Anglian	North West Thames	North East Thames	South East Thames	South West Thames	Wessex	Oxford	South Western	West Midlands	Mersey	North Western
Secretariat and Finance	1,819	1,649	4,323	982	1,997	1,683	2,461	1,944	1,773	1,596	1,464	2,837	1,442	2,466
Medical, dental and nursing administration	362	187	438	150	227	180	593	210	479	239	153	438	204	221
Works and Maintenance administration	160	141	50	104	52	81	20	3	—	—	37	—	28	22
Other administration	75	59	100	193	104	111	127	201	188	33	165	269	156	211
Management Services	1,249	1,579	904	1,166	1,017	2,531	1,575	2,315	909	980	1,972	3,824	347	1,216
Training and education	36	146	460	82	181	164	687	228	295	89	180	277	82	834
Office services and expenses	427	555	755	306	360	514	257	573	515	586	453	949	446	677
Accommodation services, overheads, etc	311	561	672	209	1,108	971	950	1,294	288	668	471	768	787	914
Members' expenses	21	26	42	29	17	8	25	19	22	31	32	16	21	34
Health Service Supply Council expenses	41	21	29	11	9	26	—	19	15	12	21	31	15	30
Other expenditure	5	2	—	—	—	—	42	2	10	6	5	—	(7)	108
TOTAL	4,506	4,926	7,773	3,232	5,072	6,269	6,737	6,808	4,494	4,240	4,953	9,409	3,521	6,733

Notes:

1. The figures are derived from the annual accounts of the regional health authorities and include all relevant salaries and wages and other costs. General administrative expenditure at operational levels, capital expenditure and expenditure by district health authorities is excluded.

2. Members' expenses include chairmen's remuneration which was as follows:

Regional Health Authority	£
Northern	8,472
Yorkshire	8,655
Trent	8,489
East Anglian	8,472
North West Thames	8,469
North East Thames	Nil
South East Thames	8,153
South West Thames	8,472
Wessex	8,472
Oxford	8,474
South Western	8,162
West Midlands	8,348
Mersey	8,472
North Western	8,471

3. The annual accounts of regional health authorities give only total figures for travelling and subsistence expenses, salaries and wages paid, the cost of rent and equipment and other details of expenditure. These totals include services such as ambulances, mass radiography and blood transfusions which regional health authorities provide and separate figures for headquarters administration are not collected. Statistics on the numbers of staff employed are also not broken down in this way.

Drugs (Costs)

Mr. Hickmet asked the Secretary of State for Social Services (1) pursuant to the reply of 14 March, *Official Report*, column *243*, what was the total value of the discount on drugs costs from wholesalers and manufacturers given to dispensing doctors in the last year for which figures are available; and what savings would be made to the National Health Service as a whole if a similar level of discounts were given by drugs wholesalers and manufacturers to all purchases of drugs by or on behalf of the National Health Service;

(2) pursuant to the reply of 25 February, *Official Report*, column *71*, whether discounts will continue to be available on drugs dispensed by dispensing doctors after 1 April; whether similar discounts are offered by drugs wholesalers and manufacturers to all or any other purchases of drugs by the National Health Service; and if he will make a statement.

Mr. Kenneth Clarke [*pursuant to his reply*, 4 April 1985, c. *768-69*]: Doctors buy many of their drugs from wholesalers and retail pharmacists but also purchase from manufacturers who may give very high discount. The dispensing doctors' discount inquiry which sampled purchases for the months of April to June 1983 identified that on average discount of 4·93 per cent. was obtained on purchases from all sources. The total value of savings to the National Health Service because of discount on drugs supplied by doctors in Great Britain in 1983-84 would have been about £4 million.

On the basis of an inquiry in 1981, it was assumed that pharmacist contractors received discounts averaging 5·96 per cent. The total value of discount on National Health Service drugs supplied by pharmacists in England and Wales in 1983-84 was £71 million, representing a saving to the National Health Service. Since that inquiry some pharmacists have been able to obtain larger discounts than those included in the existing arrangements on their purchases of drugs from wholesalers. From 1 January 1985 an endorsement scheme designed to take into account these higher discounts has been introduced. Any savings which accrue will also be to the benefit of the National Health Service.

Regional health authorities negotiate contracts with drug manufacturers and wholesalers including discount as appropriate. Details of local contracts are not available centrally, but I am glad to say that many health authorities negotiate very favourable contracts.

I have no reason to believe that discounts will not continue to be available to dispensing doctors after 1 April.

Supplementary Benefit (Students)

Mr. Gordon Brown asked the Secretary of State for Social Services what is the estimated cost of meeting the entitlement to supplementary benefit of full-time students in advanced education *(a)* for the short Easter and Christmas vacations and *(b)* for the long vacations.

Mr. Newton [*pursuant to his reply*, 15 April 1985]: Our estimates suggest an expenditure on supplementary benefit for students in full-time advanced education of some £500,000 in the short vacations and £60 million in the long vacation.

Mr. Gordon Brown asked the Secretary of State for Social Services what is the estimated cost of meeting the entitlement of full-time students in advanced education *(a)* in respect of certificated housing benefit and *(b)* in respect of standard housing benefit.

Mr. Newton [*pursuant to his reply*, 15 April 1985]: Our estimates suggest an annual expenditure of about £50 million for housing benefit paid to students in full-time advanced education.

Written Answers to Questions

Wednesday 17 April 1985

HOME DEPARTMENT

Prisoners (Death Statistics)

Mr. Soley asked the Secretary of State for the Home Department what verdict was recorded on the death of those of the 11 prisoners listed as awaiting inquest in his answer of 25 January, *Official Report*, columns *534-35*, in respect of whom the inquest has now been completed.

Mr. Mellor: The following verdicts are now available. Case numbers are those used in my reply to a question from the hon. Member for Knowsley, North (Mr. Kilroy-Silk) on 25 January, at columns 533-36.

Case Number	*Verdict*
26	Natural causes: coronary thrombosis
48	Natural causes: kidney failure
49	Suicide: pulmonary embolism
50	Natural causes: staphylococal pyaemia
57	Suicide: asphyxia by hanging
60	Suicide: asphyxia by hanging
61	Natural causes: myocardial infarction
63	Natural causes: coronary artery thrombosis.

Verdicts in the other three cases are still awaited.

Mr. Williams asked the Secretary of State for the Home Department how many suicides and how many attempted suicides have taken place in prisons in each of the last 25 years; and how many in each year have occurred at Swansea.

Mr. Mellor: The information available is as follows:

Number of Suicides

Year	*All establishments including Swansea*	*Swansea*
1960	6	0
1961	17	0
1962	15	0
1963	12	0
1964	22	0
1965	15	0
1966	11	0
1967	19	0
1968	17	0
1969	21	2
1970	6	0
1971	13	0
1972	13	0
1973	14	0
1974	6	0
1975	14	0
1976	20	1
1977	11	1
1978	16	0
1979	21	0
1980	21	0
1981	16	0
1982	18	0
1983	21	0
1984	*23	*1

* One inquest verdict of an inmate who was found hanging is awaited. This was at Swansea. It is not included in these figures.

In 1982 there were 253 incidents of self-injury with apparent suicidal intent, of which two were at Swansea.

In 1983 there were 221 incidents of self-injury with apparent suicidal intent, of which eight were at Swansea.

Figures for self-injury for other years are not available.

Dogs

Mr. Colvin asked the Secretary of State for the Home Department what are the present maximum penalties which may be imposed on persons in charge of dogs fouling the pavement; and whether he has any plans to increase these.

Mr. Mellor: Byelaws for this purpose are made under the general power conferred by section 235 of the Local Government Act 1972. The maximum penalty which may be imposed by byelaws made under this power was doubled to £100 last May. The Government have no plans to increase it further.

Mr. Colvin asked the Secretary of State for the Home Department if he has any plans to change the present legal definition of being in charge of a dog; and if he will make a statement.

Mr. Mellor: The Home Office model byelaw under which it is an offence for a person in charge of a dog to allow the dog to foul a footway or grass verge provides that, for the purposes of the byelaw, the owner of the dog shall be deemed in charge thereof, unless the court is satisfied that at the time when the dog fouled the footway or grass verge it had been placed in or taken into the charge of some other person. This definition was incorporated in the model byelaw in 1936 in response to representations from local authorities and in order to overcome difficulties caused by an earlier model byelaw. The model byelaw has been widely adopted, and I have no present reason to believe that the definition has given rise to problems or is in need of amendment.

Mr. Colvin asked the Secretary of State for the Home Department if he will publish in the *Official Report* a table showing the total number of offences in connection with dogs for the last 12 months for which the statistics are available.

Mr. Mellor: The information available to me, which may be incomplete, relates to court proceedings for offences in connection with dogs and is published annually in "Criminal Statistics, England and Wales, Supplementary Tables, Volume 1" under offence classification 111 (offences relating to dogs) and 171 (revenue offence concerning dog licences). It is not possible to identify all offences that involved dogs; for example, details of offences of cruelty to animals do not distinguish the type of animal involved.

Suicides

Mr. Benyon asked the Secretary of State for the Home Department if he will give details of all recorded suicide verdicts by coroners' courts in Buckinghamshire, Berkshire and Oxfordshire involving deaths of girls aged under 16 years between 20 December 1984 and 11 January 1985.

Mr. Mellor: I refer my hon. Friend to the reply given on 27 March to a question from my hon. Friend the Member for Cunninghame, North (Mr. Corrie), at column 247.

Identification Parades

Mr. Tony Banks asked the Secretary of State for the Home Department, pursuant to the reply of 28 March, *Official Report*, columns *282-83*, if he will provide details of the districts involved in the identification parade survey carried out in 1982 and 1983.

Mr. Giles Shaw: All districts of the Metropolitan police were included in the survey in 1982 and 1983, except the Thames division, which polices the river Thames.

"Death Stars"

Mr. Murphy asked the Secretary of State for the Home Department if he will take steps to ban the sale of the kung fu weapon known as "Death Stars".

Mr. Giles Shaw [*pursuant to his reply*, 15 April 1985, c. *12*]: My right hon. and learned Friend has no plans to do so. As I stated in a previous pursuant reply to a question from my hon. Friend on 1 April, at column 449, there are many articles sold for legitimate purposes such as carving knives, scissors and razor blades which could be used as an offensive weapon and it would be quite impracticable to try to ban their sale. The police have not asked for tighter controls on "Death Stars" and no cases of misuse have been brought to my attention. We shall, however, continue to keep a close watch on the situation.

ENERGY

Magnox Fuel (Storage)

Mr. Deakins asked the Secretary of State for Energy how many dry storage facilities for spent Magnox fuel have been completed by the Central Electricity Generating Board; what proportion of spent fuel can be stored in this way; and what plans there are to extend those facilities to cater for all spent Magnox fuel.

Mr. Goodlad: The CEGB has one dry storage facility for approximately 900 tonnes of spent Magnox fuel located at Wylfa nuclear power station. This is used for the temporary storage of spent fuel from Wylfa prior to its transportation to BNFL Sellafield for reprocessing. The board has no current plans to build new dry storage facilities for Magnox fuel.

Nuclear Fuel (Reprocessing)

Mr. Deakins asked the Secretary of State for Energy what progress has been made in building the thermal oxide reprocessing plant at Sellafield; what is the latest estimate of the cost of reprocessing in this plant; if terms have now been agreed between the Central Electricity Generating Board and British Nuclear Fuels plc for reprocessing spent fuel from advanced gas-cooled reactors; and if he will make a statement.

Mr. Goodlad: I am advised by BNFL that the construction programme for THORP (thermal oxide reprocessing plant) is proceeding according to plan to meet reprocessing commitments in the 1990s. BNFL's unit charges for reprocessing irradiated fuel are not available, for commercial reasons. The estimated costs for the storage and reprocessing of spent nuclear fuel are included in the estimated generating cost data published in the CEGB's "Analysis of Generating Costs", a copy of which is in the Library. BNFL and CEGB are in the process of finalising the contractual arrangements in respect of CEGB's commitment to the THORP project.

Mr. Deakins asked the Secretary of State for Energy what changes have taken place in the United Kingdom demand for reprocessing spent nuclear fuel in the past five years.

Mr. Goodlad: I am advised by the CEGB that its demand for reprocessing Magnox spent nuclear fuel has increased over the past five years as a result of improved power station performance. In the case of AGR reprocessing there has been a reduction in demand for reprocessing capacity in THORP for the reasons given by my hon. Friend the Member for Croydon Central (Mr. Moore) in answer to a question from the hon. Member for Copeland (Dr. Cunningham) on 28 July 1982, at column 546.

Demand for fast reactor fuel reprocessing at Dounreay has increased in line with the progressive commissioning to full operating capacity of the prototype fast reactor.

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Secretary of State for Energy if he will give the number of officials and their sections who have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council, the dates and locations of such meetings and the subjects discussed.

Mr. Peter Walker: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council (AIIC) according to the subject under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

WALES

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Secretary of State for Wales what is the number of officials, and their sections, who have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council, and the dates and locations of such meetings and the subjects discussed.

Mr. Nicholas Edwards: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council (AIIC) according to the subject under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

PRIME MINISTER

Falkland Islands

Mr. Foulkes asked the Prime Minister if she will list all expenditure concerning the Falkland Islands and the United Kingdom military commitment to the islands which is not met by the Ministry of Defence.

The Prime Minister: Expenditure in the Falkland Islands not met by the Ministry of Defence, excluding expenditure by the Falkland Islands Government met from their own revenues, falls under the following headings:

(a) Rehabilitation: A rehabilitation grant of £15 million was announced in December 1982;

(b) Development: A development grant of £31 million was announced in December 1982;

(c) War damage compensation: Payments under the war damage compensation scheme, which was announced in July 1982, have to date totalled £3,244,000;

(d) Diplomatic Service personnel: The recurring cost of Diplomatic Service personnel in Port Stanley amounted to £171,530 in the financial year 1984-85.

Expenditure under all these headings is a charge to the Foreign and Commonwealth Office budget.

Nuclear Tests

Mr. Foulkes asked the Prime Minister if she will list all the documents requested from Her Majesty's Government by the Australian Royal Commission investigating nuclear tests in the Pacific in the 1950s; and whether all such documents requested were provided.

The Prime Minister: A full list of the hundreds of unclassified documents released to the Australian Royal Commission will be available in the Public Record Office shortly. The list will not include those few documents which must remain classified.

As far as possible, all requests from the Royal Commission have been met. However, a small number of documents have been withheld on grounds of national security, international relations and personal sensitivity.

Nerve Gas Weapons

Mr. Tony Banks asked the Prime Minister if Her Majesty's Government have made any representations to the United States Government about the proposed manufacture by the United States of binary nerve gas weapons; and if she will make a statement.

The Prime Minister: No. Like the United Kingdom, the United States remains committed to the achievement of a comprehensive worldwide and verifiable ban on chemical weapons in negotiations at Geneva. They are aware of our view that the Alliance should continue as its first priority to work urgently for such an agreement. Soviet agreement to such a ban and destruction of its massive chemical weapons offensive capability would obviate the need for the United States to pursue modernisation of its limited national capability.

VE-Day (Soviet Anniversary Celebrations)

Mr. Winnick asked the Prime Minister how Her Majesty's Government intend to respond to the invitation from the Soviet authorities for Her Majesty's Government to be represented in Moscow at the 40th anniversary of the defeat of Nazi Germany; and if she will make a statement.

The Prime Minister: The Soviet ambassador has communicated an oral invitation to us to send a small delegation to the ceremonies in Moscow commemorating the end of the war. We asked for clarification of the nature of the events to which the delegation was being invited. Our response will be considered in the light of this clarification. We shall also be discussing these matters with our partners and allies.

SOLICITOR-GENERAL FOR SCOTLAND

Roe Deer

37. **Sir Hector Monro** asked the Solicitor-General for Scotland how many prosecutions there were in 1984 for poaching roe deer.

The Solicitor-General for Scotland: Separate statistics are not kept for roe deer alone. However, provisional figures for 1984 show that in relation to all offences under the Deer (Scotland) Acts, 40 persons were proceeded against.

Travelling Families (Kilmarnock)

39. **Mr. Lambie** asked the Solicitor-General for Scotland when he next expects to meet the procurator fiscal of Kilmarnock to discuss the policy of non-harassment of travelling families.

The Solicitor-General for Scotland: I meet the procurator fiscal at Kilmarnock from time to time to discuss various matters, including the policy of non-harassment of travelling families. I have no special plans at present to meet the procurator fiscal to discuss this particular matter.

Drunkenness

40. **Mr. Malone** asked the Solicitor-General for Scotland what was the number of prosecutions for offences relating exclusively to drunkenness in Aberdeen during the last 12 months, compared to the previous 12 months.

The Solicitor-General for Scotland: There were only five cases in which persons were prosecuted for being drunk and incapable in Aberdeen in 1984, compared with 235 cases in 1983.

Salmon Poaching

41. **Mr. Soames** asked the Solicitor-General for Scotland how many prosecutions were instituted for poaching salmon offshore in 1984.

The Solicitor-General for Scotland: I refer my hon. Friend to the reply I gave to a question by my hon. Friend the Member for Dumfries (Sir H. Monro) on 5 December 1984, at columns 347-48, in which I stated that between 1 December 1983 and 1 December 1984 there were 38 prosecutions for salmon poaching in the sea. No further figures are available.

HOUSE OF COMMONS

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Lord Privy Seal what is the number of officials, and their sections, who have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council, and the dates and locations of such meetings and the subjects discussed.

Mr. Biffen: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council (AIIC) according to the subject under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

EDUCATION AND SCIENCE

Mr. P. G. Farley

Mr. Pawsey asked the Secretary of State for Education and Science when the hon. Member for Rugby and Kenilworth may expect to secure a definitive reply to his letter dated 16 November 1984 about Mr. P. G. Farley of 84 Eastlands road, Rugby.

Sir Keith Joseph: I replied to my hon. Friend today.

Teacher Training

Mr. Deakins asked the Secretary of State for Education and Science what information he has as to the proportion of students in teacher training colleges who do not receive a qualification enabling them to apply for a teaching post in maintained schools.

Mr. Bob Dunn: Available figures suggest that, of students entering initial teacher training, around 20 per cent. on undergraduate courses and around 10 per cent. on postgraduate courses do not attain qualified teacher status at the end of the course, whether as a result of withdrawing from the course or of failing to reach the required standard. The criteria for the approval of courses of initial teacher training issued in April 1984 stress that institutions should seek to identify, early in the course, those students who are satisfactory academically but unsuited to teaching so as to allow for the possibility of transfer to another course and that in no case should a qualification carrying qualified teacher status be awarded to a student whose practical classroom work is unsatisfactory.

EMPLOYMENT

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Secretary of State for Employment if he will give the number of officials and their sections who have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council, the dates and locations of such meetings and the subjects discussed.

Mr. Peter Bottomley: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council according to the subject under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

Asbestos

Mr. Foulkes asked the Secretary of State for Employment what information is in the possesion of the Health and Safety Executive regarding the quantity of asbestos produced by shipbreaking operations at Cairnryan over the past five years; what quantity of asbestos waste has been recorded as deposited in an authorised dump since 1979; and what is the location of each authorised site and the quantity dumped in each case.

Mr. Peter Bottomley: The Health and Safety Executive does not have information about the quantity of asbestos waste produced by shipbreaking operations at Cairnryan.

The disposal of asbestos waste is a matter for my right hon. Friend the Secretary of State for Scotland.

Family Incomes

Sir Brandon Rhys Williams asked the Secretary of State for Employment if he will estimate the number of married families with two children and earnings of *(a)* £100 or less per week and *(b)* £120 or less per week in April 1984 distinguishing if possible between one and two-earner families.

Mr. Peter Bottomley: The most recent information which relates household composition, the number of persons in a household working and income, comes from the 1983 "Family Expenditure Survey".

The following table shows in percentage terms the numbers of households comprising one man, one woman and two children, with various numbers of workers and at various levels of income.

Percentage of all households comprising one man, one woman and two children with the following characteristics:

	Number of Workers†		
	None	*One*	*Two*
Gross weekly household income*			
Less than £100	4	3	1
Less than £120	5	6	2

Source: Family Expenditure Survey 1983‡

* Comprising income from employment or self-employment, together with income from investments and social security benefits. The inputed income attributable to owner occupancy or living in rent free accommodation is also included.

† Covering both part-time and full-time employment. Also included are those temporarily absent from work and those unemployed but still seeking work (provided they were employed within the last twelve months).

‡ The Family Expenditure Survey is based on a sample of households, of which 939 out of the 6,973 covered in the 1983 survey comprised one man, one woman and two children.

Pay levels

Mr. Forth asked the Secretary of State for Employment if he will set out the latest full-time pay levels recommended by all wages councils.

Mr. Peter Bottomley: I refer the hon. Member to my reply to the hon. Member for Thurrock (Dr. McDonald) on 4 March 1985 at column *364*.

Youth Training

Mr. Sheerman asked the Secretary of State for Employment if he will give his best estimate of the rise in youth unemployment since 1979 that can be attributed to the three factors cited in the White Paper, "Employment: The Challenge for the Nation", Cmnd. 9474, namely, the general shortage of jobs, the high relative pay of young people, and the disadvantages of those who missed the big expansion of youth training since 1983, paragraph 3.11.

Mr. Peter Morrison [*pursuant to his reply*, 4 April 1985, c. *776-77*]: Each of the three factors identified in paragraph 3.12 of the White Paper (Cmnd. 9474) has, singly or in combination, affected the current level of youth unemployment.

Isolating the precise individual effects of each is not possible. However, evidence is available from research carried out in my Department and elsewhere about the effects of high relative pay and the general shortage of jobs on the employment prospects of young people. There is

also international evidence that high relative pay has damaged young people's employment prospects. I shall send the hon. Member the relevant references.

In relation to the third factor, those who have not benefited under the youth training scheme will be less well equipped to take up job opportunities than those who have received training or gained work experience.

TRADE AND INDUSTRY

Trade Statistics

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing the United Kingdom share of world trade in volume in each of the years 1970 to 1984; and if he will estimate the figure for each quarter from 1 January 1983.

Mr. Channon: United Kingdom shares based on 1980 prices are as follows:

United Kingdom share of MMC Exports of Manufactures at 1980 Prices*

Year	*Percentages*
1970	12·5
1971	12·5
1972	11·6
1973	11·7
1974	11·2
1975	11·4
1976	11·0
1977	11·1
1978	10·4
1979	9·9
1980	9·7
1981	8·8
1982	9·0
1983	8·7
1983† Q1	8·9
Q2	8·6
Q3	8·8
Q4	8·4
1984† Q1	8·5
Q2	‡8·5
Q3	‡8·2

* Main manufacturing countries.
† Not Seasonally Adjusted.
‡ Estimate.

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Secretary of State for Trade and Industry if he will give the number of officials of his Department and their sections who have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council, the dates and locations of such meetings and the subjects discussed.

Mr. Channon: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council according to the subject under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

TRANSPORT

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Secretary of State for Transport if he will give the number of officials of his Department and their sections who have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council, the dates and locations of such meetings and the subjects discussed.

Mrs. Chalker: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council according to the subject under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

Aircraft Baggage

Mr. Carter-Jones asked the Secretary of State for Transport when he proposes to introduce regulations to require that only personal baggage which can be stowed and secured in approved storage compartments will be allowed into an aircraft cabin; and if he will make a statement.

Mr. Michael Spicer: New regulations requiring baggage to be properly secured are set out in articles 2(3) and 2(10) of the Air Navigation (Fourth Amendment) Order 1985. The regulations apply to aircraft registered in the United Kingdom carrying passengers on public transport and come into operation on 26 April 1985. In the case of aircraft capable of seating more than 30 passengers, baggage must be stowed in passenger compartment stowage spaces approved by the Civil Aviation Authority. These can include under seat stowage spaces where forward restraint bars are fitted to seats.

Local Government Reform

Mr. Tony Banks asked the Secretary of State for Transport whether, upon abolition of the Greater London council, London borough councils will be permitted to charge more than the administrative costs of issuing concessionary travel permits for the elderly.

Mrs. Chalker: Upon abolition of the GLC, the London borough councils will be free to organise a voluntary uniform scheme for the elderly and will be able to impose charges for issuing permits under existing powers available to the GLC and all other local authorities.

If however the statutory reserve scheme is brought into effect, the imposition of such charges will be subject to the approval of the Secretary of State. The object is to ensure that the purpose of the reserve scheme is not frustrated by any individual borough attempting to recover from its pensioners an unreasonably high proportion of the costs.

Mr. Tony Banks asked the Secretary of State for Transport what resources his Department is providing for the working parties of borough officers looking into the effect of abolition of the Greater London council on highways and traffic matters in London.

Mrs. Chalker: All the existing resources of the Department are available for consultation and to give help to London boroughs as well as to other local authorities throughout the country on matters of common interest.

South Woodford to Barking Relief Road (Cyclists)

Mr. Tony Banks asked the Secretary of State for Transport what special provision has been made by his Department to enable cyclists to cross the proposed South Woodford to Barking relief road.

Mrs. Chalker: Cyclists will be able to cross the relief road at all its interchanges with existing roads, including the A13 where an existing cycle track will be continued through the new junction. In addition, footbridges provided or adapted as part of the scheme at Watson Avenue, Highbridge Road, Gooseley Lane and Gascoigne Road will have stepped ramps enabling cyclists to push their machines over them. The relief road will, by reducing flows along many existing roads, make conditions on those roads safer and more pleasant for all road users.

GLC Taxicard Scheme

Mr. Tony Banks asked the Secretary of State for Transport, pursuant to the reply on 7 March, *Official Report*, column 585, when the future of the Greater London council's taxicard scheme is to be discussed by the working party.

Mrs. Chalker: The working party held a preliminary meeting last month and will be meeting again shortly.

Trunk Roads

Mr. Tony Banks asked the Secretary of State for Transport if he will list those roads in urban areas that have been trunked without *(a)* publication of an order by him, *(b)* consultation with local residents and *(c)* the right to a public inquiry since 1971.

Mrs. Chalker: There are none.

Direction Signs

Mr. Neale asked the Secretary of State for Transport whether he will review direction signs, particularly those relating to tourist attractions.

Mrs. Chalker: I am pleased to announce that we have set up a review which will not only seek ways of improving signs for tourists, but also of improving the information on all directional route signs. It will also consider whether greater use can be made of variable message signs.

The review will be carried out jointly with my right hon. Friends the Secretaries of State for Scotland and for Wales and will be completed within two to three years.

As part of the review, we shall be consulting and fully considering the views of associations representing local authority, police, road user and road safety interests.

ENVIRONMENT

Urban Programme

Mr. Pike asked the Secretary of State for the Environment if he will list in the *Official Report* allocations approved for each local authority in England under the urban programme phase 25.

Sir George Young: This information is not yet available. As soon as it is, I shall arrange for the full list of approvals under "Traditional Urban Programme Circular 25" to be printed in the *Official Report* and placed in the Library.

Litter

Mr. Kilroy-Silk asked the Secretary of State for the Environment if he has any evidence that there has been an increase in the amount of litter.

Mr. Waldegrave: I have no evidence that there has been any such increase in the amount of litter.

Falkland Islands

Mr. Geraint Howells asked the Secretary of State for the Environment what is the current value of plant used to develop the new airport in the Falkland Islands; what is to become of it once the job is completed; and if he will make a statement.

Sir George Young: Plant to a purchase value of some £34 million is being used in the construction of the Royal Air Force and Army works projects at Mount Pleasant airport. This plant is supplied, managed and maintained by the contractors, who are also responsible for its removal when the contracts are completed.

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Secretary of State for the Environment if he will give the number of officials from his Department and their sections who have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council, the dates and locations of such meetings and the subjects discussed.

Mr. Patrick Jenkin: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council (AIIC) according to the subject under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

Quangos

Sir Philip Holland asked the Secretary of State for the Environment on how many occasions in the 12 months to 31 March the Radioactive Waste Management Advisory Committee submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Waldegrave: The advice given by the committee is regularly published in its annual report. Its fifth report was published by Her Majesty's Stationery Office on 4 July 1984, and copies are in the Library. The principal advice in that report was about the control of routine discharges from the Sellafield site of British Nuclear Fuels plc. In November 1984, the chairman wrote to my right hon. Friend endorsing a specific programme of works which would be consistent with the committee's previous advice. That was the programme of works announced by my right hon. Friend on 18 December 1984.

The committee's fifth report recommended the use of a common classification scheme for radioactive wastes, and this has been accepted by the Government and by the industry. It is also intended to publish a radioactive waste management information note giving a general description of the way in which my Department, and the other authorising Departments under the Radioactive Substances Act 1960, control discharges of radioactivity from nuclear installations; and this will take account of the committee's general advice on this subject in its fifth report.

In September 1984 the chairman submitted the committee's view about the procedures that should be followed in investigating possible sites for new disposal facilities, and that view was accepted in the revised procedures announced by my right hon. Friend on 24

January. That statement also announced publication of the final text of "Disposal facilities on land for low and intermediate-level radioactive wastes: principles for the protection of the human environment", which incorporates the committee's comments on earlier drafts.

In November 1984 the chairman wrote to my right hon. Friend expressing regret about actions by the National Union of Seamen and the Transport and General Workers Union interfering with a research programme designed to investigate the properties of deep-sea sediments. This issue has been discussed by Ministers with the TUC.

In March 1985 the chairman wrote to my right hon. Friend summarising the committee's views on the waste management implications of the fast reactor and we shall be discussing this advice with the other Ministers concerned.

Sir Philip Holland asked the Secretary of State for the Environment on how many occasions in the 12 months to 31 March the Black Country Limestone Advisory Panel submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Macfarlane: The Black Country Limestone Advisory Panel met five times between 1 April 1984 and 31 March 1985. At each meeting advice was given on:

(a) the specification and conduct of my Department's commissioned research into cost-effective methods of monitoring subsidence, assessing risk and remedial measures;

(b) the appropriateness of local authority bids in 1984-85 and proposed for 1985-86 for funding of site investigations and remedial works under the derelict land grant scheme; and

(c) the conduct of investigations of five specific underground workings already under way at 1 April 1984.

In all instances my Department acted by taking note of the panel's advice when seeking further information on proposals, allocating funds and specifying research. Of 14 proposed investigations in 1984-85, further justification was sought on four and subsequently only one was rejected.

Sir Philip Holland asked the Secretary of State for the Environment on how many occasions in the 12 months to 31 March the London Housing Staff Commission submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Sir George Young: In the last year the London Housing Staff Commission has not submitted any advice direct to the Secretary of State; its main work has been in advising the London borough of Tower Hamlets and the Greater London council on the interests of staff affected by the forthcoming transfer of GLC housing in Tower Hamlets; in advising staff affected by the various transfer orders made in respect of GLC housing in 45 districts and other London boroughs; and in hearing two appeals from staff under the Greater London Housing (Staff Transfer and Protection) Order 1979.

Sir Philip Holland asked the Secretary of State for the Environment on how many occasions in the 12 months to 31 March the New Town Staff Commission submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Sir George Young: In the course of its work in safeguarding the interests of staff affected by transfer of new town housing to local authorities, the New Towns Staff Commission has made one set of representations to the Secretary of State in 1984-85, which my right hon. Friend is still considering. The commission's main work, however, has been in advising directly the new town corporations and district councils involved in the three housing transfer schemes which took effect on 1 April 1985, and the four further ones under negotiation, and in monitoring the outcome.

Sir Philip Holland asked the Secretary of State for the Environment on how many occasions in the 12 months to 31 March each of the nine regional councils for sport and recreation submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Macfarlane: Regional councils for sport and recreation provide a forum for co-ordination and discussion of sport and recreation needs and issues in each region. Their views and advice reach my Department in various formal and informal ways, not least through the Sports Council, on whose relevant committees the regional councils are represented. This is a continuous and wide-ranging process which does not lend itself to a numerical breakdown.

Sir Philip Holland asked the Secretary of State for the Environment on how many occasions in the 12 months to 31 March the Property Services Agency Advisory Board submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Sir George Young: During the 12 months period to 31 March 1985 the Property Services Agency Advisory Board submitted three formal reports to my right hon. Friend the Secretary of State for the Environment covering the agency's image and morale, site supervision and the board's annual report of its activities for 1984. Each of the reports and the main recommendations has been discussed with Ministers and members of the Property Services Agency executive board and action has been taken to follow through the agreed recommendations in consultation with the advisory board.

Ministers and senior management of the agency also frequently consult the advisory board informally on a variety of topics on which the board has provided valuable views and advice.

GLC (Research Library)

Dr. Glyn asked the Secretary of State for the Environment if he is yet able to announce his plans for the retention and administration of the Greater London council's research library and its data bases as a unit after the abolition of that authority.

Mr. Waldegrave: No decision has been taken about the future of the Greater London research library. Progress in this matter should be possible once the GLC has supplied the information requested of it under section 5 of the Local Government (Interim Provisions) Act 1984.

National Parks

Mr. Galley asked the Secretary of State for the Environment if he will make a statement on the report of the review of the economic efficiency of national park authorities published in 1984.

Mr. Waldegrave: This review, by the management consultants, Arthur Young McClelland Moores and Co., was commissioned jointly by my Department, the Welsh Office and the Countryside Commission. It considered the level of resources available to national park authorities and the efficiency and economy with which they discharge their responsibilities towards conservation and recreation.

In general the consultant's report has shown that national park authorities are serving the public well. No evidence was found of any major shortcomings in their administrative efficiency, but the consultants identified a number of areas in which improvements might be made in all the parks as well as some where additional resources might be justified.

The report also made various recommendations for strengthening the operation of the national park supplementary grant system to improve the means of assessing national park authorities' needs and performance and of allocating grant accordingly.

My right hon. Friend the Secretary of State for Wales and I consider this to have been a valuable review and welcome the constructive report which has emerged. We believe that a positive response at both national and local level should provide a sounder basis for the promotion of national park objectives and the effective deployment of resources to the benefit of all concerned.

This has been explained in a draft circular, published today, setting out our views and explaining the substantial progress which has already been made towards implementing key parts of the report. Copies of the draft, on which comments are invited by 30 June, have been placed in the Libraries of both Houses.

Wildlife and Countryside Act 1981

Mr. Patrick Thompson asked the Secretary of State for the Environment when he expects to apply section 41 of the Wildlife and Countryside Act 1981 to the Broads.

Mr. Waldegrave: Following wide consultation with interested parties, my right hon. Friend the Minister of Agriculture, Fisheries and Food and I have decided that the executive area of the Broads Authority should be specified under section 41 of the Wildlife and Countryside Act 1981 with effect from today. Copies of the instrument of specification have been placed in the Libraries of both Houses. Letters are being sent today by the Ministry of Agriculture, Fisheries and Food to all landowners and farmers in the Broads area affected by the decision.

Housing Stock

Mr. Stern asked the Secretary of State for the Environment what progress he is making with assessing the condition of the local authority housing stock and the amount of expenditure required for necessary repairs and improvements to it.

Mr. Gow: The Government recognise the need to obtain up-to-date and comprehensive information on the condition of the local authority housing stock in order to assess the expenditure necessary to maintain it in a satisfactory condition. Following consultations with the local authority associations, the Department has asked local authorities to provide information on the need for repair and improvements of the houses and flats which they own and manage. The inquiry forms were issued last week and a copy of the documents sent to individual authorities has been deposited in the Library of the House. We are asking local authorities to complete and return the forms by 31 May.

The information resulting from this survey will be of value in assessing the condition of our public housing stock and the resources required to maintain and repair it. It will also be relevant to continuing discussions about the public infrastructure in the context of the National Economic Development Council. I hope that all authorities will do their best to complete the survey forms as accurately as possible.

Many authorities do not have sufficient information on the condition of their own stock. It is essential that they obtain this information if they are to manage their stock efficiently. I hope that this inquiry will encourage them to take the necessary steps to improve arrangements for regular monitoring of the condition of their housing.

North Pennine Area of Outstanding Beauty

Mrs. Virginia Bottomley asked the Secretary of State for the Environment whether he intends to hold a public inquiry into the proposed designation of the North Pennine area of outstanding natural beauty; and if he will make a statement.

Mr. Waldegrave [*pursuant to his reply*, 4 April 1985, c. *765*]: Yes. The order made by the Countryside Commission designating a large part of the North Pennines as an area of outstanding natural beauty has attracted widespread interest and public opinion about its merits is divided. Some local authorities within the area have objected to the proposals and, having considered the arguments carefully, my right hon. Friend the Secretary of State for the Environment has concluded that a public inquiry is the best way to proceed in this particular case.

The terms of reference for the inquiry will be as follows:

(i) Section 87(1) of the National Parks and Access to the Countryside Act 1949 provides that the Countryside Commission may designate, by order, an area not being a National Park as an Area of Outstanding Natural Beauty if it appears to them that the area is of such outstanding natural beauty that it is desirable that the provisions relating to such areas should apply thereto;

(ii) No such order will come into operation unless and until it is submitted to, and confirmed by, the Secretary of State;

(iii) The Secretary of State, if he confirms an order, may confirm it as submitted to him or with modifications;

(iv) Before refusing to confirm an order as submitted to him or before determining to confirm it with modifications, the Secretary of State must consult with the Countryside Commission and with every local authority whose area includes any land to which the order relates.

The commission has submitted an order in respect of an area included in the North Pennines as an area of outstanding natural beauty.

In order to assist the Secretary of State in reaching the decision as to whether or not to confirm the order as submitted to him or whether to confirm it with modifications, the Secretary of State has decided to hold

a public local inquiry at which a person appointed by him will hear representations and objections into the order as submitted by the commission.

A further announcement concerning the timing and location of the inquiry, which will be the first to be held into a proposed area of outstanding natural beauty, will be made as soon as possible.

London Docklands Development Corporation

Mr. Tony Banks asked the Secretary of State for the Environment if he will list the consultants used and consultancy fees paid by the London Docklands Development Corporation in 1984-85 financial year.

Sir George Young [*pursuant to his reply*, 4 April 1985, c. *761*]: LDDC policy is to keep its core of permanent staff as small as possible and to supplement their work with external private sector skills wherever necessary. Payments were made to the following consultants by LDDC during 1984-85:

American City Corporation
AMK Associates
Arthur Andersen & Co.
Architects Workshop
Arup Associates
Ove Arup & Partners
Ashurst Morris Crisp & Co.
W. S. Atkins & Partners
Aviation and General Consultants
Awford-Haye Partnership
Aworth Land Survey

David Baker
Charles Barker Lyons
Alan Baxter
Green Belfield
Bellamy and Wareham
Brandon-Jones
Bray Williams
Brian Colquhoun Partnership
Kenneth Brown
Georgina Bruchner
John Brunton
D. V. Buck
Burrell Hayward and Budd
Business Environments
Henry Butcher

Carruthers Deutsch Garrison and Williams
Professor A. B. Cherns
Chancery Lane Information Brokers
CIPFA Services Ltd.
Ian Clayton Ltd.
Brian Clouston and Partners
Timothy Cochrane Associates
Colliers Bigwood and Bewlay
Comprehensive Design Partnership
Conran Roche
Coppers and Lybrand Associates
George Corderoy and Co.
Marshall Jean Crawford
Cremer and Warner
Cripps and Harries
Trevor Crocker
Edward Cullinan Architects
Cundall Johnston and Partners

Darbourne and Dark
Davis Bellfield and Everest
Debenham Tewson and Chinnocks
J. B. Denton
Designers' Design Associates
D. S. Donoghue

The ECD Partnership
Economic and Transport Planning Group
R. J. Emmett Associates
Engineering Surveys Ltd.
EPS Consultants

W. A. Fairhurst and Partners
J. E. C. Farebrother and Partners
Julian Feary Architects
Feilden and Mawson
Finance for Housing Ltd.
Fitch and Company
Free Form Ltd.
Fulcrum

Gardiner and Theobald
Sir Alexander Gibb and Partners
Frederick Gibberd Coombes and Partners
Vernon Gibberd Architects
William Gillespie and Partners
Gold Greenlees Trott
David Gosling Associates
A. Y. Grant
Vincent Grant
Guiness Mahon and Co. Ltd.

Sir William Halcrow and Partners
Hancock Hutton and Witcher
Julian Harrap
John Harland and Associates
R. K. S. Harker
Haydon Galliard
Pamela Head
Henley and Baker
G. L. Hearn and Partners
Judy Hillman
Hillier Parker May and Rowden
William Hillary and Co.
Hockley and Dawson
Michael Hopkins Architects
A. F. Howland Associates
Howard Humphrey and Partners

R. T. Hunter
Husband and Co.

Donald Insall and Associates
Inter Action

Paddy Jackson
Jamieson Mackay
Jardine Glanvill
Johnson Poole and Bloomer

Richard Kelsall
Kenchington Little and Partners
King and Co.

Lawrence King and Partners
Landscape Design Partnership
Land Use Consultants
Large and Associates
Georgina Livingstone
London Landscape Consortium
Derek Lovejoy

MacCormac Jamieson and Pritchard
John Mason and Partners
Robert Matthew, Johnson-Marshall and Partners
Mc Bains
Stewart McColl Associates
Melhuish and Anderson
Monkswood Leisure Consultants
Monk Dunstone Associates
Montague Evans and Son
Mott Hay and Anderson

Neale and Partners
London Borough of Newham
James Bisbet and Partners

Peat, Marwick, Mitchell and Co.
John Pelling Associates
Pentagram
John Phillips
Pickering-Torbildsen
Plowman Craven and Associates
Polish Associates
Pollard Thomas Edwards and Associates
Practical Business Solutions Ltd.
Project Development Associates Ltd.
Price Low and Cullen
Primary Systems Ltd.

Rendel Palmer and Tritton
Research Bureau Ltd.
Richard Rogers and Partners
Richman Conway and Co.
Robson Rhodes
Royal College of Art

Saunders and Higg
Shepherd Epstein and Hunter
Cyril Silver and Partners
Charles Smart
Sir Frederick Snow and Partners
Solon Consultants
Southwark Diocesan Board of Education
Spicer Kapica and Associates
Strategy International Ltd.
Sutcliffe and Associates

Rupert Taylor
Terraquest
Bernard Thorpe and Partners
Norman Thompson
Titmus Sainer and Webb
Transportation Planning Associates

University of Southampton

A. Walker and Partners
Sandra Wallman
Ward and Partners
S. G. Warburg and Co. Ltd.
H. L. Waterman and Partners
Shirley Wheeler
Willis Faber and Dumas Ltd.
M. Woodhead and Co.
Warden and Co.
Wythe Holland Udall Partnership

These consultants have undertaken assignments ranging from a few hundred to several hundred thousand pounds. It would be a breach of commercial confidentiality to give the fees paid to each consultant but, in total, the corporation estimates that within its total programme of projects £6 million has been paid to engineering and quantity surveying consultants. About £3·6 million has been paid to consultants for project management and other administration.

NATIONAL FINANCE

Customs and Excise (Personal Information)

Mr. Ashdown asked the Chancellor of the Exchequer if he will state the number of persons for whom personal data are held on the Customs and Excise departmental reference and information computer, indentifying the number of these who are *(a)* British nationals and *(b)* convicted persons.

Mr. Hayhoe: 109,700. The major part of the information about persons was converted from manual

records. The number of *(a)* British nationals and *(b)* convicted persons was not converted and is not available without a disproportionate use of resources.

Mr. Ashdown asked the Chancellor of the Exchequer if he is satisfied with the performance and efficiency of the Customs and Excise departmental reference and information computer; and whether any plan to replace or improve this computer system are being considered.

Mr. Hayhoe: Customs and Excise is satisfied now that initial teething troubles have been overcome and there are no plans to replace or improve the system.

Marriage (Financial Disincentives)

Mr. Hill asked the Chancellor of the Exchequer if, in his proposed review of personal taxation, he will recommend the removal of financial disincentives to marriage by equalising the position of married and unmarried individuals in respect of mortgage interest relief and capital taxes.

Mr. Moore: I have noted my hon. Friend's suggestion.

Nationalised Industries

Mr. Alfred Morris asked the Chancellor of the Exchequer what response the Treasury has received from the Electricity Supply Trade Union Council to the proposals for amending the statutes of nationalised industries; if there is any action he will be taking; and if he will make a statement.

Mr. Lawson: The Treasury has received a copy of the comments which the Electricity Supply Trade Union Council sent the Secretary of State for Energy on 28 March. These comments will be considered along with others which have been received.

National Insurance Contributions

Mr. Thurnham asked the Chancellor of the Exchequer if his Budget calculations of net revenue changes from alterations in employers' national insurance contributions included the public sector.

Mr. Peter Rees [*pursuant to his reply*, 15 April 1985, c. *37*]: The figures of £30 million in 1985-86 and £80 million in a full year shown in the Financial Statement and Budget Report are the estimated direct net effects of the proposed changes on the total of employers' national insurance contributions. About two thirds of the net reduction in contributions is estimated to relate to the private sector; the remainder relates to the public sector.

Family Income

Dr. McDonald asked the Chancellor of the Exchequer if he will update the answers to the hon. Member for Birmingham, Perry Barr (Mr. Rooker) of 6 February 1984, *Official Report*, columns 439-42 and 15 February 1984, *Official Report*, columns 203-4, concerning income statistics to show net earnings at the lowest decile, median and highest decile of the earnings distribution for each year since 1978 for different household types, using constant April 1984 prices; and whether he will also give the same information for the following additional household types *(a)* a married couple with two children, where one partner works full-time and the other part-time and *(b)* a married couple with both partners in full-time work.

Mr. Rooker asked the Chancellor of the Exchequer whether he will provide information on the net income after income tax, national insurance contributions and child benefit at *(a)* actual prices and *(b)* equivalent 1984-85 prices of typical household units (i) single, (ii) married couple, (iii) married couple with two children and (iv) married couple with four children, whose earnings from work are equivalent to the following points on the male earnings distribution (1) lowest decile, (2) median and (3) highest decile for each year since April 1978.

Mr. Moore [*pursuant to his replies*, 1 March 1985, c. *329-32* and 29 March 1985, c. *370-72*]: I regret that figures for April 1984 were incorrectly given. Corrected figures are as follows.

Information in the following tables is based on estimates of earnings for those in full-time work paid at adult rates, with pay unaffected by absence. Estimates are based on information from the new earnings surveys.

Income tax rates and allowances for April 1979 are those specified in the Finance Act 1979, later replaced by those announced in June 1979; for other Aprils, they are the rates and allowances for the financial year immediately following. Taxpayers are assumed to have no reliefs or allowances other than the appropriate personal allowance. National insurance contributions are at the contracted-in rate.

The calculations take no account of means-tested benefits to which those at the lowest decile may be entitled. Changes in the purchasing power of net earnings have been calculated by reference to movements in the general index of retail prices between Aprils.

Earnings after income tax, National Insurance contributions and child benefit

	At current prices £	*At constant April 1984 prices* £	*At constant prices April 1978 = 100*
		Single man	
At the lowest decile of gross earnings			
April 1978	39·35	70·71	100·0
April 1979	44·09	71·98	101·8
April 1980	53·47	71·70	101·4
April 1981	57·67	69·02	97·6
April 1982	61·95	67·76	95·8
April 1983	66·91	70·37	99·5
April 1984	71·96	71·96	101·8
At the median of gross earnings			
April 1978	56·29	101·15	100·0
April 1979	63·94	104·39	103·2
April 1980	78·52	105·29	104·1
April 1981	85·56	102·39	101·2
April 1982	93·00	101·73	100·6
April 1983	100·64	105·85	104·6
April 1984	109·53	109·53	108·3
At the highest decile of gross earnings			
April 1978	85·50	153·64	100·0
April 1979	96·89	158·17	102·9
April 1980	123·64	165·78	107·9
April 1981	139·36	166·79	108·6
April 1982	151·76	166·00	108·0
April 1983	165·83	174·41	113·5
April 1984	181·85	181·85	118·4
		Married man	

	At current prices £	At constant April 1984 prices £	At constant prices April 1978 = 100
At the lowest decile of gross earnings			
April 1978	42·84	76·98	100·0
April 1979	47·90	78·20	101·6
April 1980	57·92	77·66	100·9
April 1981	62·11	74·34	96·6
April 1982	67·03	73·32	95·2
April 1983	72·73	76·50	99·4
April 1984	78·59	78·59	102·1
At the median of gross earnings			
April 1978	59·78	107·42	100·0
April 1979	67·75	110·60	103·0
April 1980	82·96	111·24	103·6
April 1981	90·00	107·71	100·3
April 1982	98·08	107·28	99·9
April 1983	106·47	111·97	104·2
April 1984	116·17	116·17	108·2
At the highest decile of gross earnings			
April 1978	88·99	159·92	100·0
April 1979	100·70	164·39	102·8
April 1980	128·08	171·74	107·4
April 1981	143·81	172·10	107·6
April 1982	156·84	171·55	107·3
April 1983	171·66	180·53	112·9
April 1984	188·48	188·48	117·9
	*Married man with two children**		
At the lowest decile of gross earnings			
April 1978	48·71	87·53	100·0
April 1979	55·90	91·26	104·3
April 1980	65·92	88·38	101·0
April 1981	71·61	85·70	97·9
April 1982	77·53	84·80	96·9
April 1983	84·43	88·80	101·5
April 1984	91·59	91·59	104·6
At the median of gross earnings			
April 1978	65·65	117·97	100·0
April 1979	75·75	123·67	104·8
April 1980	90·96	121·97	103·4
April 1981	99·50	119·08	100·9
April 1982	108·58	118·77	100·7
April 1983	118·17	124·28	105·3
April 1984	129·17	129·17	109·5
At the highest decile of gross earnings			
April 1978	94·86	170·46	100·0
April 1979	108·70	177·46	104·1
April 1980	136·08	182·46	107·0
April 1981	153·31	183·47	107·6
April 1982	167·34	183·04	107·4
April 1983	183·36	192·84	113·1
April 1984	201·48	201·48	118·2
	Married man with four children†		
At the lowest decile of gross earnings			
April 1978	55·15	99·11	100·0
April 1979	63·90	104·32	105·3
April 1980	73·92	99·11	100·0
April 1981	81·11	97·07	97·9
April 1982	88·03	96·29	97·2
April 1983	96·13	101·11	102·0
April 1984	104·59	104·59	105·5

	At current prices £	At constant April 1984 prices £	At constant prices April 1978 = 100
At the median of gross earnings			
April 1978	72·15	129·66	100·0
April 1979	83·75	136·72	105·4
April 1980	98·96	132·70	102·3
April 1981	109·00	130·45	100·6
April 1982	119·08	130·25	100·5
April 1983	129·87	136·58	105·3
April 1984	142·17	142·17	109·6
At the highest decile of gross earnings			
April 1978	101·36	182·15	100·0
April 1979	116·70	190·51	104·6
April 1980	144·08	193·19	106·1
April 1981	162·81	194·84	107·0
April 1982	177·84	194·52	106·8
April 1983	195·06	205·15	112·6
April 1984	214·48	214·48	117·7
	Married man with two children wife working part time‡		
At the lowest decile of gross earnings			
April 1978	70·43	126·57	100·0
April 1979	80·04	130·67	103·2
April 1980	95·35	127·86	101·0
April 1981	103·57	123·96	97·9
April 1982	111·79	122·28	96·6
April 1983	122·12	128·44	101·5
April 1984	131·89	131·89	104·2
At the median of gross earnings			
April 1978	87·37	157·01	100·0
April 1979	99·89	163·07	103·9
April 1980	120·40	161·44	102·8
April 1981	131·46	157·33	100·2
April 1982	142·84	156·25	99·5
April 1983	155·85	163·92	104·4
April 1984	169·47	169·47	107·9
At the highest decile of gross earnings			
April 1978	116·58	209·50	100·0
April 1979	132·84	216·86	103·5
April 1980	165·52	221·94	105·9
April 1981	185·27	221·72	105·8
April 1982	201·60	220·52	105·3
April 1983	221·04	232·48	111·0
April 1984	241·78	241·78	115·4
	Married both partners working full time‖		
At the lowest decile of gross earnings			
April 1978	72·08	129·54	100·0
April 1979	80·68	131·71	101·7
April 1980	97·47	130·70	100·9
April 1981	105·15	125·85	97·2
April 1982	113·29	123·93	95·7
April 1983	123·41	129·80	100·2
April 1984	133·29	133·29	102·9
At the median of gross earnings			
April 1978	98·76	177·49	100·0
April 1979	111·29	181·68	102·4
April 1980	137·00	183·71	103·5
April 1981	149·48	178·89	100·8
April 1982	162·60	177·86	100·2

	At current prices £	At constant April 1984 prices £	At constant prices April 1978=100
April 1983	177·46	186·64	105·2
April 1984	192·88	192·88	108·7
At the highest decile of gross earnings			
April 1978	146·41	263·12	100·0
April 1979	162·16	264·73	100·6
April 1980	208·60	279·70	106·3
April 1981	235·81	282·22	107·3
April 1982	254·13	277·98	105·6
April 1983	278·56	292·97	111·3
April 1984	302·48	302·48	115·0

Notes to tables:

*Both children under 11.

†Two children under 11, one child 11-15, one child over 16.

‡Assuming the wife earns the average for part time women.

‖Assuming husband and wife have earnings at the same quantile of the earnings distribution for full time males and full time females respectively.

NORTHERN IRELAND

Car Parks

Sir John Biggs-Davison asked the Secretary of State for Northern Ireland if he will list the car parks still run by the Northern Ireland Department of the Environment; and when he intends either to privatise them or to hand them over to district councils.

Mr. Chris Patten: The Northern Ireland Department of the Environment's off-street car parks are listed in part I of the schedule to the Off-Street Parking Bye-laws (Northern Ireland) 1983 (SRNI 1983 No. 240) as amended to date. Of these, 30 in the Belfast area are operated by contractors.

The Department is currently considering the case for contracting out to the private sector the operation of a number of car parks which are subject to charge in the main provincial towns in Northern Ireland.

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Secretary of State for Northern Ireland if he will give the number of officials of his Department and their sections who have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council, the dates and locations of such meetings and the subjects discussed.

Mr. Hurd: Officials attend meetings under the auspices of the Anglo-Irish Intergovernment Council (AIIC) according to the subjects under discussion. It is not our practice to give information about meetings of officials.

"Police Complaints and Discipline"

Sir John Farr asked the Secretary of State for Northern Ireland if he will make available to the House copies of the consultative paper "Police Complaints and Discipline"; and if he will make a statement.

Mr. Hurd: I have arranged for copies of the paper to be placed in the Library of the House. The paper sets out the Government's proposals for revising police complaints and discipline procedures in Northern Ireland, and I look forward to receiving comments on the proposals by 14 June.

Job Release Scheme

Mr. Gerald Bowden asked the Secretary of State for Northern Ireland whether parity is being maintained between the job release schemes in Northern Ireland and Great Britain.

Dr. Boyson: Participants in the Northern Ireland full and part-time job release schemes will continue to receive allowances at the rates payable, in corresponding circumstances, under the parallel schemes in Great Britain. As from 8 April 1985 the new rates are as follows:

Full-Time Scheme

For disabled men aged 60, 61, 62 and 63 (and for men who have joined the scheme at ages 62 and 63) who are married with a dependent wife whose net income from all sources does not exceed £13 a week: £71.15 a week, taxable; for all others: £58.35 a week, taxable. For women aged 59 and men aged 64 who are married with a dependent spouse whose net income from all sources does not exceed £13 a week: £63 a week, tax free; for all others: £49.95 a week, tax free.

Part-Time Scheme

For disabled men aged 60 and 61 and men aged 62 and 63 who are married with a dependent wife whose net income from all sources does not exceed £13 a week: £40.70 a week taxable; for all others: £33.80 a week, taxable. For women aged 59 and men aged 64 who are married with a dependent spouse whose net income from all sources does not exceed £13 a week: £35.55 a week, tax free; for all others: £28.95 a week, tax free. The new part-time scheme rates include a supplement of £4, to make the scheme more attractive to employees.

The changes made in the Great Britain part-time job release scheme will also be introduced in Northern Ireland with effect from 29 April 1985. For the first time, a grant of £840 will be payable to an employer supporting a successful application under the part-time job release scheme. The main changes are: to remove the restriction preventing individuals moving from the part-time scheme to the full-time scheme and to simplify the application procedure and the current rules, particularly those covering the hours to be given up by the employee. The revised scheme is designed to help create more jobs for unemployed people, to encourage changes in working patterns, and to make the scheme more attractive to employees.

SCOTLAND

Salmon Tagging

11. **Mr. Soames** asked the Secretary of State for Scotland when he will be bringing forward his plans for salmon tagging.

Mr. John MacKay: As I indicated when replying to a question on this subject from my hon. Friend on 15 February there are a number of difficulties associated with the introduction of a tagging scheme, which we are still considering. We are not yet in a position to announce our conclusions on this proposal.

Irvine New Town

12. **Mr. Lambie** asked the Secretary of State for Scotland when he is going to pay an official visit to Irvine new town.

Mr. Younger: I have at present no plans to pay an official visit there.

Scottish Examination Board

14. **Mr. Maxton** asked the Secretary of State for Scotland when he next intends to meet the chairman of the Scottish Examination Board to discuss the progress of new examination development.

Mr. Allan Stewart: I last met the chairman of the Scottish Examination Board on 7 February and the Scottish Education Department keeps in close touch with the board on all matters relating to school examinations.

Labour Statistics

15. **Mr. Norman Hogg** asked the Secretary of State for Scotland what is the present level of unemployment in Scotland; and if he will make a statement.

Mr. Allan Stewart: The total number unemployed in Scotland in March 1985 was 351,900. Reduction in unemployment depends on Scottish industry's ability to take advantage of the favourable economic climate which the Government have created. The Government have, however, given immediate help to the long term unemployed by increasing community programme places, and the proposed expansion of YTS will benefit school leavers.

Housing Revaluation

16. **Mr. O'Neill** asked the Secretary of State for Scotland how many representations he has received regarding the 1985 revaluation; and of these, how many express approval and how many express disapproval.

Mr. Ancram: Nearly all of some 9,000 representations —of which some 2,500 have been letters—which my right hon. Friend and I have received about rates and revaluation express varying degrees of concern about the 1985 revaluation.

Budget (Job Creation)

17. **Mr. MacKenzie** asked the Secretary of State for Scotland what estimate he has made of the number of jobs likely to be created in Scotland as a result of the measures announced by the Chancellor of the Exchequer in his recent Budget speech.

Mr. Younger: The continued recovery in the Scottish economy reflects the success of the Government's economic strategy. Within that framework the measures announced my my right hon. Friend for changes in the structure of national insurance contributions, tax reductions and the expansion of employment and training should be particularly helpful in establishing new jobs.

33. **Mr. Gourlay** asked the Secretary of State for Scotland what estimates he has made of the consequences on job and industrial investment prospects in Scotland of the recent Budget proposals.

Mr. Younger: The Budget will help to create the conditions for faster economic growth, and this will lead to new jobs and investment. In particular new jobs are expected to result from the restructuring of national insurance contributions and from tax reductions. The expansion, in employment and training measures will provide opportunities for the young and the long term unemployed.

Tourist Industry

18. **Mr. Craigen** asked the Secretary of State for Scotland when he is next due to meet the chairman of the Scottish tourist board to discuss the current state of the tourist industry in Scotland.

Mr. John MacKay: My right hon. and noble Friend the Minister of State meets the chairman of the Scottish tourist board whenever it seems to him necessary or desirable. They last met on 22 March 1985; and will meet again later this week while participating in the "Gateway Scotland" mission to the United States.

Blairgowrie, Pitlochry and Aberfeldy

19. **Mr. Bill Walker** asked the Secretary of State for Scotland how many recent representations he has received about the employment situation in Blairgowrie, Pitlochry and Aberfeldy.

Mr. Allan Stewart: Since last December seven letters have been received about the employment situation in the Blairgowrie, Pitlochry and Aberfeldy area. There have also been a number of letters about the Blairgowrie, and Pitlochry travel-to-work area.

Teachers (Pay)

20. **Mr. Strang** asked the Secretary of State for Scotland when he last met representatives from the Educational Institute of Scotland to discuss their campaign for an independent pay review; and if he will make a statement.

Mr. Allan Stewart: I refer the hon. Member to the replies which my right hon. Friend and I gave earlier today to my hon. Friend the Member for Dumfries (Sir H. Monro) and the hon. Member for Falkirk, West (Mr. Canavan).

Young Persons (Glasgow)

21. **Mr. David Marshall** asked the Secretary of State for Scotland what is the total number of unemployed young people in the Glasgow eastern area renewal area; how many are on temporary job schemes; what percentage of the young population of the area those totals represent; and how many vacancies are available to them in the careers offices in the Glasgow eastern area renewal area.

Mr. Allan Stewart: Unemployment figures are not compiled for the Glasgow eastern area renewal area of Glasgow. However, at 10 January 1985, the latest date for which the information is available, there were 1,251 unemployed claimants aged 16-17 in the areas covered by the Parkhead and Glasgow central jobcentres, within which the GEAR area is located.

Unemployment percentage rates are not calculated for areas smaller than travel-to-work areas and then not by age. The Glasgow travel-to-work area, within which the GEAR area lies, had an unemployment rate of 17·7 per cent. at 10 January 1985.

Information about the number of young people in the GEAR area on the full range of temporary job schemes is not available: in particular figures for the young workers scheme are compiled only at the all Scotland level. There are currently some 10 participants in the training and employment grants scheme in the GEAR area. The number of approved places, similarly, for the youth training scheme, which is of course a training measure, is 974.

For the month of March 1985 the number of unfilled vacancies at the Glasgow Bridgeton and Parkhead careers offices, which also hold vacancies for outwith the GEAR area, was 37. Jobcentres in the locality will also carry some vacancies for which young people would be eligible.

Teachers (Pay Dispute)

22. **Mr. Donald Stewart** asked the Secretary of State for Scotland if he will make a further statement on the teachers' dispute.

Mr. Younger: I refer the right hon. Member to the replies which the Under-Secretary of State, my hon. Friend the Member for Argyll and Bute (Mr. MacKay) and I gave earlier today to my hon. Friend the Member for Dumfries (Sir H. Monro) and the hon. Members for Falkirk, West (Mr. Canavan) and Edinburgh, East (Mr. Strang).

Agricultural Capital Grants

23. **Mr. Steel** asked the Secretary of State for Scotland what representations he has received about cuts in capital grants in agriculture in Scotland.

Mr. Younger: Representations have been received from a number of hon. Members, from the National Farmers Union of Scotland, the Highlands and Islands Development Board, the Orkney and Shetland Islands Councils and some 10 community councils in Shetland and from a number of individual farmers, agricultural contractors and other organisations.

Job Creation

24. **Mr. George Robertson** asked the Secretary of State for Scotland what measures he has introduced to alleviate unemployment in Lanarkshire in the last 12 months.

Mr. Allan Stewart: The Government's strategy, re-emphasised in the Budget statement, is designed to keep inflation down and to offer real incentive for enterprise. This is the best means of improving employment prospects in all parts of the United Kingdom, including Lanarkshire. The full range of the Manpower Services Commission's special employment and training measures is available in Lanarkshire on a continuing basis. In addition, during the last 12 months, Lanarkshire has benefited from the following Scottish Development Agency projects: 35 new or refit factory building projects, valued at £5·85 million; 52 land engineering projects, valued at £3·15 million; 19 cases of aid to small businesses, valued at approximately £4·1 thousand; further aid to the New Lanark project, valued at £59·0 thousand.

Educational Standards

25. **Mr. Tom Clarke** asked the Secretary of State for Scotland when he next plans to have a meeting with the Educational Institute of Scotland to discuss educational standards in Scotland.

Mr. Allan Stewart: My right hon. Friend has no immediate plans to do so. It is unlikely that any meaningful discussion could be held against the background of the Educational Institute of Scotland's continuing policy of disruptive industrial action which is affecting in particular reforms of the curriculum and of assessment which are designed to improve educational standards.

Manufacturing Industry

26. **Mr. Gordon Brown** asked the Secretary of State for Scotland how many jobs, full-time and part-time, there are now in manufacturing industry in Scotland.

Mr. Allan Stewart: The numbers of Employees in manufacturing in Scotland in September 1984 are provisionally estimated to have been 408,000 in full-time employment and 28,000 in part-time employment.

Farm Advisory Service

27. **Mr. Johnston** asked the Secretary of State for Scotland what recent representations he has received on the proposed reduction in funding for the Farm Advisory Service.

Mr. John Mackay: Representations have been received from a number of organisations and individuals expressing concern about the proposed reduction in the funding of the advisory service provided by the Scottish agricultural colleges.

Strathclyde Region (Policing)

28. **Mr. Foulkes** asked the Secretary of State for Scotland when he next expects to meet the leader of Strathclyde regional council to discuss policing within the Strathclyde region.

Mr. Michael Ancram: My right hon. Friend has no plans for such a meeting.

Sports Facilities

29. **Mr. Martin** asked the Secretary of State for Scotland what resources his Department has made available for the development of sports facilities in Springburn in the last five years.

Mr. Allan Stewart: Glasgow district council's capital allocation under the general services block (including enhancement for the building of the Burrell Gallery in 1980-81 to 1982-83) is as follows:

£'000

	Net Allocation	*Allocation (including Capital Reciepts)*	*Expenditure*
1980-81	11,000	11,675	12,622
1981-82	9,400	14,960	13,294
1982-83	8,070	18,298	17,625
1983-84	5,100	9,997	8,881
1984-85	4,050	7,566	n/a

It is for the district council to decide how much of its allocation to spend on sports facilities and on the priority to be given to projects in Springburn.

European Music Year

30. **Mr. Jessel** asked the Secretary of State for Scotland what is being done by his Department to celebrate European Music Year in Scotland in 1985.

Mr. Allan Stewart: Support for European Music Year is being given from a variety of sources, but is not primarily a matter for the Scottish Education Department.

Highlands and Islands Development Board

31. **Mr. Bruce** asked the Secretary of State for Scotland if he will make a statement on the Government's response to the main proposals in the report of the Scottish Affairs Committee on the Highlands and Islands Development Board.

Mr. John MacKay: The recommendations made by the Committee are being given careful consideration by Ministers and the Highlands and Islands Development Board. The Government's views will be made known in due course.

Forestry

32. **Mr. Corrie** asked the Secretary of State for Scotland how much land has been planted for forestry in the last three years and what proportion has been planted in hardwoods.

Mr. Younger: The information is as follows:

Year to 31 March	*Area of New Planting (Hectares)*	*Proportion Planted with Hardwoods*
1983	21,666	3 per cent.
1984	25,315	3 per cent.

The complete figures for the year ended 31 March 1985 are not yet available.

Royal Cornhill Hospital, Aberdeen

Mr. Robert Hughes asked the Secretary of State for Scotland if he will make a statement on Grampian health board's plans for developments at the site of the Royal Cornhill hospital, Aberdeen.

Mr. John MacKay: Grampian health board has recently provided the Scottish Home and Health Department with further information about its proposals for redeveloping the Royal Cornhill hospital to provide 594 beds in new buildings and 120 beds in existing buildings at an estimated cost of £16 million. These proposals are being carefully considered in the light of this information, and a formal response will be made as soon as possible.

Rates

Mr. Wallace asked the Secretary of State for Scotland if he will publish in the *Official Report* the product of the 1p rate, in respect of each local authority area in Scotland as at 1 April.

Mr. Ancram: The information is as follows:

Penny Rate Product

Authority	*Standard* £	*Actual* £
Borders Region		
Berwickshire	103,741	81,050
Ettrick and Lauderdale	187,768	155,070
Roxburgh	198,842	150,820
Tweeddale	81,169	65,150
Total	571,520	452,090
Central Region		
Clackmannan	270,366	234,000
Falkirk	812,769	839,000
Stirling	456,677	442,500
Total	1,539,812	1,515,500
Dumfries and Galloway Region		
Annandale and Eskdale	201,937	169,208
Nithsdale	322,327	279,534
Stewartry	130,075	108,802
Wigtown	171,069	127,068
Total	825,408	684,612
Fife Region		
Dunfermline	719,944	689,143
Kirkcaldy	844,224	803,879
North East Fife	371,882	324,262
Total	1,936,050	1,817,284
Grampian Region		
Aberdeen City	1,209,092	1,683,862
Banff and Buchan	469,214	459,886
Gordon	380,313	267,989
Kincardine and Deeside	250,256	205,085
Moray	483,676	435,070
Total	2,792,551	3,051,892
Highland Region		
Badenoch and Strathspey	56,490	62,215
Caithness	155,268	101,126
Inverness	324,868	398,383
Lochaber	110,467	109,269
Nairn	56,693	41,658
Ross and Cromarty	267,407	262,704
Skye and Lochalsh	61,912	37,635
Sutherland	74,217	43,295
Total	1,107,322	1,056,285
Lothian Region		
East Lothian	456,518	403,850
Edinburgh City	2,489,917	3,104,890
Midlothian	465,125	316,880
West Lothian	794,579	621,050
Total	4,206,139	4,446,670
Strathclyde Region		
Argyll and Bute	367,251	310,903
Bearsden and Milngavie	224,182	218,577
Clydebank	290,826	217,331
Clydesdale	325,280	218,122
Cumbernauld and Kilsyth	354,618	266,210
Cumnock and Doon Valley	249,420	145,206
Cunninghame	777,541	632,012
Dumbarton	444,896	395,014

Authority	Standard £	Actual £
East Kilbride	466,040	407,136
Eastwood	307,051	286,356
Glasgow City	4,241,220	3,981,550
Hamilton	612,396	455,274
Inverclyde	562,948	487,705
Kilmarnock and Loudoun	460,025	342,489
Kyle and Carrick	637,775	585,488
Monklands	621,115	448,371
Motherwell	846,613	692,273
Renfrew	1,168,833	934,584
Strathkelvin	499,980	353,472
Total	13,458,010	11,378,073
Tayside Region		
Angus	526,122	422,150
Dundee City	1,020,743	919,414
Perth and Kinross	683,236	616,107
Total	2,230,101	1,957,671
Orkney Islands	108,649	195,000
Shetland Islands	132,452	600,000
Western Isles	177,998	85,650

Notes:

1. Actual penny rate product is calculated by each authority in the terms of the Local Government (Rate Product) (Scotland) Regulations 1975, as amended.

2. Standard penny rate product is the product of population and the national standard amount, which is the level to which local rating resources (actual penny rate product) are brought through payment of resources element of rate support grant. In the few cases where no resources element is paid the standard penny rate product is below the actual penny rate product.

Mr. Home Robertson asked the Secretary of State for Scotland what proportion of the cost of local government services in Scotland will be paid by domestic and commercial ratepayers respectively, in the coming year, and what were the comparable proportions in 1978.

Mr. Ancram: On the basis of information in "Rating Review", domestic ratepayers financed 15 per cent. of local authority revenue expenditure and commercial ratepayers 9 per cent. in 1977-78, the year before the last revaluation, the corresponding figures for 1978-79 being 12 per cent. and 9 per cent. Provisional estimates for 1985-86 are 18 per cent. and 14 per cent.

Labour Statistics

Mr. Norman Hogg asked the Secretary of State for Scotland how many jobs in the clothing industry have been created and how many have been lost in each year since May 1979 in Scotland.

Mr. Allan Stewart: The information is not available in the form requested. The available information based on the annual census of production relates to the number of employees in employment in the clothing, hats and gloves industry (Group 453 of the 1980 standard industrial classification) in Scotland. The following table shows the estimated net estimated net annual changes in thousands to each mid-year.

	Change
1980	−3
1981	−3
1982	−2

Estimates for 1983 and 1984 are not yet available.

Mr. Norman Hogg asked the Secretary of State for Scotland how many jobs in the food industry have been created and how many have been lost in each year since May 1979 in Scotland.

Mr. Allan Stewart: The information is not available in the form requested. The available information is based on the annual census of production and relates to the number of employees in employment in the food industry (Groups 411 to 423 of the 1980 standard industrial classification) in Scotland. The following table shows the estimated net annual changes in thousands to each mid-year.

	Change
1980	−7
1981	−3
1982	0

Estimates for 1983 and 1984 are not yet available.

Mr. Norman Hogg asked the Secretary of State for Scotland how many jobs in the paper and board industry have been created and how many have been lost in each year since May 1979 in Scotland.

Mr. Allan Stewart: The information is not available in the form requested. The available information based on the annual census of production relates to the number of employees in employment in the pulp, paper and board and conversion of paper and board industries (Groups 471 and 472 of the 1980 standard industrial classification) in Scotland. The following table shows the estimated net annual changes in thousands to each mid-year.

	Change
1980	−1
1981	−2
1982	−1

Estimates for 1983 and 1984 are not yet available.

Mr. Norman Hogg asked the Secretary of State for Scotland how many jobs in the engineering industry have been created and how many have been lost in each year since May 1979 in Scotland.

Mr. Allan Stewart: The information is not available in the form requested. The available information based on estimates prepared by the Department of Employment relates to the number of employees in employment in the metal goods, engineering and vehicle industries (Division 3 of the 1980 standard industrial classification) in Scotland. The following table shows the net annual changes in thousands to each mid-year.

	Change
1980	−22
1981	−24
1982	−12
1983	−11
1984	− 9

The estimates for 1982, 1983 and 1984 are provisional.

Mr. Norman Hogg asked the Secretary of State for Scotland how many jobs in the high technology industries have been created and how many have been lost in each year since May 1979 in Scotland.

Mr. Allan Stewart: The information requested is not available, as there is no accepted definition of high technology industry.

Mr. Norman Hogg asked the Secretary of State for Scotland how many jobs in the construction industry have been created and how many have been lost in each year since May 1979 in Scotland.

Mr. Allan Stewart: The information is not available in the form requested. The available information based on estimates prepared by the Department of Employment relates to the number of employees in employment in the construction industry (Division 5 of the 1980 standard industrial classification) in Scotland. The following table shows the net annual changes in thousands to each mid-year.

	Change
1980	−1
1981	−14
1982	−12
1983	−7
1984	−5

Note:
The estimates for 1982, 1983 and 1984 are provisional.

Mr. Norman Hogg asked the Secretary of State for Scotland how many jobs in the distribution industry have been created and how many have been lost in each year since May 1979 in Scotland.

Mr. Allan Stewart: The information is not available in the form requested. The available information based on estimates prepared by the Department of Employment relates to the number of employees in employment in wholesale and retail distribution (Classes 61-65 of the 1980 standard industrial classification) in Scotland. The following table shows the net annual changes in thousands to each mid-year.

	Change
1980	+2
1981	−4
1982	+2
1983	+8
1984	+13

Note:
The estimates for 1982, 1983 and 1984 are provisional.

Epilepsy

Mr. Adams asked the Secretary of State for Scotland if he will itemise the research into epilepsy currently being funded or sponsored by his Department; and what are the amounts of money involved.

Mr. John MacKay: The Scottish Home and Health Department does not currently fund research into epilepsy but is prepared to entertain for support through the Chief Scientist Organisation any proposal which has scientific merit.

FOREIGN AND COMMONWEALTH AFFAIRS

Turkey

Mr. John Mark Taylor asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on present relations between Turkey and the European Economic Community.

Mr. Rifkind: The 1963 European Community/Turkey Association Agreement forms the basis for economic relations between Turkey and the Community. Apart from its provisions relating to trade and other forms of co-operation, the Agreement has, through a series of separate financial protocols, provided substantial Community development aid to Turkey. This aid was suspended in 1980 as a result of concern among member states about political developments in Turkey.

We, together with most other member states, believe that the Community should revert to a more normal relationship with Turkey, starting with the unblocking on a step-by-step basis on some of the outstanding aid suspended in 1980. This would reflect the progress Turkey has made since then in restoring democracy and give encouragement to the efforts now being made to improve human rights.

Anglo-Irish Economic Steering Group

Rev. Martin Smyth asked the Secretary of State for Foreign and Commonwealth Affairs if he will list the dates and locations of all the meetings of the Anglo-Irish Economic Steering Group since May 1979; and if he will indicate what subjects were discussed and the Departments which were represented in each case.

Mr. Renton: The only meeting of the group since May 1979 took place in Dublin in March 1980. Officials attended from the Departments most involved in the discussions. It is not practice of Her Majesty's Government to give detailed information about meetings of officials.

Zimbabwe

Mr. Stanbrook asked the Secretary of State for Foreign and Commonwealth Affairs what assistance is given by Her Majesty's Government to serving members of the public service of Zimbabwe with entitlement to registration as British citizens who wish to retire on pension plus gratuity and to settle in the United Kingdom but who are prevented by Zimbabwean legislation from taking capital out of the country.

Mr. Rifkind: The Zimbabwean constitution protects the pension rights of public officers; it also contains provisions which guarantee the remittability of all pensions, although the remittability of commutations may be subject to restrictions. In addition to certain special allowances, capital may be taken out of the country over a number of years under the Zimbabwean Government's 4 per cent. external bond scheme. Zimbabwe's exchange controls are a matter of internal economic policy in which we have no formal standing. We have repeatedly impressed upon the Zimbabwean authorities the hardship which their controls can cause, and urged that as their foreign exchange position improves greater flexibility be exercised, particularly for those in most need.

Iranian Embassy (Staff)

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs (1) why the Islamic Republic of Iran has been permitted to increase the number of administrative and technical staff in post at its embassy from six on 25 May 1984 to eight on 14 February 1985;

(2) why the Islamic Republic of Iran has been permitted to increase the size of its consulate-general in Manchester from 10 on 24 May 1984 to 13 on 14 February 1985;

(3) why the diplomatic staff of the Islamic Republic of Iran has been permitted to increase from 13 on 14 May 1984 to 15 as of 14 February 1985; and what are the specific duties of Mr. Teherani and Mr. Esfahlani which required their accreditation in that period.

Mr. Luce: The diplomatic and administrative and technical staff in the Iranian embassy* has increased since May, 1984 from 23 to 27 and the locally engaged staff of the consulate-general from six to nine. The level of Iran's diplomatic representation is kept under close and continuous review. Permission to increase the number of staff has only been given where we have been satisfied that it was justified by official requirement. It is understood that Mr. Teherani is engaged on the administration of the embassy's property and accounts and that Mr. Esfahlani is engaged on political affairs.

* And the consulate-general in Manchester.

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Secretary of State for Foreign and Commonwealth Affairs if he will give the number of officials and their sections who have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council, the dates and locations of such meetings and the subjects discussed.

Mr. Renton: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council according to the subjects under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

Council of Europe (Human Genetics)

Mr. Nicholas Winterton asked the Secretary of State for Foreign and Commonwealth Affairs (1) what is the cost of maintaining the United Kingdom representatives at the Council of Europe ad hoc committee of experts on ethical and legal problems relating to human genetics;

(2) who are the United Kingdom representatives on the Council of Europe ad hoc committee of experts on ethical and legal problems relating to human genetics; and on what basis each of these representatives was appointed;

(3) what is the purpose of the Council of Europe ad hoc committee of experts on ethical and legal problems relating to human genetics.

Mr. Rifkind: The ad hoc committee on ethical and legal problems relating to human genetics was set up by the Council of Europe and held its first meeting in December 1983. Its purpose as defined in its present terms of reference is to study the consequences, from the ethical, legal, social and biosafety aspects, of the use of techniques deriving from developments in human genetics, molecular genetics, cell biology and embryology, with a view of harmonising the policies of the member states as far as possible, and if desirable, to frame appropriate legal instruments. The main emphasis of the work is on the sharing of national experience and the identification of legal and ethical issues on which harmonisation of procedures in member states of the Council of Europe might be desirable. The United Kingdom experts are chosen according to the agenda of each meeting of the ad hoc committee. Mr. B. P. Ager, Health and Safety Executive attended the first meeting; Dr. K. Gibson, Medical Research Council, the second; Dr. J. S. Metters of the Department of Health and Social Security, previously joint secretary of the Warnock committee of inquiry into human fertilization and embryology, and Dr. E. Moutrie also of the Department of Health and Social Security represented the United Kingdom at the third and most recent meeting of the Committee.

The cost of one representative to each meeting is met from the Council of Europe budget. The cost of the second representative (where necessary) is met by the sponsoring Department—currently the Department of Health and Social Security. The cost of attendance at a four-day meeting is approximately £400.

Spain (Extradition Treaty)

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs when he now expects to announce an extradition treaty between Spain and the United Kingdom; and if he will make a statement.

Mr. Rifkind: Negotiations for the conclusion of a new extradition treaty with Spain are at an advanced stage and it is expected that agreement will shortly be reached on the final text.

Sudan

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations between the new Sudanese Government of General Inwar Dahab and the United Kingdom.

Mr. Luce: The United Kingdom has long enjoyed close and friendly relations with the Government and people of Sudan and we hope that these will continue. We are closely studying recent developments. Her Majesty's ambassador in Khartoum has already had two useful meetings with General Sowar el Dahab.

VE Day

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs what guidance has been given to British embassies abroad regarding the commemoration of VE Day; and if he will make a statement on plans so far made.

Mr. Rifkind: Her Majesty's embassies and high commissions have been informed of our plans for a national commemoration in the United Kingdom and approach to events abroad. The Ministry of Defence press release 15/85 of 9 April outlines details of our national commemoration. A copy is being placed in the Library of the House.

Indonesia

Mr. Parry asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's relations with Indonesia.

Mr. Luce: The United Kingdom enjoys good relations with Indonesia which have been further strengthened by my right Friend the Prime Minister's visit from 9-11 April and by the full range of discussions she had with President Soeharto and senior Indonesian Ministers.

Singapore

Mr. Parry asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Her Majesty's Government's relations with Singapore.

Mr. Luce: We have close and cordial relations with Singapore.

Chemical Weapons Negotiations

Mr. Churchill asked the Secretary of State for Foreign and Commonwealth Affairs what further initiatives he intends to take to contribute to the Geneva chemical weapons negotiations.

Mr. Luce: On 17 April the leader of the United Kingdom delegation to the Geneva conference on disarmament tabled the latest in a series of working papers on the proposed chemical weapons convention. Earlier British proposals, the most recent of which I introduced at Geneva on 12 March, have addressed the harder issues of verification, in particular the non-diversion of certain industrial chemicals into secret military stockpiles.

The latest paper proposes the establishment of an effective executive body (the "Executive Council") empowered to take rapidly whatever action is necessary to ensure that existing stockpiles of weapons are destroyed, once the convention enters into force, and that doubts about compliance with the provisions of the convention are rapidly resolved. The paper also addresses other important institutional issues. These latest proposals are a further demonstration of the urgency we attach to reaching agreement on this important disarmament issue. I am arranging for a copy of the paper to be placed in the Library of the House.

AGRICULTURE, FISHERIES AND FOOD

Common Agricultural Policy

Mr. Deakins asked the Minister of Agriculture, Fisheries and Food what is the anticipated expenditure in 1985 on each farm product under the common agricultural policy.

Mr. MacGregor: The 1985 budget has not yet been adopted. In the Commission's latest budget proposals expenditure by product for 1985 from the guarantee section of the European agricultural guidance and guarantee fund is estimated as follows:

	mecu
Cereals and rice	2,415
Sugar	1,689
Olive oil	897
Oilseeds	938
Protein plants	272
Textile plants and silkworms	213
Fresh fruit and vegetables	488
Processed fruit and vegetables	868
Wine	998
Tobacco	841
Other products	54
Milk and milk products	6,602
Beef	2,460
Sheepmeat	451
Pigmeat	163
Eggs and poultry	124
Non-annex II products	402
Monetary compensatory amounts	110

Source: Rectifying Letter No. 3 to the 1985 Preliminary Draft Budget.

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Minister of Agriculture, Fisheries and Food how many officials of his Department, and from which sections, have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council, giving the dates and locations of such meetings and the subjects discussed.

Mr. Jopling: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council according to the subject under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

Quangos

Sir Philip Holland asked the Minister of Agriculture, Fisheries and Food on how many occasions in the 12 months to 31 March the consultative panel on badgers and tuberculosis submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mrs. Fenner: The consultative panel on badgers and tuberculosis met on three occasions during the 12 months ending 31 March and on each occasion submitted advice to my Department on a wide range of issues. Advice from the panel has played a key part in shaping departmental research and operational work on badgers and bovine tuberculosis and the review of policy in this area. Details of the principal actions taken by the Department are published in the Ministry's annual reports on bovine tuberculosis in badgers and in press notices.

Sir Philip Holland asked the Minister of Agriculture, Fisheries and Food on how many occasions in the 12 months to 31 March the steering group on food surveillance submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mrs. Fenner: The steering group on food surveillance has a wide range of responsibilities including recommendations of programmes of work necessary to ensure that the food intake of the population is wholesome, safe and nutritious. Research recommended by the steering group in the year to 31 March 1985 is included in my department's national programme of food research and development for 1985-86. The steering group also submits regular reports of its activities, and I authorised the publication of their progress report 1984 during the period referred to, and this was published in November 1984.

This report contains an account of the steering group's recent activities including investigations into veterinary residues, heavy metals, chemical contaminants from food

contact materials, natural toxicants, nutrients, pesticide residues, food colours, and nitrate and related compounds in the food chain.

Sir Philip Holland asked the Minister of Agriculture, Fisheries and Food on how many occasions in the 12 months to 31 March each of the five regional panels for the farming industry submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mr. Jopling: The regional panels provide a continuous two-way communication link between the farming industry and my Department. They regularly consider matters of concern to the industry and their meetings are attended by my chief regional officers and generally by regional heads of the ADAS services. My ministerial colleagues and I meet the chairmen of the panels together twice a year and also attend some panel meetings. I value the panels as providing an independent contribution, by people of standing in agriculture, to my consideration of issues affecting the industry.

Sir Philip Holland asked the Minister of Agriculture, Fisheries and Food on how many occasions in the 12 months to 31 March the National Food Survey Committee submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mrs. Fenner: The National Food Survey Committee met once in the 12 months to 31 March 1985. The committee considered the results of the survey in 1983 and the content of its annual report which will be published shortly. The committee also advised on proposed changes in coverage and methodology of the survey. The advice provided by the committee has been accepted by my Department and the recommendations are being implemented.

Sir Philip Holland asked the Minister of Agriculture, Fisheries and Food on how many occasions in the 12 months to 31 March the Agricultural Statistics Consultative Committee submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mrs. Fenner: During the 12 months to 31 March 1985 the Agricultural Statistics Consultative Committee has given advice to the Ministry on four subjects. As a result of this advice improvements were made to the questionnaires used in the farm surveys on irrigation, on English wine and on environmental topics on farms. Also the committee provided substantial evidence and advice on the recent major review of cereals surveys: this was given full weight in the final report which is now being implemented.

Sir Philip Holland asked the Minister of Agriculture, Fisheries and Food on how many occasions in the 12 months to 31 March the Committee on Agricultural Valuation submitted advice to his Department; and what action was taken by his Department on each occasion as a result of the advice given.

Mrs. Fenner: The Committee on Agricultural Valuation is set up in accordance with the requirements of section 79 of the Agricultural Holdings Act 1948 (as amended). It advises my right hon. Friend the Secretary of State for Wales and myself on matters to be included in regulations on the calculation of the payment of compensation to outgoing tenants of agricultural land for short-term improvements they have made to the land. This committee does not need to meet frequently and its last meeting was in February 1984. My right hon. Friend and I are currently consulting the industry about possible changes to the way in which these complex calculations are made. This follows a recommendation by a working group of this committee which met in October 1984.

Milk Producers

Mr. Ralph Howell asked the Minister of Agriculture, Fisheries and Food if he will list those member countries of the European Economic Community in which no comprehensive list of milk producers exists.

Mr. MacGregor [*pursuant to his reply*, 15 April 1985, c. *26*]: Member states use lists of milk producers for various different purposes (co-responsibility, supplementary levy, milk and dairy hygiene) All member states are required to keep records of producers who deliver milk to dairies for the purpose of co-responsibility levy (except in the mountainous areas). For milk quota purposes member states also need to maintain records of these producers making direct sales of milk or milk products. Complete information on the ways in which such lists are compiled and held is not readily available.

DEFENCE

Combined Services School of Music, Portsmouth

Mr. Hancock asked the Secretary of State for Defence if he will give details of representations made to him with regard to the siting of the Combined Services School of Music at Portsmouth.

Mr. Lee: Approaches were made by my right hon. and learned Friend, the Member for Dover (Mr. Rees) and my hon. Friend the Member for Twickenham (Mr. Jessel), both expressing constituency interests. Two other Members asked for information relating to the choice of Deal. Portsmouth city council expressed disappointment at our choice and inquired about the future of the Royal Marines establishment at Eastney. A member of the general public wrote to protest at the decision to locate the Defence School of Music at Deal. An Adjournment debate on the subject took place on 29 March 1985.

We have also received a number of representations about the closure of Kneller Hall, and an Adjournment debate on that subject took place on 25 October 1983.

Low Frequency Communications System

Mr. Donald Stewart asked the Secretary of State for Defence whether he plans to conduct an environmental impact assessment in the event of a decision being made to develop an extremely low frequency communications system.

Mr. Lee: The Ministry of Defence will consult the relevant planning authority under establish procedures. If it is decided to proceed with the development of an operational ELF communications system, every effort would be made to minimise the effect on the environment.

Mr. Donald Stewart asked the Secretary of State for Defence when he expects to announce a decision on the

develoment of an extremely low frequency communications system; and when a decision will be taken on its location.

Mr. Lee: A decision on the development of an operational ELF communication system cannot be taken until the present technology demonstrator programme has been completed and its results evaluated. Consideration of possible sites remains at an early stage.

Mr. Donald Stewart asked the Secretary of State for Defence, pursuant to the answer of 5 December, *Official Report*, column 182, whether the naval requirement for an extremely low frequency communications transmitter in mainland Scotland is a United States naval requirement or a Royal Naval requirement.

Mr. Lee: The present requirement is for a technology demonstrator programme. Should that lead to a requirement for an operation system, it would be for the Royal Navy.

Mr. Donald Stewart asked the Secretary of State for Defence whether joint use by the United States Navy and Royal Navy is envisaged for the extremely low frequency communications transmitter currently under investigation by his Department.

Mr. Lee: Present studies are concerned with potential national requirements but, should we proceed to an operational system, we should certainly be prepared to consider any proposals for use of the system by the United States or other Allied navies.

Mr. Donald Stewart asked the Secretary of State for Defence how much has been spent so far by his Department on the feasibility study of extremely low frequency communications.

Mr. Lee: Approximately £350,000 has so far been spent on research into extra low frequency communications.

Mr. Donald Stewart asked the Secretary of State for Defence what is the estimated total cost of developing and constructing an extremely low frequency communications transmitter in Scotland for naval use.

Mr. Lee: The cost of developing and constructing an ELF communications system cannot be realistically estimated at this stage.

Mr. Donald Stewart asked the Secretary of State for Defence what investigations his Department has carried out into the potential environmental and biological hazards of exposure to extremely low frequency radio waves.

Mr. Lee: Extensive research carried out in the United States of America has confirmed that ELF radiation at the levels envisaged does not represent a hazard to humans or animals in the vicinity of the transmitting aerials. My Department has studied this research and found no reason why the installation being considered for the United Kingdom should represent any environmental or biological hazard. The technology demonstrator programme will include continued investigation of potential environmental effects.

Chemical Warfare

Mr. Strang asked the Secretary of State for Defence which senior United Kingdom officials met members of the United States presidential review commission on chemical warfare at the end of March.

Mr. Stanley: The senior officials concerned were from the Ministry of Defence and the Foreign and Commonwealth Office. A senior official from the Cabinet Office attended as an observer.

Mr. Strang asked the Secretary of State for Defence if any proposals were made by the United States presidential review commission on chemical warfare when it met senior United Kingdom officials at the end of March.

Mr. Stanley: I shall answer shortly.

Chemical Weapons (Storage)

Mr. Strang asked the Secretary of State for Defence (1) whether there are any facilities for storing chemical weapons at United State bases, or bases where facilities are shared with United States forces in Great Britain;

(2) whether there are any plans to store United States chemical weapons in Great Britain.

Mr. Stanley: There are no such facilities being used or designated for this purpose, nor are there plans to store United States chemical weapons in Great Britain.

RAF Trainer Aircraft

Sir Patrick Wall asked the Secretary of State for Defence when the Royal Air Force trainer Tucano will first fly with the Garrett TPE 331 engine.

Mr. Butler: A prototype Shorts Tucano with the Garrett engine is expected to undergo some flight testing by Shorts towards the end of 1985. Flight testing by the Aeroplane and Armament Experimental Establishment, Boscombe Down, will take place in about a year, as my hon. Friend the Under-Secretary of State for Defence Procurement stated in his reply on 29 March, at column 389.

Sir Patrick Wall asked the Secretary of State for Defence what deadline was given to the various companies for the final bid for the new Royal Air Force trainer.

Mr. Lee: The deadline for offers from four companies was set at 31 January 1985. For subsequent negotiations related to the most attractive bids, from Shorts and British Aerospace, a deadline was set at midday, Thursday 14 March 1985.

Naval Vessels (Disposal)

Mr. Foulkes asked the Secretary of State for Defence how many naval vessels have been disposed of to Queenborough at Cairnryan or its predecessors for breaking up.

Mr. Lee: Since 1970, 11 ex-naval vessels have been sold to Ship-breaking (Queenborough) Ltd. for breaking up for scrap at Cairnryan. Two ex-aircraft carriers, HMS Eagle and HMS Ark Royal, were also broken up at Cairnryan by H. R. Vickers Ltd. and Steel Supply Company Ltd. respectively, which used the premises of

Queenborough because their own facilities were not large enough. No records are available for the period prior to 1970.

Buoyant Cable Antennae

Mr. Donald Stewart asked the Secretary of State for Defence whether there is any projected threat of Soviet ability to detect the towed buoy or buoyant cable antennae used by Royal Navy submarines.

Mr. Lee: No. Detection by Soviet ocean surveillance techniques projected at least a decade ahead is most unlikely.

Very Low Frequency Communications System

Mr. Donald Stewart asked the Secretary of State for Defence how much has been spent so far on the current upgrading of Britain's very low frequency communications system; and what is the estimated total cost of this project.

Mr. Lee: A programme to improve the United Kingdom's very low frequency communications system is in progress. A total of £1·7 million has been spent on it to date, out of an estimated total procurement cost of some £22 million.

Mr. Donald Stewart asked the Secretary of State for Defence (1) whether there are any plans to install receivers for extremely low frequency communications on the new Upholder class submarines;

(2) whether there are any plans to install receivers for extremely low frequency communications on Trafalgar class submarines;

(3) whether there are any plans to install receivers for extremely low frequency communications on the Royal Navy's Trident submarines.

Mr. Lee: Extra low frequency communications have potential application to Royal Navy submarines generally. No decisions have been taken on which classes of submarine might be equipped with ELF receivers.

Falkland Islands

Mr. Foulkes asked the Secretary of State for Defence (1) what is the current cost of transporting troops to the Falkland Islands; and under what section of the Government's White paper on expenditure, Cmnd. 9428, it is accounted for;

(2) what savings will accrue in the cost of transporting troops to the Falkland Islands from the completion of the runway at Mount Pleasant; and when such savings will begin.

Mr. Stanley: I will answer shortly.

Mr. Foulkes asked the Secretary of State for Defence what discussions he has had with British Airways concerning the transportation of troops to the Falkland Islands; what will be the cost charged by British Airways; if his Department will meet all such costs; and if he will make a statement.

Mr. Stanley: Discussions with British Airways are being concluded for the award of a six-month contract for the carriage of passengers and freight by wide-bodied aircraft to Mount Pleasant airport from next month. It is not the practice to disclose the cost of individual contracts for reasons of commercial confidentiality. The costs of the contract will be met by the Ministry of Defence.

Chemical Warfare

Mr. Strang asked the Secretary of State for Defence if any proposals were made by the United States presidential review commission on chemical warfare when it met senior United Kingdom officials at the end of March.

Mr. Stanley [*pursuant to his reply*, 16th April 1985]: No. The commission's proposals had still to be formulated and will, of course, be submitted to the President of the United States.

SOCIAL SERVICES

Sickle Cell Disease

Mrs. Renée Short asked the Secretary of State for Social Services if he will give additional assistance to health authorities to enable them to improve facilities for screening patients for antibodies against human parvovirus who suffer from sickle cell disease and complain of joint pain.

Mr. John Patten: There is no evidence that the facilities for screening patients for antibodies against human parvovirus are inadequate. However, if screening of those who suffer from sickle cell disease and complain of joint pain were to lead to an increase in demand for laboratory facilities, their provision would be a matter for individual health authorities, based on a knowledge of local circumstances and priorities. A service for the detection of antibodies to human parvovirus is available through the Public Health Laboratory Service and through some university departments.

Solvent Abuse

Mr. Galley asked the Secretary of State for Social Services if he will publish the number of deaths associated with solvent abuse in 1984 and give a breakdown between different medical causes of death.

Mr. John Patten: Final figures for 1984 are not yet available. I shall write to my hon. Friend when the total number of confirmed cases is known.

Legal Aid

Mr. Dubs asked the Secretary of State for Social Services what has been the result of his urgent consideration of the promulgation of illegal instructions in the L code concerning legal aid assessment.

Mr. Whitney: I refer the hon. Member to my hon. Friend's reply to my hon. Friend the Member for Edmonton (Dr. Twinn) on 16 April, at column *164*.

National No-Smoking Day

Mr. Porter asked the Secretary of State for Social Services whether public funds were spent on letting off 10,000 black helium-filled balloons in Covent Garden on 20 March as part of the National No-Smoking Day campaign.

Mr. John Patten: The National No-Smoking Day campaign is supported financially by a wide variety of commercial and public bodies including the Health Education Council, which is funded by the Department. Some of the other supporting voluntary organisations are in receipt of Government grants.

Fluoridation Society

Mr. Body asked the Secretary of State for Social Services, for each year, how much public money he has given to date to the Fluoridation Society under section 64 of the Health Services and Public Health Act 1968.

Mr. John Patten: Annual grants have been made to the Fluoridation Society since 1974 under section 64 of the Health Services and Public Health Act 1968 as follows:

	£
1974-75	4,500
1975-76	4,500
1976-77	5,500
1977-78	5,500
1978-79	5,500
1979-80	5,500
1980-81	11,000
1981-82	14,000
1982-83	15,000
1983-84	15,000
1984-85	15,000

Geriatric Beds

Dr. Roger Thomas asked the Secretary of State for Social Services how many geriatric beds there are in each health region of England at present; and what were the corresponding figures in May 1979.

Mr. John Patten: The requested information for 1983, the latest available year, and for 1979 is given in the table.

Average daily number of available beds in departments of geriatric medicine in National Health Service hospitals in England

Region	*1979*	*1983*
ENGLAND	55,138·6	55,801·0
Northern	3,732·8	3,885·2
Yorkshire	5,306·9	5,040·6
Trent	5,055·5	5,228·8
East Anglian	2,318·5	2,416·9
North West Thames*	3,233·8	3,328·7
North East Thames*	4,444·1	4,573·9
South East Thames*	4,284·1	4,232·9
South West Thames*	3,087·4	3,034·5
Wessex	3,528·2	3,510·1
Oxford	2,084·6	2,005·5
South Western	3,745·2	3,848·1
West Midlands	6,216·0	6,230·1
Mersey	3,211·1	3,170·8
North Western	4,890·4	5,193·3
SHAs* and Boards of Governors	—	101·6

* Because of National Health Service restructuring in 1982, figures for these regions are not strictly comparable between 1979 and 1983.

North-West Kidney Lifeline Scheme

Mr. Hannam asked the Secretary of State for Social Services what representations he has received on the North-West Kidney Lifeline scheme; and if he will make a statement.

Mr. John Patten: I have received a letter from the chairman of the North-West Kidney Lifeline scheme, and three letters from right hon. and hon. Members. I also refer my hon. Friend to my reply to my hon. Friend the Member for Harborough (Sir J. Farr) on 28 March, at column *305*.

A meeting between the chairman of the scheme and officials of the Department has been arranged.

Supplementary Benefit

Mr. Park asked the Secretary of State for Social Services how many, and what percentage of those unemployed in the Coventry travel-to-work area, are claiming supplementary benefit.

Mr. Whitney: At November 1983 (the latest figures available) there were 21,400 unemployed claimants in the area covered by Coventry unemployment benefit offices, including the office in Leamington, in receipt of supplementary benefit. This was 67 per cent. of the total number of unemployment benefit claimants in the area.

Mr. Ashdown asked the Secretary of State for Social Services if he will publish a list showing, by social security regions, for each year since 1981 *(a)* the number of recipients of supplementary benefit and *(b)* the number of recipients of supplementary benefit on long-term scale rates.

Mr. Whitney: The total number of recipients of supplementary benefit in each social security region in February of each year since 1981 was as follows:

	1981
Northern	230,861
Yorkshire and Humberside	333,760
East Midlands and East Anglia	300,149
West Midlands	344,954
London North	322,660
London South	346,084
London West	267,129
Wales	200,690
South West	241,690
North West Manchester	246,297
Merseyside	253,292
Scotland	339,404

	1982
Northern	275,368
Yorkshire and Humberside	399,527
East Midlands and East Anglia	355,284
West Midlands	434,949
London North	383,104
London South	404,732
London West	317,956
Wales	237,064
South West	282,375
North West Manchester	294,233
Merseyside	299,764
Scotland	405,178

	1983
North Eastern	732,576
Midlands	764,240
London North	727,051
London South	640,424
Wales and South West	573,951
North West Manchester	330,896
Merseyside	360,662
Scotland	454,828

	1984
North Eastern	751,129
Midlands	798,673
London North	749,125
London South	660,117
Wales and South West	589,385
North Western	713,738
Scotland	480,685

	1985
North Eastern	792,865
Midlands	835,656
London North	796,680
London South	701,642
Wales and South West	628,491
North Western	747,081
Scotland	506,680

Social security regions were reduced from a total of 12 in 1981 to eight in 1983 and to seven in 1984.

Figures for the number of recipients of supplementary benefit on long-term scale rates by social security regions could be obtained only at disproportionate cost.

NHS Vacancies (Coventry)

Mr. Park asked the Secretary of State for Social Services how many posts have been frozen unfilled in the Coventry health authority; how many vacancies currently exist; and what steps are being taken to fill them.

Mr. John Patten: We do not collect this sort of detailed local information centrally. The hon. Member may wish to seek information from the chairman of the Coventry health authority.

Board and Lodging Allowance

Mr. Frank Field asked the Secretary of State for Social Services how many claimants under 26 years in *(a)* Birkenhead and *(b)* Merseyside currently draw board and lodging allowance.

Mr. Whitney: I regret that the information requested for Birkenhead and Merseyside could be obtained only at disproportionate cost.

Smoking-related Illness

Mr. Evennett asked the Secretary of State for Social Services what was the cost to the National Health Service in each of the last five years of treating *(a)* acute and *(b)* chronic conditions caused by smoking.

Mr. John Patten: Information is not available in the form requested. The most recent estimate of the overall cost to the National Health Service of diseases to which smoking is a major contributory factor is £170 million per annum.

Radiation Dose Limits

Mr. Nicholas Brown asked the Secretary of State for Social Services if he will ask the National Radiological Protection Board to review urgently the existing radiation dose limits with a view to reducing them.

Mr. John Patten: The National Radiological Protection Board has been directed by Ministers to advise Government Departments and statutory bodies on the acceptability of and application in the United Kingdom of radiation protection standards recommended by the International Commission on Radiological Protection (ICRP) and other international bodies. It therefore reviews its advice on maximum permissible doses as and when necessary in the light of recommendation by the ICRP. This is the body recognised internationally as responsible for recommending values of maximum permissible exposure to ionising radiation.

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Secretary of State for Social Services if he will give the number of officials of his Department and their sections who have attended meetings at official level under the auspices of the Anglo-Irish Intergovernmental Council, the dates and locations of such meetings and the subjects discussed.

Mr. John Patten: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council (AIIC) according to the subject under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

Drug Abuse

Mr. Nicholas Winterton asked the Secretary of State for Social Services what information he has concerning the expenditure of the Governments of other member countries of the European Economic Community upon the treatment of those suffering from the effects of drug abuse.

Mr. John Patten: None.

Family Spending Power

Sir Brandon Rhys Williams asked the Secretary of State for Social Services if he will publish tables tabulating net spending power in April 1984 and April 1985 for a family with two children aged 12 and 14 years, paying £28·85 a week mortgage interest, £7·50 a week rates and £1·50 in water rates, in each of the following circumstances *(a)* husband earns £120 and mother earns £78, *(b)* husband unemployed, mother earns £78, *(c)* husband earns £120, wife unemployed and *(d)* both unemployed.

Mr. Whitney: The net weekly spending power for a family with two children in April 1984 and April 1985 would be as set out in the table. For April 1985 fares to work of £5·65 a week and free school meals value of £2·60 per child have been included. Other assumptions for April 1984 are as in the April 1984 DHSS tax-benefit model tables.

	April 1984 £	*April 1985* £
(a) Husband earns £120 wife earns £78	114·50	117·98
(b) Husband unemployed wife earns £78	*81·80	*85·25
(c) Husband earns £120 wife unemployed—in receipt of unemployment benefit	88·30	91·78
wife unemployed—in receipt of supplementary benefit	81·80	85·25

	April 1984 £	April 1985 £
wife unemployed—not in receipt of either unemployment benefit or supplementary benefit	68·11	70·83
(d) both unemployed	77·80	81·25

* If wife is in receipt of married persons's tax allowance.

Unemployment Review Officers

Mr. Tony Banks asked the Secretary of State for Social Services, pursuant to the reply of 18 March, *Official Report*, column *382*, how many of the 850 posts allocated for unemployment review work are actually filled.

Mr. Whitney: All the posts are filled apart from temporary gaps caused by local staffing difficulties.

Voluntary Bodies

Mr. Tony Banks asked the Secretary of State for Social Services if he will give details of schedule V payments from his Department to voluntary bodies in each of the past five years.

Mr. Whitney: The tables detail payments made to voluntary bodies under schedule V to the Supplementary Benefits Act 1976 (as amended) in each of the past five years.

I. Schedule V Payments

Voluntary body	*1980-81* £	*1981-82* £	*1982-83* £	*1983-84* £	*1984-85* £
1. Aberdeen Cyrenians	3,700	3,900	4,100	4,300	4,400
2. Birmingham, Committee for Night Shelter	5,700	6,100	6,400	6,700	6,900
3. Birmingham, St. Anne's	3,200	5,000	5,300	5,500	5,650
4. Birmingham, St. Basil's	6,200	6,000	6,300	6,600	6,800
5. Brighton YMCA	4,000	4,400	4,600	4,800	4,950
6. Cambridge Cyrenians	1,200	1,100	1,200	1,250	1,300
7. Cardiff Cyrenians	3,200	3,300	3,500	3,600	3,700
8. Coventry Cyrenians	4,200	4,400	4,600	4,800	4,950
9. Edinburgh, People's Palace	5,200	5,500	5,800	6,000	6,200
10. Exeter Shilhay	4,200	4,400	4,600	4,800	4,950
11. Glasgow Kirkhaven (formerly Glasgow, Church of Scotland Night Shelter)	2,700	2,800	3,000	3,100	3,200
12. Gloucester Night Shelter	2,200	—	—	—	—
13. Leeds Cyrenian Community	1,200	1,100	1,200	1,250	1,300
14. Liverpool Metropolitan Cathedral Crypt	3,200	3,300	3,500	3,600	3,700
15. London, Bondway, Vauxhall	11,200	12,100	12,700	13,200	13,550
16. London, Centrepoint	7,200	7,700	8,100	8,400	8,600
17. London, St. Giles Centre	3,300	—	—	—	—
18. London, 59 Greek Street Ltd. (formerly Theatre Girls' Club)	7,200	7,700	8,100	8,400	8,600
19. Lowestoft Night Shelter	3,200	3,300	3,500	3,600	3,700
20. Manchester Night Shelter	7,200	7,700	8,100	8,400	8,600
21. Norwich Night Shelter	5,200	5,500	5,800	6,000	6,200
22. Nottingham Help the Homeless	3,500	3,600	3,800	4,000	2,050
23. Oxford Cyrenians	6,200	6,600	6,900	7,200	7,400
24. Plymouth Night Shelter (formerly Plymouth Council for Christian Care)	3,000	3,300	3,500	3,600	3,700
25. Portsmouth, St. Petroc's Community Trust	3,700	3,900	4,100	4,300	4,400
26. Preston, Homeless in	3,200	3,300	3,500	3,600	3,700
27. Joint Standing Committee of Sheffield Hostels (formerly Conway House)	5,200	5,500	5,800	6,000	6,200
28. Southampton, SA Goodwill Centre	1,200	1,100	—	—	—
29. Stockton Churches Mission to the Single Homeless	4,000	4,400	4,600	4,800	4,950
30. Swansea, SASH	3,700	3,900	4,100	4,300	4,400
31. Taunton Association for the Homeless	4,000	4,400	4,600	4,800	4,950
32. Tyneside Cyrenians Ltd.	4,200	4,400	4,600	4,800	4,950
33. Wolverhampton Overnight Shelter Group	4,600	4,800	5,000	5,200	5,400
34. Worcester, St. Paul's	3,200	3,300	3,500	3,600	3,700
35. Guildford Cyrenians	2,000	2,200	2,300	2,400	2,500
36. Potteries H.A. Stoke on Trent	3,500	3,900	4,100	4,300	4,400
37. Harbour Community Portsmouth	—	1,500	1,600	1,700	1,800
38. Swindon Cyrenians	—	2,800	3,000	3,100	492
TOTAL	149,800	158,200	165,400	172,000	172,242

II. Schedule V payments under the Camberwell replacement scheme

Name of organisation	*1980-81* £	*1981-82* £	*1982-83* £	*1983-84* £	*1984-85* £
39. Circle Trust (Camberwell) (3 projects)	—	—	3,514·00	11,521·76	15,203·27
40. Peter Bedford Trust (3 projects)	—	—	—	3,804·90	6,697·50
41. North Lambeth day centre (3 projects)	—	—	—	4,789·01	23,873·23
42. Single Homeless Project (9 projects)	—	—	—	6,446·00	38,131·86
43. St. Mungo's Community Housing Association (1 project)	—	—	—	1,812·50	4,578·00
44. Boundway (2 projects)	—	—	—	3,688·00	19,817·04

Name of organisation	1980-81 £	1981-82 £	1982-83 £	1983-84 £	1984-85 £
45. St. George's centre (1 project)	—	—	—	—	4,220·06
46. St. Giles centre (1 project)	—	—	—	—	5,378·63
47. Homeless Action and Accommodation (1 project)	—	—	—	—	838·54
48. Carr-Gomm Society Ltd. (3 projects)	—	—	—	—	2,140·50
Total	—	—	3,514·00	32,062·17	120,878·63

Resettlement Schemes

Mr. Tony Banks asked the Secretary of State for Social Services what total level of resources he will be providing to finance resettlement schemes in the voluntary sector following the closure of his Department's re-establishment centres.

Mr. Whitney: The re-establishment centres administered by this Department cost an estimated £2·0 million to run in 1983-84 and following the closure of the centres this sum will be provided to fund alternative resettlement arrangements. As most re-establishment centres and resettlement units share common sites and services the total running costs of re-establishment centres will not be saved immediately upon their closure.

Drug Abuse

Mr. Kilroy-Silk asked the Secretary of State for Social Services if he will publish in the *Official Report* or place in the Library the interim reports he has received from regional health authorities in response to his circular HC(84)14 of June 1984 about the prevalance of drug abuse.

Mr. Dobson asked the Secretary of State for Social Services when he intends to publish the replies of district health authorities to his circular of June 1984 asking about drug abuse and their plans to counter it.

Mr. John Patten [*pursuant to his reply*, 15 March 1985, c. *329*]: All 14 regional health authorities and the two relevant special health authorities have now sent in reports. These interim reports are working documents.

I shall make a summary of the responses we have received and plans for service development available to the House in due course.

Committee on Gynaecological Cytology

Mr. Dobson asked the Secretary of State for Social services if he will *(a)* list the members of the Committee on Gynaecological Cytology since 1 January 1981, *(b)* give the dates when it has met since 1 January 1981 and *(c)* place in the Library any minutes of its meetings, official recommendations or other communications with Ministers or officials of his Department since 1 January 1981.

Mr. Kenneth Clarke [*pursuant to his reply*, 4 April 1985, c. *771*]: The information is as follows:

(a) The membership of the Committee on Gynaecological Cytology since 1 January 1981 has included:

Mr. R. W. Burslem
Dr. D. M. D. Evans
Dr. E. Blanche Butler
Mr. J. A. Jordan
Dr. A. S. Woodcock
Mrs. W. J. A. Francis
Dr. G. J. Draper
Professor E. G. Knox
Professor Alwyn Smith
Dr. W. G. A. Riddle
Dr. Elizabeth A. Hudson
Dr. K. J. Randall
Mr. K. R. Peel
Dr. Jocelyn Chamberlain
Dr. J. N. Todd
Professor B. M. Hibbard
Dr. K. McPherson
Professor J. M. Elwood

(b) The committee has met on the following occasions since 1 January 1981:

1 April 1981
23 September 1981
18 March 1982
10 December 1982
10 October 1983
3 April 1984

(c) Copies of the committee's report on the age and frequency of screening (September 1981) and of the current guidance to health authorities, health circulars (81)14 and (84)17, have been placed in the Library of the House. We do not usually publish guidance to Ministers from committees of this kind and minutes of their meetings. We will continue to make available any reports we receive from the committee, as these are the most useful documents for the public.

Personal Social Services

Ms. Harman asked the Secretary of State for Social Services if he will publish in the *Official Report* a table showing the latest available data on personal social services gross current expenditure, including joint finance, in similar form to that provided in 1984 to the Social Services Committee and published on page 14 of HC 395; and if he will publish a similar table showing *(a)* net current expenditure in constant prices, *(b)* gross unit costs, *(c)* net unit costs and *(d)* activity levels.

Mr. John Patten [*pursuant to his reply*, 26 March 1985, c. *164*]: The information requested on personal social services expenditure, unit costs and activity levels is given in the tables. In line with the Department's submission to the Social Services Committee in 1984, the expenditure and unit cost figures are expressed in in-put volume terms (that is after allowing for personal social services pay and price movements). Additionally, tables on personal social services net and gross current expenditure are also given in economic cost terms to provide a more complete picture of expenditure trends.

The figures are derived using the Department's programme budget methodology as described in last year's submission to the Social Services Committee and published in its fourth report (HC 395). These estimates of expenditure are valid for monitoring broad trends but not for making close comparisons between programmes.

It should also be noted that the expenditure and activity data are derived from separate returns, the activity figures are mostly based on a count at 31 March and may not always reflect the average position over the year: this is thought to be particularly relevant to data on residential care (especially those for mentally handicapped children) which are currently the subject of a Departmental review.

TABLE 1

Personal Social Services Gross Current Expenditure including Joint Finance (J/F)

In-put Volume 1983-84 Prices (£ million)

	1976-77	*1977-78*	*1978-79*	*1979-80*	*1980-81*	*1981-82*	*1982-83*	**1983-84*
Residential Elderly	533·4	545·6	566·4	586·7	592·3	572·8	582·3	601·1
Residential YPH	34·2	38·7	41·3	42·0	44·3	45·3	47·6	49·0
Residential Mental Illness	13·9	15·1	16·6	18·1	19·4	18·5	19·2	20·2
Residential MH Adults	45·1	51·5	56·6	61·8	66·2	70·9	78·4	87·2
Residential MH Children	16·2	17·9	19·5	22·8	25·8	27·9	30·0	33·1
Residential Children	349·0	344·9	353·0	359·2	363·5	345·5	323·2	302·6
Residential Children Other	8·7	10·0	12·6	16·8	16·0	14·6	16·1	12·1
Day Care Elderly	29·8	34·1	37·3	40·8	42·0	45·6	47·6	52·1
Day Care YPH	19·9	20·1	20·7	19·9	20·9	20·0	20·6	22·7
Day Care MI	8·4	9·1	10·5	11·6	12·1	12·3	14·5	15·9
Day Care ATC	73·3	77·6	82·1	83·7	85·7	89·2	95·0	98·6
Day Nurseries	69·5	70·4	72·1	71·7	77·7	78·6	80·4	82·7
Day Children Other	7·5	7·7	8·9	9·8	10·1	11·1	12·0	13·5
Social Workers	218·9	227·1	228·3	260·9	281·3	284·5	291·6	303·3
Home Helps	235·1	240·9	255·5	258·5	262·3	256·7	264·9	282·3
Boarding Out	44·4	48·2	55·1	56·9	59·3	66·1	73·6	78·7
Meals	42·9	44·2	47·6	49·1	46·7	44·6	46·8	49·6
Aids etc.	29·9	27·6	31·5	30·0	28·7	28·0	29·5	32·1
Intermediate Treatment	2·4	4·0	5·3	6·1	7·5	9·4	11·3	13·3
Other LA	58·9	60·8	65·9	70·2	69·5	72·9	81·3	91·7
LA Administration	295·1	290·2	297·3	295·0	303·2	296·6	300·2	313·8
Training	14·7	17·0	15·1	14·7	15·2	14·7	14·9	17·5
Total PSS (including J/F)	2,150·1	2,202·8	2,299·2	2,386·3	2,448·5	2,425·7	2,481·1	2,573·0
Joint Finance	2·6	16·8	28·2	34·8	46·6	56·0	59·6	64·5
Total PSS (excluding J/F)	2,147·5	2,186·0	2,271·0	2,351·5	2,401·9	2,369·7	2,421·5	2,508·5

* Provisional.

TABLE 2

Personal Social Services Net Current Expenditure including Joint Finance

In-put Volume 1983-84 Prices (£ million)

	1976-77	*1977-78*	*1978-79*	*1979-80*	*1980-81*	*1981-82*	*1982-83*	*1983-84 Provisional*
Residential Elderly	335·0	334·4	348·0	375·0	383·6	364·8	364·4	374·6
Residential YPH	25·2	29·3	31·4	32·7	34·8	36·1	38·2	39·2
Residential Mental Illness	9·8	10·9	12·1	13·5	14·8	14·1	14·6	15·4
Residential MH Adults	31·4	36·6	40·6	45·5	49·9	54·0	59·9	67·1
Residential MH Children	15·0	16·7	18·4	21·8	24·9	26·9	29·0	31·9
Residential Children	295·1	294·2	299·9	307·8	316·5	303·2	286·8	270·7
Residential Children Other	8·7	9·9	12·4	16·6	15·9	14·5	16·1	12·0
Day Care Elderly	27·9	32·1	35·1	38·5	39·7	43·2	45·0	48·9
Day Care YPH	18·7	18·9	19·5	18·8	19·8	18·9	19·4	21·3
Day Care MI	7·9	8·6	9·9	11·0	11·5	11·6	13·7	14·9
Day Care ATC	64·3	68·0	72·3	74·3	76·7	80·7	86·0	89·4
Day Nurseries	64·6	65·6	67·6	67·4	73·6	74·9	76·9	79·2
Day Children Other	7·4	7·6	8·7	9·6	10·0	10·9	11·8	12·0
Social Workers	218·7	226·8	228·0	260·6	281·0	283.9	290·9	302·1
Home Helps	224·8	229·3	242·8	244·7	242·7	238·5	247·0	262·7
Boarding Out	40·8	46·1	52·7	54·6	56·9	63·6	71·1	76·0
Meals	32·7	32·3	34·7	35·4	32·3	29·7	30·4	31·5
Aids etc.	26·8	24·6	27·9	26·3	24·9	24·4	25·7	28·4
Intermed Treatment	2·1	3·9	5·3	6·1	7·5	9·4	11·3	13·2
Other LA	54·9	57·0	61·7	66·1	66·1	69·4	77·5	87·6
LA Administration	287·8	285·6	292·5	290·1	299·0	292·8	296·9	310·9
Training	14·7	17·0	15·1	14·7	15·2	14·7	14·9	17·5
Total PSS (incl. J/F)	1,814·2	1,855·5	1,936·6	2,030·9	2,097·2	2,080·1	2,127·4	2,206·5
Joint Finance	2·6	16·8	28·2	34·8	46·6	56·0	59·6	64·5
Total PSS (excl. J/F)	1,811·6	1,838·7	1,908·4	1,996·1	2,050·6	2,024·1	2,067·8	2,142·0

TABLE 3
Personal Social Services Unit Costs including Joint Finance

In-put Volume 1983-84 prices (£)

	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	*1983-84
Residential Elderly	4,576	4,629	4,835	4,938	5,042	4,902	5,040	5,352
Residental YPH	3,312	3,776	4,129	4,503	4,556	4,966	5,274	5,642
Residential Mental Illness	3,137	3,204	3,420	3,630	4,368	4,111	4,485	5,052
Residential MH Adults	4,352	4,504	4,724	4,835	4,915	5,023	5,261	5,643
Residential MH Children	10,089	10,755	11,576	12,696	14,198	15,921	17,001	20,233
Residential Children	9,696	9,970	10,716	11,042	12,241	13,111	14,605	†15,207
Day Care Elderly	1,429	1,435	1,456	1,499	1,543	1,515	1,578	1,698
Day Care YPH	1,429	1,435	1,456	1,499	1,543	1,518	1,579	1,698
Day Care MI	1,429	1,435	1,456	1,499	1,543	1,502	1,582	1,698
Day Care ATC	1,884	1,899	1,936	1,969	1,975	1,976	2,041	2,080
Day Nurseries	2,399	2,418	2,404	2,367	2,575	2,561	2,675	2,732
Boarding Out	1,384	1,455	1,606	1,616	1,658	1,792	2,016	†2,112

* Provisional
† Highly provisional

TABLE 4
Personal Social Services Unit Costs including Joint Finance

In-put Volume 1983-84 Prices (£)

	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	*1983-84
Residential Elderly	2,874	2,837	2,971	3,156	3,265	3,122	3,154	3,336
Residential YPH	2,441	2,860	3,142	3,504	3,576	3,952	4,232	4,518
Residential Mental Illness	2,215	2,329	2,500	2,701	3,346	3,131	3,423	3,840
Residential MH Adults	3,026	3,206	3,392	3,558	3,706	3,830	4,017	4,344
Residential MH Children	9,301	10,041	10,947	12,152	13,690	15,337	16,410	19,508
Residential Children	8,196	8,505	9,105	9,462	10,656	11,505	12,961	†13,601
Day Care Elderly	1,341	1,351	1,372	1,416	1,459	1,434	1,491	1,595
Day Care YPH	1,341	1,350	1,372	1,416	1,459	1,436	1,492	1,594
Day Care MI	1,341	1,351	1,372	1,416	1,459	1,421	1,495	1,595
Day Care ATC	1,652	1,664	1,703	1,748	1,768	1,787	1,847	1,884
Day Nurseries	2,228	2,253	2,255	2,224	2,441	2,439	2,559	2,614
Boarding Out	1,272	1,391	1,535	1,549	1,591	1,725	1,947	†2,039

* Provisional
† Highly provisional

TABLE 5
Personal Social Services Activities

	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	*1983-84
Residential Elderly	116,564	117,878	117,136	118,813	117,483	116,845	115,538	112,303
Residential YPH	10,331	10,243	10,008	9,321	9,719	9,129	9,024	8,687
Residential Mental Illness	4,444	4,699	4,852	4,983	4,432	4,493	4,276	4,007
Residential MH Adults	10,370	11,429	11,976	12,783	13,464	14,107	14,911	15,452
Residential MH Children	1,609	1,666	1,684	1,792	1,817	1,755	1,765	1,636
Residential Children	36,000	34,590	32,940	32,534	29,700	26,353	22,131	†19,900
Day Care Elderly	20,828	23,757	25,593	27,222	27,244	30,118	30,167	30,658
Day Care YPH	13,957	13,977	14,192	13,287	13,552	13,150	13,033	13,374
Day Care MI	5,886	6,358	7,201	7,740	7,856	8,196	9,143	9,373
Day Care ATC	38,900	40,891	42,427	42,517	43,407	45,152	46,558	47,419
Day Nurseries	28,985	29,125	29,979	30,297	30,158	30,695	30,051	30,283
Boarding Out	32,100	33,132	34,324	35,241	35,749	36,876	36,524	†37,263

* Provisional
† Highly provisional

TABLE 6
Personal Social Services Gross Current Expenditure including Joint Finance

Economic cost 1983-84 Prices £ million

	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	*1983-84
Residential elderly	525·8	521·5	533·9	557·2	571·8	564·8	578·0	601·1
Residential YPH	33·7	37·0	39·0	39·9	42·7	44·7	47·2	49·0
Residential mental illness	13·7	14·4	15·6	17·2	18·7	18·2	19·0	20·2
Residential MH adults	44·5	49·2	53·3	58·8	63·9	69·8	77·9	87·2
Residential MH children	16·0	17·1	18·4	21·6	24·9	27·5	29·8	33·1
Residential children	344·2	329·5	332·7	341·1	350·9	340·7	320·9	302·6

	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	*1983-84
Residential children other	8·6	9·6	11·8	16·0	15·5	14·4	16·0	12·1
Day care elderly	29·4	32·6	35·1	38·8	40·6	45·0	47·3	52·1
Day care YPH	19·7	19·2	19·5	18·9	20·2	19·7	20·4	22·7
Day care MI	8·3	8·7	9·9	11·0	11·7	12·1	14·4	15·9
Day care ATC	72·3	74·2	77·4	79·6	82·8	87·9	94·3	98·6
Day nurseries	68·6	67·3	67·9	68·1	75·0	77·5	79·8	82·7
Day children other	7·4	7·4	8·4	9·3	9·8	10·9	11·9	13·5
Social workers	215·9	217·0	215·2	247·9	271·6	280·5	289·5	303·3
Home helps	231·8	230·2	240·8	245·6	253·3	253·0	263·0	282·3
Boarding out	43·8	46·1	51·9	54·1	57·2	65·2	73·1	78·7
Meals	42·3	42·2	44·8	46·6	45·1	44·0	46·4	49·6
Aids etc.	29·4	26·3	29·7	28·5	27·7	27·6	29·2	32·1
Intermed treatment	2·3	3·8	5·0	5·8	7·2	9·2	11·2	13·3
Other LA	58·1	58·1	62·1	66·7	67·1	71·8	80·7	91·7
LA Administration	291·0	277·3	280·2	280·2	292·7	292·4	298·0	313·8
Training	14·5	16·2	14·2	14·0	14·7	14·5	14·8	17·5
Total PSS (including J/F)	2,120·1	2,104·9	2,167·0	2,266·9	2,363·8	2,391·5	2,463·0	2,573·0
Joint finance	2·6	16·1	26·5	34·0	45·2	54·8	59·2	64·5
Total PSS (excluding J/F)	2,117·5	2,088·8	2,140·5	2,232·9	2,318·6	2,336·7	2,403·8	2,508·5

* Provisional.

TABLE 7

Personal Social Services Net Current Expenditure including Joint Finance

Economic cost 1983-84 Prices
£ million

	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84*
Residential elderly	330·4	319·5	328·0	356·2	370·3	359·6	361·7	374·6
Residential YPH	24·9	28·0	29·6	31·0	33·6	35·6	37·9	39·2
Residential mental illness	9·7	10·5	11·4	12·8	14·3	13·9	14·5	15·4
Residential MH adults	30·9	35·0	38·3	43·3	48·2	53·2	59·5	67·1
Residential MH children	14·8	16·0	17·4	20·7	24·0	26·5	28·8	31·9
Residential children	291·0	281·1	282·7	292·3	305·5	298·9	284·8	270·7
Residential children other	8·6	9·5	11·6	15·8	15·3	14·3	15·9	12·0
Day care elderly	27·5	30·7	33·1	36·7	38·4	42·5	44·7	48·9
Day care YPH	18·5	18·0	18·3	17·9	19·1	18·6	19·3	21·3
Day care MI	7·8	8·2	9·3	10·4	11·1	11·5	13·6	14·9
Day care ATC	63·4	65·0	68·1	70·6	74·1	79·5	85·3	89·4
Day nurseries	63·7	62·7	63·7	64·0	71·1	73·8	76·3	79·2
Day children other	7·3	7·3	8·2	9·1	9·6	10·7	11·7	12·0
Social workers	215·6	216·7	214·9	247·6	271·3	279·9	288·7	302·1
Home helps	221·7	219·1	228·8	232·5	234·3	235·1	245·2	262·7
Boarding out	40·3	44·0	49·7	51·9	54·9	62·7	70·6	76·0
Meals	32·3	30·8	32·7	33·6	31·2	29·3	30·2	31·5
Aids etc.	26·5	23·5	26·3	25·0	24·0	24·1	25·5	28·4
Intermed treatment	2·1	3·7	5·0	5·8	7·2	9·2	11·2	13·2
Other LA	54·1	54·5	58·1	62·9	63·9	68·4	76·9	87·6
LA administration	283·8	272·9	275·7	275·6	288·7	288·7	294·8	310·9
Training	14·5	16·2	14·2	13·9	14·7	14·5	14·8	17·5
Total PSS (including J/F)	1,789·1	1,772·8	1,825·1	1,929·5	2,024·7	2,050·6	2,111·9	2,206·5
Joint finance	2·6	16·1	26·5	34·0	45·2	54·8	59·2	64·5
Total PSS (excluding J/F)	1,786·5	1,756·7	1,798·5	1,895·6	1,979·5	1,995·8	2,052·7	2,142·0

* Provisional.

Notes to tables:
YPH=Young physically handicapped.
MH=Mentally handicapped.
MI=Mentally ill.
ATC=Adult training centre.

Benzodiazepines

Mr. Wareing asked the Secretary of State for Social Services what plans he has to tighten the scheduling of benzodiazepines; and if he will make a statement on their scheduling under the Misuse of Drugs Act 1971.

Mr. Mellor [*pursuant to his reply*, 27 March 1985, c. *259*]: Benzodiazepines are not at present controlled under the Misuse of Drugs Act. However, last year 33 benzodiazepines were scheduled under the United Nations Convention on Psychotropic Substances 1971, which the Government intend to ratify.

Detailed consultations are taking place with trade and professional organisations on the changes that will be necessary to our domestic legislation before we can ratify, including the degree of control to be imposed on the benzodiazepines. We are also consulting the Advisory Council on the Misuse of Drugs. My right hon. and learned Friend expects to lay before the House later this year a draft order to bring these drugs within the scope of the Misuse of Drugs Act 1971.

Written Answers to Questions

Thursday 18 April 1985

WALES

Homes Insulation

Mr. Barry Jones asked the Secretary of State for Wales by how much he has reduced the homes insulation programme for 1985-86; how many homes he estimates will be affected; what percentage reduction his decision represents; and if he will make a statement.

Mr. Wyn Roberts: I refer the hon. Gentleman to the reply given on 24 January, at column 485, to my hon. Friend the Member for Exeter (Mr. Hannam).

Labour Statistics

Mr. Barry Jones asked the Secretary of State for Wales how many people in *(a)* the Alyn and Deeside constituency, *(b)* the travel-to-work area of Shotton, Flint and Rhyl and *(c)* Wales have been out of work for one, two three and four years and more, respectively.

Mr. Nicholas Edwards: The age and duration analysis of unemployment has not yet moved to collection on the ward basis which underlies the new travel-to-work areas. The information requested is not therefore available for the Alyn and Deeside constituency or for the Shotton, Flint and Rhyl travel-to-work area.

Figures for Wales are as follows:

Length of time unemployed	*Wales*
One year and over but less than two	30,721
Two years and over but less than three	16,969
Three years and over but less than four	11,269
Four years and over	15,840

Cervical Cancer

Mr. Barry Jones asked the Secretary of State for Wales how many women have died from cervical cancer in Wales in each of the last five years; and how this compares to the United Kingdom average.

Mr. Wyn Roberts: The number of women who have died from cervical cancer (ICD 180) in Wales in each of the last five years for which figures are available is as follows:

	Numbers
1979	136
1980	125
1981	133
1982	118
1983	136

Allowing for differences in age distribution, the incidence of death from cervical cancer has been on average 11 per cent. higher in Wales than in the United Kingdom as a whole over this period.

EMPLOYMENT

Young Persons (Knowsley)

Mr. Kilroy-Silk asked the Secretary of State for Employment what is the percentage of young people in Knowsley, North who are employed.

Mr. Alan Clark: The latest available information comes from the 1981 census of population, which showed that 41·5 per cent. of young persons aged 16 to 19 years (inclusive) living in Knowsley, North were in employment.

Inverclyde

Dr. Godman asked the Secretary of State for Employment how many offences under the Health and Safety at Work etc. Act in Inverclyde were identified in the latest available year; and how many were prosecuted.

Mr. Peter Bottomley: The information is not available in the form requested. In 1984 Her Majesty's factory inspectors laid four informations in Inverclyde under the Health and Safety at Work etc. Act 1974 and its associated legislation. These resulted in three convictions.

Marine Trades Industry

Mr. Viggers asked the Secretary of State for Employment if he will give figures for the total numbers of people employed in the marine trades industry providing or manufacturing goods or services for the private yachtsman.

Mr. Alan Clark: The Department's employment estimates are analysed according to the 1980 Standard Industrial Classification, which does not separately distinguish activities associated with providing manufactured goods and services to private yachtsmen.

Political Levy

Mr. Bendall asked the Secretary of State for Employment whether he will make a statement on the effectiveness of the agreement reached with the trade unions with regard to advising members of their right to opt out of the political levy.

Mr. Peter Bottomley: In fulfilling the 1983 general election commitment, my right hon. Friend discussed with the TUC the steps which trade unions themselves could take to ensure that individual members are freely and effectively able to decide for themselves whether or not to pay the political levy. As an outcome of those discussions the TUC agreed a detailed "Statement of Guidance" dealing with union members' rights in relation to political funds and asked unions to review their existing procedures to ensure that this guidance was acted upon. The TUC also provided all unions with a model information sheet which the statement recommends each union member should receive. At that time it was made clear to the TUC, and to the House, that the Government's decision not to proceed in the 1984 Trade Union Bill with changes to the contracting out system would rest on the firm expectation that the TUC action would in practice be effective. If it was not, the Government reserved their right to legislate.

Trade unions are already under a clear statutory obligation on the occasion of any ballot in which their

members give approval for the expenditure of money on party political matters under the provisions of the Trade Union Act 1913 to notify union members of their right to contract out of the political levy and inform them that a standard exemption notice may be obtained from the union or the Certification Officer. This obligation applies to the ballots to review the continued operation of political funds which are to be held between now and 31 March 1986. We shall continue to look to the trade unions concerned to ensure that their statutory as well as their voluntary commitments are properly fulfilled.

Unfair Dismissal

Mr. Gordon Brown asked the Secretary of State for Employment if he will publish the study commissioned by his Department on the unfair dismissal provisions, and the employment consequences of any changes.

Mr. Peter Bottomley: Yes. Publication of the findings of the research undertaken by the University of Manchester institute of science and technology into the operation of recent individual employment legislation is planned for later this year. It will be published in the Department of Employment research paper series and a copy will be placed in the House of Commons Library.

Mr. Gordon Brown asked the Secretary of State for Employment how many applications there were to industrial tribunals for unfair dismissal due to trade union membership or trade union activities for the years 1982, 1983 and 1984; how many cases were actually heard in each year; and in how many of such cases the claimant was successful.

Mr. Peter Bottomley: The best information available for the years 1982 and 1983 is as follows. Figures for 1984 are not yet available.

	1982	*1983*
Number of applications	820	357
Number of applications withdrawn/settlement agreed	694	225
Applications heard by industrial tribunals	126	132
Number of successful applicants	21	21

Mr. Gordon Brown asked the Secretary of State for Employment how many applications there were to industrial tribunals for unfair dismissal due to non-membership of a trade union for the years 1982, 1983 and 1984; how many cases were actually heard in each year; and in how many of such cases the claimant was successful.

Mr. Peter Bottomley: The best information available for the years 1982 and 1983 is as follows. Figures for 1984 are not yet available.

	1982	*1983*
Number of applications	6	15
Number of applications withdrawn/settlement agreed	4	8
Applications heard by industrial tribunals	2	7
Number of successful applications	0	3

Mr. Gordon Brown asked the Secretary of State for Employment how many applications to the industrial tribunals for unfair dismissal had between one and two years' continuous service in 1982, 1983 and 1984.

Mr. Peter Bottomley: Total figures are not available. On the basis of a sample analysis of complaints of unfair dismissal for the calendar years 1982 and 1983, it is estimated that the following number of complaints were from applicants who had between one and two years' continuous service:

Year	*Number of complaints*
1982	7,870
1983	5,840

These figures should be treated with caution because of the margin of error inherent in any sample. Figures are not yet available for 1984.

HOME DEPARTMENT

Committees of Inquiry

Mr. Eggar asked the Secretary of State for the Home Department how many departmental committees of inquiry he and his predecessors have commissioned since 1955; what were the subjects the committees investigated and the dates they were established; who chaired them; and on which dates they reported.

Mr. Brittan: The information requested is set out in the table and relates to committees which have been established and have reported since 1955. It does not include either departmental working parties chaired by permanent officials or inquiries undertaken by one individual.

Committee	*Chairman*	*Date Appointed*	*Date Reported*
Committee on Children and Young Persons	Viscount Ingleby	3 October 1956	HMSO, 1960 (Cmnd. 1191)
Departmental Committee on Proceedings before Examining Justices	Lord Tucker	1 June 1957	HMSO, 1958 (Cmnd. 479)
Committee on Remuneration and Conditions of Service of certain grades in the Prison Services	Justice Wynn-Parry	8 October 1957	HMSO, 1958 (Cmnd. 544)
Committee of Inquiry into the Fishing Industry	Alexander Fleck	27 November 1957	HMSO, 1960 (Cmnd. 1266)
Inter-departmental Committee on the Business of the Criminal Courts	Justice Streatfield	17 June 1958	HMSO, 1961 (Cmnd. 1289)
Departmental Committee on Matrimonial Proceedings	Mr. Justice Davies	5 July 1958	HMSO, 1959 (Cmnd. 638)
Departmental Committee on Human Artificial Insemination	Earl of Feversham	3 September 1958	HMSO, 1960 (Cmnd. 1105)
Departmental Committee on the Probation Service	Sir Ronald Morison, QC	27 May 1959	HMSO, 1961 (Cmnd. 1650) 1962 (Cmnd. 1800)

Committee	Chairman	Date Appointed	Date Reported
Departmental Committee on a Levy on Betting on Horse Races	Mr. E. Peppiatt	9 November 1959	HMSO, 1960 (Cmnd. 1003)
Departmental Committee on Powers of Subpoena of Disciplinary Tribunals	Viscount Simonds	5 January 1960	HMSO, 1960 (Cmnd. 1033)
Inter-departmental Committee on Magistrates Courts in London	Judge Aarvold	28 July 1960	HMSO, 1962 (Cmnd. 1606)
Departmental Committee on the Law on Sunday Observance	The Rt. Hon. Lord Crathorne	11 July 1961	HMSO, 1964 (Cmnd. 2528)
Departmental Committee of Inquiry into Recruitment for the Veterinary Profession	Duke of Northumberland	29 October 1962	HMSO, 1964 (Cmnd. 2430)
Committee on Death Certification and Coroners	Mr. N. J. L. Brodrick, QC	17 March 1963	HMSO, 1971 (Cmnd. 4810)
Inquiry held by the Visiting Committee into Allegations of Ill-treatment of Prisoners at HMP Durham	Mr. T. R. Percy	29 March 1963	HMSO, 1963 (Cmnd. 2068)
Departmental Committee on Jury Service	The Rt. Hon. Lord Morris of Borth-y-Gest	23 May 1963	HMSO, 1965 (Cmnd. 2627)
Departmental Committee on Experiments on Animals	Sir Sydney Littlewood	24 May 1963	HMSO, 1965 (Cmnd. 2641)
Departmental Committee on Criminal Statistics	Mr. W. Perks	17 June 1963	HMSO, 1967 (Cmnd. 3448)
Departmental Committee on Licensing Planning	Mr. J. Ramsay Willis	15 April 1964	HMSO, 1965 (Cmnd. 2709)
Departmental Committee on Legal Aid in Criminal Proceedings	Justice Widgery	25 April 1964	HMSO, 1965 (Cmnd. 2934)
Committee on Statutory Maintenance Limits	Miss Jean Graham Hall	29 June 1966	HMSO, 1968 (Cmnd. 3587)
Departmental Committee on the Fire Service	Sir Ronald Holroyd	2 February 1967	HMSO, 1970 (Cmnd. 4371)
Departmental Committee on the London Taxicab Trade	The Hon. Maxwell Stamp	28 October 1967	HMSO, 1970 (Cmnd. 4483)
Departmental Committee on the Adoption of Children	Judge F. A. Stockdale	21 July 1969	HMSO, 1972 (Cmnd. 5107)
Enquiry into medical and toxicological aspects of CS	Sir William Houghton Sir Harold Harmsworth	30 August 1969	HMSO Part I 1969 (Cmnd. 4173)
Committee on Privacy	The Rt. Hon. Kenneth Younger	13 May 1970	HMSO, 1972 (Cmnd. 5012)
Departmental Committee on Liquor Licensing	The Rt. Hon. Lord Erroll of Hale	8 December 1970	HMSO, 1972 (Cmnd. 5154)
Inquiry into the work of the Fire Service	Sir Charles Cunningham	8 March 1971	HMSO, 1971 (Cmnd. 4807)
Departmental Committee on section 2 of the Official Secrets Act 1911	Lord Franks	20 April 1971	HMSO, 1972 (Cmnd. 5104)
Enquiry into allegations against the Security Forces of physical brutality in Northern Ireland, arising out of events on 9 August 1971	Sir Edward Compton	31 August 1971	HMSO, 1971 (Cmnd. 4823)
Committee on Mentally abnormal offenders	The Rt. Hon. Lord Butler	21 September 1972	HMSO, 1975 (Cmnd. 6244)
Committee on Broadcasting Coverage	Sir Stewart Crawford	May 1973	HMSO, 1974 (Cmnd. 5774)
Committee on the Future of Broadcasting	Lord Annan	10 April 1974	HMSO, 1977 (Cmnd. 6753; Cmnd. 6753-I)
Committee on Data Protection	Sir Norman Lindop	24 June 1976	HMSO, 1978 (Cmnd. 7341)
Committee on Obscenity and Film Censorship	Mr. Bernard Williams	13 July 1977	HMSO, 1979 (Cmnd. 7772)
Committee of Inquiry on the Police	Lord Edmund-Davies	August 1977 set up as a Review Body December 1977 Renamed Committee of Inquiry	HMSO, 1979 (Cmnd. 7283) (1) Negotiating Machinery and Pay HMSO, 1979 (Cmnd. 7633) (2) Structure and Role of the Police Staff Associations
Committee of Inquiry into the United Kingdom Prison services	Sir John Douglas May	17 November 1978	HMSO, 1979 (Cmnd. 7673)
Inquiry into Cable Expansion and Broadcasting Policy	Lord Hunt of Tamworth	6 April 1982	HMSO, 1982 (Cmnd. 8679)
Inquiry into Proposals to Amend the Shops Acts	Robin Auld, QC	11 August 1983	HMSO, 1984 (Cmnd. 9376)

Probation Centres

Mr. Harvey asked the Secretary of State for the Home Department on how many occasions premises for probation centres have been acquired without prior consultation with the local authority or local community.

Mr. Mellor: Consultation with the local authority or local community is a matter for area probation committees when acquiring premises. Information about this is not collected centrally.

Long-term Prison System

Mr. Kilroy-Silk asked the Secretary of State for the Home Department if he will now make a statement on progress in implementing the proposals contained in the report of the Central Review Committee on the long-term prison system.

Mr. Mellor: I refer the hon. Member to the reply I gave to his question on 15 March, at column 303.

BBC (Licence Revenue)

Mr. Allan Roberts asked the Secretary of State for the Home Department what percentage of licence revenue the British Broadcasting Corporation would lose if retirement pensioners were exempt from paying.

Mr. Giles Shaw: About 35 per cent.

Leicestershire County Council

Mr. Peter Bruinvels asked the Secretary of State for the Home Department how much money has been given to Leicestershire county council in each of the past five years under section 11 of the Local Government Act 1966 to help Commonwealth immigrants and their families; if

his Department monitors how the money has been spent; how often the eligibility of projects on which such moneys are spent is reviewed; and if he will make a statement.

Mr. Waddington: Grant under section 11 is paid to local authorities only in respect of staff employed to meet the special needs of Commonwealth immigrants. The sums paid to Leicestershire county council in the latest five year period for which information is available are as follows:

	£
1979-80	1,314,760
1980-81	1,539,790
1981-82	1,684,994
1982-83	1,901,199
1983-84	2,189,995

During this period grant was paid both in respect of identified posts and on the basis of the formula referred to in paragraph 21 of the Home Office evidence to the Home Affairs Committee (published as HC414-II, 20 July 1981). The formula arrangement came to an end on 31 March 1984. The eligibility for further grant of posts approved under the current administrative criteria (contained in Home Office circular No. 97/1982, a copy of which is in the Library) will be reviewed after three years. A review of posts approved under the frevious arrangements, to ensure that these posts meet the current criteria, is nearing completion.

Prisons (Education Facilities)

Mr. Freud asked the Secretary of State for the Home Department how many inmates of Her Majesty's prisons in England undertook Open University study during 1984; and how many of those inmates were moved during their course of study to a prison or unit where Open University study facilities were not available.

Mr. Mellor: One hundred and sixty-one inmates in prison department establishments in England and Wales undertook Open University study in 1984. The number who were moved to another establishment or unit during their course of study is not recorded centrally, and could be obtained only at disproportionate cost.

Mr. Freud asked the Secretary of State for the Home Department whether he will list the prisons in England which (a) can provide facilities for inmates to undertake Open University courses and (b) cannot provide such facilities: and if he will make a statement.

Mr. Mellor: The information in respect of adult prisons in England and Wales is as follows:

(a) Establishments currently designated for Open University study:

Acklington
Albany
Ashwell
Askham Grange
Blundeston
Bristol
Cookham Wood
Dartmoor
Durham
Featherstone
Ford
Frankland
Gartree
Gredon/Springhill
Holloway
Hull
Kingston/Portsmouth
Kirkham
Lewes
Layhill
Liverpool
Long Lartin
Maidstone
Nottingham
Parkhurst
Styal
Sudbury
Swansea
The Verne
Wakefield
Wormwood Scrubs

(b) Establishments not currently designated for Open University study:

Bedford
Birmingham
Brixton
Camp Hill
Canterbury
Cardiff
Channings Wood
Coldingley
Dorchester
Drake Hall
East Sutton Park
Exeter
Gloucester
Haverigg
Highpoint
Lancaster
Leeds
Leicester
Lincoln
Manchester
Northeye
Norwich
Oxford
Pentonville
Preston
Ranby
Reading
Rudgate
Shepton Mallet
Shrewsbury
Stafford
Stanford Hill
Wandsworth
Wayland
Winchester
Wymott

The list of establishments designated for Open University study is agreed with the university authorities and is kept under review. At the beginning of this calendar year six establishments — Acklington, Ashwell, Blundeston, Frankland, Grendon/Spring Hill and Kirkham —were included in the list for the first time. In addition to the adult establishments listed above, Open University study is available at Aylesbury youth custody centre.

Mr. Freud asked the Secretary of State for the Home Department whether he will list for each prison in England *(a)* the average potential number of attendances in the education unit and *(b)* the average actual number of attendances in the education unit for (i) 1984 and (ii) the first quarter of 1985.

Mr. Mellor: This information is not recorded in the form requested and could be obtained only at disproportionate cost. The total number of student hours in respect of day and evening classes in all prison department establishments in England and Wales for the academic year 1983-84 was 4,886,948.

Badger Baiting

Mr. Barry Jones asked the Secretary of State for the Home Department how many people have been *(a)* prosecuted and *(b)* convicted of badger baiting in (i) Wales and (ii) England in each of the last five years.

Mr. Mellor: Information collected centrally does not distinguish offences of badger baiting from other offences against the Protection of Animals Act 1911.

Stop and Search Powers

Mr. Peter Bruinvels asked the Secretary of State for the Home Department what representations he has received from the Association of Chief Police Officers regarding the provisions of the Police and Criminal Evidence Act 1984 on the power of police officers to conduct blanket searches at or in the immediate vicinity of sports stadiums; and if he will make a statement.

Mr. Giles Shaw [*pursuant to his reply*, 4 April 1985, c. 727]: My right hon. and learned Friend is considering representations from the Association of Chief Police Officers about whether the Police and Criminal Evidence Act 1984 might have any adverse effect on the ability of the police to conduct blanket searches at sports grounds. He intends to refer the association to the answer I gave to

a question from my hon. Friend on 2 April, at columns 570-71, since he believes that this answer, particularly its last paragraph, should reassure those who believe that the conduct of the police will be inhibited in this respect by the provisions of the 1984 Act.

AGRICULTURE, FISHERIES AND FOOD

Halvergate Levels (Drainage Payments)

10. **Mr. Dalyell** asked the Minister of Agriculture, Fisheries and Food how much has been paid to the three farmers who have received grants for field drainage in the Halvergate levels area.

Mrs. Fenner: As I told the hon. Member on 17 January in answer to his earlier question, we have paid grant totalling £21,500 for field drainage in the Halvergate levels.

Wheat (Intervention Stocks)

12. **Mr. John Carlisle** asked the Minister of Agriculture, Fisheries and Food what is the current level of intervention stocks of wheat held in British stores.

Mr. MacGregor: At 31 March there were 3 million tonnes of wheat in United Kingdom intervention stores.

Nutritional Food Labelling

13. **Mr. Meadowcroft** asked the Minister of Agriculture, Fisheries and Food what steps he is taking to assist the public to understand nutritional food labelling.

Mrs. Fenner: Draft guidelines on nutrition labelling have been circulated widely for public comment by 1 June. The result of a consumer survey of understanding of nutrition labelling of food should also be available to me by that date. I shall consider what may be necessary to assist the public in the light of this information.

32. **Mr. Jim Spicer** asked the Minister of Agriculture, Fisheries and Food when he expects consultations to be completed on the Government's proposals to implement recommendations of the Committee on the Medical Aspects of Nutritional and Food report.

Mrs. Fenner: We have asked for comments from interested parties on the proposals announced by my right hon. Friend on 12 March to be received by 1 June. In the meantime officials will be holding further discussions with representatives of those sectors where particular problems have been identified. We shall prepare proposals for regulations in the light of all the comments made and circulate them later this year for the statutory consultation.

Dairy Farmers

14. **Mr. Hardy** asked the Minister of Agriculture, Fisheries and Food what is the total number of dairy farmers in England; and what was the number five years ago.

Mr. MacGregor: On 31 December 1984 there were 33,009 milk producers in England, compared with 37,654 on 31 December 1979.

Less Favoured Areas

16. **Mr. McQuarrie** asked the Minister of Agriculture, Fisheries and Food if he will conduct an investigation into expanding the less favoured areas of the farming industry in the United Kingdom.

Mr. Jopling: The less favoured areas were extended last year following a survey of marginal land in the United Kingdom. I have invited representations from individual farmers who are unhappy about the exclusion of their land from the areas.

Beef Premium Scheme

18. **Sir John Farr** asked the Minister of Agriculture, Fisheries and Food if he will estimate by how many pence per pound the beef premium scheme is presently reducing prices in the shops.

Mr. MacGregor: The current maximum rate of beef variable premium is worth about 7.4 p/lb on a certified carcase. Many factors influence butchers' pricing policy, but we estimate that if retail prices of beef were to change to compensate for loss of the premium an average increase of 4 to 5 per cent. in retail beef prices would be required.

Agricultural Policy

21. **Mr. Freud** asked the Minister of Agriculture, Fisheries and Food when his Department proposes to publish an update of the Government's overall agricultural policy.

Mr. Jopling: I am still considering whether it would be appropriate to make a formal Government statement.

Thames Barrier

22. **Mr. Jessel** asked the Minister of Agriculture, Fisheries and Food if he will make a further statement on the use of the Thames barrier when flood conditions arise on different parts of the tidal Thames.

Mrs. Fenner: The operational procedures of the Thames barrier are designed to avoid danger from tidal surge to life and property in areas adjoining the tidal reaches of the Thames and, at the same time, create the minimum interference to navigation.

Cereals and Beef (Intervention Stores)

23. **Mr. Teddy Taylor** asked the Minister of Agriculture, Fisheries and Food what is the total tonnage of cereals and beef in intervention stores at the most recent date for which figures are available; and what was the comparable total five years ago.

Mr. MacGregor: At 31 March there were 4 million tonnes of cereals and 51,000 tonnes of beef in United Kingdom intervention stores. The corresponding quantities for 31 March 1980 were 400 tonnes of cereals and 15,000 tonnes of beef.

Cereals

24. **Mr. Marlow** asked the Minister of Agriculture, Fisheries and Food what is his latest estimate as to the likely upper and lower limits for the cost of disposal of cereal surpluses in the European Economic Community for the 1984-85 crop year.

Mr. MacGregor: Estimates of Community expenditure are made on a calendar year basis by the Commission. In 1984 actual expenditure on export refunds totalled 918 mecu. For 1985 the Commission is currently estimating export refund expenditure at 1,034 mecu.

29. **Mr. Spence** asked the Minister of Agriculture, Fisheries and Food what is the level of United Kingdom cereal exports for each of the past two years.

Mr. MacGregor: Exports of wheat and barley from the United Kingdom totalled 3·9 million tonnes in 1983 and 6·1 million tonnes in 1984.

Land Drainage, Flood Prevention and Coast Protection

25. **Mr. Ron Davies** asked the Minister of Agriculture, Fisheries and Food whether he has yet received any responses to his Green Paper, "Financing and Administration of Land Drainage, Flood Prevention and Coast Protection in England and Wales"; and if he will make a statement.

Mrs. Fenner: We have had no responses to date. The paper was published on 11 March, and in view of the complexity of many of the issues raised in the Paper we anticipate that it will be some time before we receive substantive comments. The six-month period allowed for consultations reflects this. In these circumstances, a statement would be premature.

35. **Sir Michael Shaw** asked the Minister of Agriculture, Fisheries and Food what plans Her Majesty's Government have to improve the funding and administration of land drainage, flood protection and coastal protection.

Mrs. Fenner: A Green Paper entitled "Financing and Administration of Land Drainage, Flood Prevention and Coast Protection in England and Wales" was published on 11 March 1985. We shall consider what changes should be made to the administration and financing of these activities in the light of public response to the Green Paper.

Sea Fish Industry Authority

26. **Dr. Godman** asked the Minister of Agriculture, Fisheries and Food if he is satisfied with the performance of the Sea Fish Industry Authority in the promotion and marketing of fish in the United Kingdom; and if he will make a statement.

Mr. MacGregor: The multi-million pound campaign now being carried out by the Sea Fish Industry Authority should produce significant improvements in the marketing and consumption of fish. I was glad that we were able to obtain the approval of the European Commission to over three quarters of the programme and hope soon to clear the remaining elements.

Grain Production

27. **Mr. Tom Cox** asked the Minister of Agriculture, Fisheries and Food what was the total amount of grain produced in the European Economic Community in 1984.

Mr. MacGregor: The Community cereals harvest in 1984 is estimated to be 151 million tonnes.

Milk Quota Levy

28. **Mr. Ashdown** asked the Minister of Agriculture, Fisheries and Food what contingency plans he has made to provide for the collection of milk quota levy.

Mr. MacGregor: All of the arrangements necessary for the collection of any supplementary levy that may become due are in place. Since, however, production within the United Kingdom was well within quota I do not expect that there will be any liability for levy in respect of 1984-85.

Wool Marketing Board

30. **Mr. Freeman** asked the Minister of Agriculture, Fisheries and Food whether he is satisfied with the operation of the Wool Marketing Board.

Mr. Jopling: As I made clear recently after a visit to the board, I am most impressed by the board's marketing achievements. It is clear that the board has made a major effort in recent years to upgrade the quality of home-produced wool, and the demand for it, and has been very successful in these objectives.

Hill Livestock Compensatory Allowances

31. **Mr. Soames** asked the Minister of Agriculture, Fisheries and Food what will be the future basis of hill livestock compensatory allowances in the light of the recent agreement on a new European Community farm structures package.

Mr. Jopling: Hill livestock compensatory allowances remain an optional measure under the new structures regulation agreed by the Council of Ministers. Current rates and conditions will be reviewed in the autumn in the usual way.

Dutch Horticulture Industry

33. **Mr. John David Taylor** asked the Minister of Agriculture, Fisheries and Food what is the current position on moves by the European Commission to stop the Dutch subsidy on gas prices for its horticulture industry.

Mrs. Fenner: The European Commission has informed the Dutch Government that the preferential gas price to Dutch horticulturists is an incompatible state aid and must be removed. The Dutch Government are contesting this decision and have asked the European Court to consider the matter.

Animal Welfare

34. **Mr. Jackson** asked the Minister of Agriculture, Fisheries and Food what plans he has to implement new proposals from the Farm Animal Welfare Council to tighten up existing codes.

Mrs. Fenner: The Farm Animal Welfare Council is consulting interests about possible recommendations for new regulations based on the welfare codes. The council has not, however, submitted recommedations to Ministers. When it does, the Government will of course consider them carefully and consult interests. Any new regulations then proposed would be laid before Parliament for debate.

Sir Peter Mills asked the Minister of Agriculture, Fisheries and Food if he will, as a matter of urgency, introduce new measures to safeguard the transportation of live animals when they are exported.

Mrs. Fenner: There is no need for such measures. There is already extensive legislation to protect the welfare of animals for export, which implements requirements laid down in Community directives.

Mr. Greenway asked the Minister of Agriculture, Fisheries and Food if he will make a statement on the transport of horses and ponies to and from markets.

Mrs. Fenner: The welfare of horses and ponies in transit is protected by existing legislation, which is enforced by local authorities.

Food From Britain

36. **Mr. Walden** asked the Minister of Agriculture, Fisheries and Food what is the likely level and source of future funding on Food From Britain.

Mr. MacGregor: The Government are providing about £14 million towards expenditure on food marketing by Food From Britain over the five years 1983-84 to 1987-88. We have made it clear that the future of Food From Britain will depend on the level of financial support it receives from the industry. It is important that industry's commitment to that support should be made soon so that FFB can plan ahead with confidence.

Almonds and Hazelnuts

37. **Mr. Shersby** asked the Minister of Agriculture, Fisheries and Food how the accession of Spain and Portugal into the European Economic Community will affect the supply of almonds and hazelnuts to United Kingdom food manufacturers.

Mrs. Fenner: United Kingdom food manufacturers will benefit from the reduction in tariffs on almonds and hazelnuts imported from Spain and Portugal. This will be progressively implemented during the transitional period following accession.

Pâté de Foie Gras

Mr. Kilroy-Silk asked the Minister of Agriculture, Fisheries and Food which countries are suppliers of pâté de foie gras to the United Kingdom; and how much was imported in the last year for which figures are available.

Mr. MacGregor: Imports of pâté de foie gras are not separately distinguished in the customs tariff.

In 1983 the United Kingdom imported 66 tonnes of prepared or preserved goose and duck liver products, of which 57 tonnes were supplied by France and nine tonnes by Belgium/Luxembourg.

Fishing Boats

Mr. Viggers asked the Minister of Agriculture, Fisheries and Food if he will give his best estimate of the number of fishing boats *(a)* 12 m and below in length and *(b)* above 12 m in length.

Mr. MacGregor: The precise information requested is not readily available, but the number of United Kingdom fishing boats above and below 12·2 m (40 ft) at the beginning of 1984 were:

	Number
Below 12·2 m	4,765
12·2 m and above	2,205

North Sea (White Fish Stocks)

Mr. Wallace asked the Minister of Agriculture, Fisheries and Food whether he has considered the evidence obtained by the fishing vessel mv Aquila regarding the effect of the increased pout by-catch on white fish stocks in the North sea.

Mr. MacGregor: I am considering carefully the information provided by the Scottish Fishermen's Federation concerning the catches taken during the experimental voyage of the Aquila together with the information obtained from monitoring the commercial fishery for Norway pout. My right hon. and noble Friend the Minister of State, Scottish Office and I propose to meet the industry shortly to discuss these findings.

Surplus Food Stocks

Mr. Canavan asked the Minister of Agriculture, Fisheries and Food what is the current volume and value of surplus food stocks *(a)* in the United Kingdom and *(b)* in the European Economic Community as a result of the common agricultural policy.

Mr. MacGregor: On 31 March intervention stocks of beef, breadwheat, butter and skimmed milk powder in the United Kingdom were 305,446 tonnes, valued at some £443 million using the buying-in prices valid on that date. The volume of Community stocks of these products and sugar at the latest available dates was 8,516,000 tonnes, but these are valued only once a year, on 30 November.

Lincoln Flood Alleviation Scheme

Mr. Kenneth Carlisle asked the Minister of Agriculture, Fisheries and Food whether he has received his inspector's report on the public inquiry into the Lincoln flood alleviation scheme; and whether he will now agree to grant-aid the flood relief scheme as proposed by the Anglian water authority.

Mr. Jopling: I have now received my inspector's report following the public inquiry into the proposed flood alleviation scheme for Lincoln. On the basis of the report, a copy of which I am placing in the Library of the House,

I have decided to approve the scheme put forward by the Anglian water authority for grant-aid under the Land Drainage Act 1976 and to confirm the compulsory purchase order sought by the authority.

This scheme, which will cost over £9 million, will provide a substantially higher level of protection against flooding in the city of Lincoln. The provision of controlled wash lands upstream, rather than increasing the carrying capacity of the channels through the city itself, represents a more cost-effective solution which also avoids works which would be environmentally damaging.

NATIONAL FINANCE

Tax Relief

Mr. Maples asked the Chancellor of the Exchequer what is his latest estimate of the expected cost in terms of revenue forgone in the 1984-85 tax year from *(a)* mortgage interest relief and *(b)*relief on employees and self-employed pension contributions arising from relief allowed at higher rates of tax.

Mr. Moore: The direct revenue cost of income tax relief at rates in excess of the basic rate in 1984-85 is estimated to be about £200 million for mortgage interest relief and about £200 million for relief on employees' and self employed pension contributions. The direct revenue costs of these reliefs taken in combination are estimated at about £425 million.

Value Added Tax (Keith Report)

Mr. Kirkwood asked the Chancellor of the Exchequer what recent representations he has received about the proposals of the Keith report for changes in the value added tax collection arrangements.

Mr. Hayhoe: A total of 139 since the publication of the consultative document "The Collection of Value Added Tax" in November 1984.

PAYE (Inquiry Offices)

Mr. Penhaligon asked the Chancellor of the Exchequer if he will indicate how many pay-as-you-earn inquiry offices are maintained *(a)* within the Greater London council area and *(b)* in Cornwall; and if he will make a statement.

Mr. Moore: There are 35 specially designated pay-as-you-earn inquiry offices in the Greater London council area and none in Cornwall. In addition, inquiry points exist at all other tax district offices of which there are 130 in London and five in Cornwall.

The specially designated inquiry offices were set up to provide a continuing service to the public following the transfer of the files of most London pay-as-you-earn taxpayers to the provinces. In most parts of the country, including Cornwall, the majority of employers and their employees continue to be dealt with by the local tax district, so that there is not the same need for official PAYE inquiry offices.

National Heritage Memorial Fund

Mr. Faulds asked the Chancellor of the Exchequer whether he will provide that in future an appropriate symbol shall be attached in the Supply Estimates to Vote C1 in Class V, 10, and to Vote B4 in Class VIII, 4, to indicate specifically that any unexpended balances of grants in aid made to the national heritage memorial fund will not be liable to surrender to the Consolidated Fund; and if he will make a statement.

Mr. Peter Rees: Regrettably the appropriate symbol was omitted in error from the Supply Estimates.

The accounts of expenditure from grants in aid to the national heritage memorial fund are audited by the Comptroller and Auditor General. Any sums in the fund which are not immediately required for any purpose may be invested by the trustees in accordance with section 6 of the National Heritage Act 1980 and are not liable, therefore, for surrender to the Consolidated Fund.

Trustee Savings Banks

Lord James Douglas-Hamilton asked the Chancellor of the Exchequer what are his responsibilities and those of Her Majesty's Government in relation to the trustee savings banks.

Mr. Ian Stewart: Under the Trustee Savings Banks Act 1981, which consolidated earlier legislation, the Treasury, the National Debt Commissioners and the Chief Registrar of Friendly Societies have wide powers over trustee savings banks. The Treasury's powers extend in particular to the determination of the assets in which trustee savings banks may invest, to the approval of the appointment of the chief officer of the Trustee Savings Banks Central Board, and to a number of matters in relation to the fund for the banks for savings. The relationship between the Government and the trustee savings banks is described in the White Paper entitled "Trustee Savings Banks" (Cmnd. 9415) published in December 1984.

Income Tax

Mr. Greenway asked the Chancellor of the Exchequer what is the rate of change in yield from income tax of a 1p change in the standard rate of income tax in the current financial year; and if he will make a statement.

Mr. Moore: About £1,150 million in a full year, at 1985-86 levels of income.

Occupational Pension Trusts

Sir Brandon Rhys Williams asked the Chancellor of the Exchequer (1) what estimate he has made of the yield of tax that would be obtained if the funds held by occupational trusts as reserves and not allocated as the entitlement of individual beneficiaries were taxed at the same rate as the income drawn by companies from assets in the ownership of the company;

(2) what is his estimate of the total value of the funds invested in the occupational pension trusts approved for tax purposes for beneficiaries in private sector employment; and what is the proportion which can be identified as having been allocated to particular beneficiaries.

Mr. Moore [*pursuant to his replies,* 18 March 1985, c. *396*]: I regret the delay in replying. Total net assets of superannuation funds established by private sector employers were about £62·5 billion at the end of 1983. As stated in my written reply of 19 March 1985 at column

463, this excludes assets of long-term insurance funds relating to occupational pensions. The amounts allocated to particular beneficiaries are not known. In referring to sums not so allocated, my hon. Friend may have in mind any funds temporarily held in a pension fund over and above the sum currently estimated to be needed, on an actuarial valuation, to honour the scheme's obligations to its members. I regret that there is not sufficient information to enable such funds to be identified or to make an estimate of the likely yield from taxing them.

Company Taxation

Sir Brandon Rhys Williams asked the Chancellor of the Exchequer what is the current rate of tax payable by companies in respect of income derived from assets in the ownership of the company; and what is the rate of tax payable when such assets are transferred to the pension fund of the company.

Mr. Moore [*pursuant to his reply*, 18 March 1985, c. *392*]: I regret the delay in replying. The rate of tax payable by companies in respect of income derived from assets in the ownership of the company depends on the tax status of the company concerned. A company may make contributions to its pension fund but cannot directly transfer assets. If the contributions are used to purchase assets from the company then the latter may face a capital gains tax liability in respect of the sale of the assets. Investment income and capital gains of pension funds are exempt from tax.

EDUCATION AND SCIENCE

"Better Schools"

Mr. Freud asked the Secretary of State for Education and Science when he will be able to update the information in "Better Schools" on class size, contact ratios and the distribution of class sizes to provide data for 1985.

Mr. Dunn: In the autumn of 1985.

Steiner Schools

Mr. Alfred Morris asked the Secretary of State for Education and Science if it is his intention to exercise his powers under section 19*(c)* of the Education Act 1981 to make special provision for recognition of *(a)* teachers and *(b)* teacher training within Steiner schools; and if he will make a statement.

Mr. Dunn [*pursuant to his reply*, 20 March 1985, c. *493*]: My right hon. Friend has been considering the advice of the Advisory Committee on the Supply and Education of Teachers, contained in its report on teacher training and special educational needs, which included recommendations about Steiner-trained teachers and Steiner schools. While he recognises the excellent work done by many Steiner schools in teaching and caring for those with special educational needs, and would not wish to undervalue it in any way, he has decided that Steiner training should not be admissible for qualified teacher status, and that Steiner schools should not be exempt from the general conditions (including those regarding an adequate number of qualified teachers) governing the approval of independent schools which take local education authority placements of children with statements of special educational needs. Qualified teacher status entitles the holder to teach in any school within the maintained system; it is the view of my right hon. Friend that the training received by teachers under the Steiner system (including that of the Camphill schools) is not such as to prepare them for teaching in maintained schools, and he is not prepared to grant a limited form of qualified teacher status which applies only to Steiner schools.

My right hon. Friend acknowledges the valuable contribution which the Steiner schools have made and continue to make to the care of severely handicapped pupils, many of whom have gross learning and emotional difficulties; he hopes that these schools will flourish and that local education authorities will continue to use them when appropriate. I can assure the right hon. Member that local education authorities will still be able to place pupils with statements of special educational needs at these schools if they wish, subject to my right hon. Friend's consent, and that he will be ready to give that consent in all cases where the placements are suitable.

SCOTLAND

Regions (Social and Economic Review)

Mr. Craigen asked the Secretary of State for Scotland, since his letter of 30 October 1984 to the hon. Member for Glasgow, Maryhill, what further consideration his Department has given to the conclusion in the report on the social and economic situation in the regions of the European Community (second periodic review), ranking Strathclyde and Dumfries and Galloway as ninth in the Commission's group one priority.

Mr. Allan Stewart: As was explained in the correspondence referred to, the second periodic report is an analysis of regional problems in the Community and does not itself form a basis for re-assessment of the Community's current priorities. The needs of Strathclyde region will continue to be given the fullest consideration in relation to Community assistance.

Adult Education

Mr. Bruce asked the Secretary of State for Scotland whether he has any plans to introduce an initiative similar to REPLAN operating in England and Wales and Northern Ireland to provide educational opportunities for adults for Scotland.

Mr. Allan Stewart: There are no plans to introduce a similar initiative in Scotland because alternative means of securing the development of educational provision for unemployed adults are available through the education authorities, the Scottish Community Education Council and a range of voluntary organisations grant-aided by the Scottish Education Department.

Cormorants

Mr. Kilroy-Silk asked the Secretary of State for Scotland if he will list all those locations for which licences to kill cormorants were issued in 1984 and 1985, respectively; and if he will indicate the number of birds killed at each location.

Mr. John MacKay: The locations for which licences were issued to kill cormorants for the prevention of serious damage to fisheries in 1984 and 1985 to date are as follows:

Loch or River System	*Number of licences*		*Numbers Killed*	
	1984	*1985*	*1984*	*1985*
Loch Maree	1	Nil	5	Nil
Loch Leven	1	Nil	107	Nil
Lochailort	1	2	1	Nil
Doon	1	1	22	1
Laggan & Duich	1	1	18	3
Spean	1	Nil	3	Nil
Brora	1	1	14	Nil
South Esk	3	3	4	Nil
Spey & Findhorn	1	Nil	1	Nil
Nairn	1	1	22	Nil
Annan	1	2	Nil	Nil
Awe	1	1	Nil	Nil
Conon	1	Nil	6	Nil
Tay	6	6	272	145
Tweed	2	2	85	3
Ythan	1	Nil	314	Nil
Shin	1	Nil	12	Nil
Total	25	20	886	152

Wild Birds (Licences)

Mr. Kilroy-Silk asked the Secretary of State for Scotland what are the guidelines used by his staff in considering applications for the issue of licences under section 16 of the Wildlife and Countryside Act 1981.

Mr. John MacKay: In considering applications for licences issued for the prevention of serious damage to fisheries in river systems account is taken not only of the advice received from the Nature Conservancy Council but also the information given by applicants as regards the kind and extent of damage occurring or thought likely to occur, the history of licences issued in previous years and whether there are reasonable and practical alternatives to the issue of a licence.

Mr. Kilroy-Silk asked the Secretary of State for Scotland what is the general advice given by the Nature Conservancy Council that his Department abides by when considering applications for licences under section 16 of the Wildlife and Countryside Act 1981.

Mr. John MacKay: The advice received from the council relates normally to individual species of birds and animals, and is generally to the effect that shooting should be limited to the minimum level necessary to achieve the purposes for which the various licences under section 16 of the Act may be granted.

Mr. Kilroy-Silk asked the Secretary of State for Scotland which sites were visited before licences were issued to kill cormorants in 1983, 1984 and so far in the current year, respectively.

Mr. John MacKay: No sites were visited. As I indicated in my reply of 4 April at column *735* it is felt impracticable to visit stretches of river systems for which the local fishery interests have applied for licences.

Oyster Industry

Mr. Viggers asked the Secretary of State for Scotland if he will make a statement about the condition of the oyster industry in Scotland.

Mr. John MacKay: My right hon. Friend is pleased with the expansion of the developing oyster industry in Scotland where a number of growers have achieved production on a commercial scale.

Job Creation (Greenock)

Dr. Godman asked the Secretary of State for Scotland what level of funding is devoted by the Manpower Services Commission to the Greenock travel-to-work area.

Mr. Allan Stewart: I shall reply to the hon. Member as soon as possible.

Youth Training

Mr. Norman Hogg asked the Secretary of State for Scotland how many young people leaving the youth training programme in Cumbernauld and Kilsyth proceeded to full-time employment..

Mr. Allan Stewart: I regret the information is not available in the form requested. However, the most recent results of the Manpower Services Commission's regular monthly survey of a 15 per cent. sample of young people who leave the youth training scheme in Great Britain show that over 60 per cent. went into full-time employment and around two thirds went into work or other full-time education or training.

Forth and Tay Bridges (Tolls)

Mr. Gordon Brown asked the Secretary of State for Scotland if he will make a statement on his policy towards the abolition of tolls on the Forth and Tay bridges.

Mr. Ancram: The Government have no plans to abolish tolls on the Forth and Tay bridges. These crossings were provided on the understanding that the capital debt would be serviced and ultimately repaid and the maintenance costs met by users through tolls, rather than by the generality of tax and ratepayers. This has been the policy of successive Governments and we see no reason for departing from it.

Edinburgh

Lord James Douglas-Hamilton asked the Secretary of State for Scotland whether he will make it his policy to use all measures available to Her Majesty's Government to maintain Edinburgh as a distinct and viable financial centre with a full range of specialised banking activities.

Mr. Allan Stewart: My right hon. Friend fully recognises the importance of Edinburgh as a financial centre. He considers that the Government's economic policies provide the climate in which Scottish financial institutions will continue to thrive.

Benefits

Mr. Norman Hogg asked the Secretary of State for Scotland how many persons received unemployment benefit in Cumbernauld and Kilsyth in each year from 1979 to 1984.

Mr. Allan Stewart: Information on unemployed claimants by parliamentary constituency only became available in June 1983. The annual average of unemployed claimants in 1984 in the Cumbernauld and Kilsyth

constituency was 4,397. Information on unemployed persons in the jobcentre areas which approximate to the constituency is available from 1979 onwards in the House of Commons Library.

Woodlands

Mr. Ron Davies asked the Secretary of State for Scotland if he will name, by county, those deciduous woodlands which have been *(a)* clearfelled and replanted with conifers and *(b)* clearfelled for agriculture under the terms of a Forestry Commission licence since January 1984.

Mr. John MacKay: I shall reply to the hon. Member as soon as possible.

Pesticides

Mr. Ron Davies asked the Secretary of State for Scotland (1) what plans the Foresty Commission has for aerial spraying of pesticides as part of forestry operations in the current year;

(2) whether the Forestry Commission or any other statutory authority undertakes any monitoring of, or grant approval for, the aerial spraying of pesticides on forest land in the private sector.

Mr. John MacKay: I shall reply to the hon. Member as soon as possible.

Mr. Ron Davies asked the Secretary of State for Scotland whether landholders adjacent to those areas of forest owned by the Forestry Commission which are subject to aerial pesticide spraying have the opportunity to view or receive a copy of the map which results from the print-out of the track flown by the spraying contractor.

Mr. John MacKay: Neighbouring landowners are notified in advance of spraying. Subsequent track point-outs may be inspected by them on request.

Hospital Waiting Lists

Mr. McQuarrie asked the Secretary of State for Scotland how many persons within the Grampian health board area are on waiting lists for treatment for hip conditions in National Health Service hospitals; and what is the average period such persons are required to wait before the treatment is performed.

Mr. John MacKay [*pursuant to his reply*, 25 March 1985, c. *80*]: Four hundred and thirty eight persons within the Grampian health board area are currently on waiting lists for hip replacements. At 31 December 1982 the latest date for which information is available, the mean waiting time for this treatment was 145 days.

Mr. McQuarrie asked the Secretary of State for Scotland how many persons are on hospital waiting lists in Scotland in respect of treatment for hip conditions; and what is the average period of time such persons are required to wait before treatment is given.

Mr. John MacKay [*pursuant to his reply*, 25 March 1985, c. *80*]: The most recent complete statistics on waiting lists for hip treatments and the mean waiting time relate to 31 December 1982. They are:

Total hip replacement waiting list	1,652 cases
Mean waiting time	221 days

Mr. McQuarrie asked the Secretary of State for Scotland how many people in the Banff and Buchan constituency have been on waiting lists for treatment for eye defects for less than three months.

Mr. John MacKay [*pursuant to his reply*, 25 March 1985, c. *80*]: Thirty one people in the Banff and Buchan district have been on the ophthalmology waiting list for less than three months.

Mr. McQuarrie asked the Secretary of State for Scotland how many persons in the Banff and Buchan constituency are on waiting lists for treatment for hip conditions in National Health Service hospitals in Aberdeen; and what is the average period of time such persons have to wait before treatment is performed.

Mr. John MacKay [*pursuant to his reply*, 25 March 1985, c. *79*]: One hundred and fifty seven persons in the Banff and Buchan district are currently on waiting lists for hip replacements; approximately one third will be treated in Aberdeen. The mean waiting time for patients from Banff and Buchan treated in Aberdeen in 1984 was 322 days.

Art Galleries (Maintenance Costs)

Mr. Wilson asked the Secretary of State for Scotland if he will list the respective costs of maintenance of the buildings occupied by the National Gallery of Scotland, the Scottish National Gallery of Modern Art, the Scottish National Portrait Gallery and the Royal Scottish Academy.

Mr. Allan Stewart [*pursuant to his reply*, 2 April 1985, c. *545*]: Expenditure on stone work, roof repairs, internal repairs, paint work and keeping the buildings secure from the elements for 1983-84 (the most recent year for which figures are available) is as follows. Running expenditure (heating, lighting, cleaning, etc.) is not included:

	£
National Gallery of Scotland	133,300
Gallery of Modern Art*	5,200
Scottish National Portrait Gallery†	87,300
Royal Scottish Academy	62,100

* This figure is for maintenance of Inverleith House, the home of the Gallery of Modern Art till August 1984.

† This building houses the Portrait Gallery and the National Museum of Antiquities of Scotland.

DEFENCE

RAF Trainer Aircraft

Sir Patrick Wall asked the Secretary of State for Defence when the last bids were received from Shorts Bros. and British Aerospace, respectively, for the Royal Air Force replacement aircraft.

Mr. Butler: The last bids for the Royal Air Force replacement trainer were received from Shorts on 14 March 1985 and from British Aerospace on 19 March 1985.

Sir Patrick Wall asked the Secretary of State for Defence if a report will be made to the two companies concerned about the process of bidding for the Royal Air Force replacement training aircraft according to the original understanding with them.

Mr. Butler: The Ministry is prepared to provide a debriefing, on request, to any of the tenderers for the replacement basic trainer for the Royal Air Force. I myself have had a meeting with the chairman and managing director of British Aerospace.

Royal Fleet Auxiliary Service

Mr. Adley asked the Secretary of State for Defence whether he envisages the ships of the Royal Fleet Auxiliary Service continuing to be registered as British merchant ships.

Mr. Stanley: Over a considerable period, the evolving pattern of the Royal Navy's operations and commitments has increasingly tended to distinguish RFA vessels from commercial shipping. It would seem right to reflect this in the status of RFA ships. My Department has therefore issued a consultative document today, proposing that RFA vessels should cease to be registered as British merchant ships for the purpose of the Merchant Shipping Acts, but instead should operate as Government-owned vessels on non-commercial service. This proposed change in the status of the ships would not involve any change in the present conditions of service of RFA personnel. The ships would no longer be issued with international safety convention certificates but the Ministry of Defence would accept responsibility for their safety following surveys carried out on its behalf by the Department of Transport and by Lloyds Register of Shipping as at present.

There will now be consultation on the proposal with the trade unions involved and with official bodies in the shipping industry. Copies of the consultative document, entitled "Royal Fleet Auxiliary Service—De-registration of Ships", have been placed in the Library of both Houses.

FOREIGN AND COMMONWEALTH AFFAIRS

Warsaw Pact Countries (Ministerial Visit)

Mr. Greenway asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his recent meeting with Cardinal Glemp and other Polish leaders.

Mr. Rifkind: My right hon. and learned Friend saw Cardinal Glemp on 13 April, taking further the private talk they had during his recent visit here. They discussed the situation of the Church in Poland. In his talks with the Polish Government my right hon. and learned Friend stressed the importance we attach to arms control and the Geneva negotiations, our concern for human rights and reconciliation in Poland and our wish to improve bilateral relations.

Mr. Wareing asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his recent visit to the Eastern European countries.

Mr. Rifkind: I refer the hon. Member to the answer my right hon. and learned Friend gave to the hon. Member for Liverpool, Riverside (Mr. Parry) on 16 April, at column 131-32.

Syrian Nationals

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs (1) whether the Syrian chargé d'affaires has yet provided any satisfactory clarification of the specific points put to him at the Foreign and Commonwealth Office on 5 February regarding the deportation of four Syrian nationals on 29 January; and by what date such a response was required to be given;

(2) whether the issue of why Mr. Marwan Lostan, described in his passport as an engineer, was also in possession of a Syrian diplomatic passport at the time of his arrest on 20 January, although not accredited to the Syrian embassy in London, was one of the specific points on which he has sought clarification from the Syrian chargé d'affaires; and if he has yet received clarification on these specific points.

Mr. Luce: We received some further clarifications from the Syrian authorities on 5 March.

Arms Control

Mr. Wareing asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress so far in the arms reduction talks currently taking place in Geneva.

Mr. Luce: The first round of United States—Soviet talks in Geneva on nuclear and outer space arms has borne out predictions that these talks would be long and hard. Discussions have so far concentrated on procedural matters, relating to the work of the three negotiating subgroups, and on the presentation of views by each side. Our American allies continue to keep us closely informed of detailed developments which must, of course, remain confidential.

Albania

Mr. Wareing asked the Secretary of State for Foreign and Commonwealth Affairs what plans he has to make contact with the new Government of Albania; and if he will make a statement.

Mr. Rifkind: In 1980 we formally notified the Albanian Government that we were ready to re-establish diplomatic relations without preconditions. Regrettably, the Albanians have not accepted this offer which, as we have made clear, remains open. There has so far been no indication from the new Albanian leadership of any change in the Albanian position.

Mr. Wareing asked the Secretary of State for Foreign and Commonwealth Affairs if he is now considering returning to Albania the gold currently held in the United Kingdom which was looted by the Nazis during the second world war; and if he will make a statement.

Mr. Rifkind: The Albanian Government have laid claim to gold which is the responsibility of the Tripartite Commission for the Restitution of Monetary Gold, on which the Governments of the United States and France are equal partners with Her Majesty's Government. There are several claims against Albania or on the gold itself. We cannot therefore act unilaterally in this matter.

Anglo-Irish Encounter Group

Rev. Martin Smyth asked the Secretary of State for Foreign and Commonwealth Affairs what information he has as to what has been the contribution of the Government of the Republic of Ireland towards the Anglo-Irish Encounter Group in the years 1983-84 and 1984-85; and what provision has been made by them for 1985-86.

Mr. Rifkind: It would not be appropriate for us to comment on the disbursement of funds by the Government of the Republic of Ireland.

TRADE AND INDUSTRY

Poisonous Soap

Mr. John Fraser asked the Secretary of State for Trade and Industry what reports he has received from the consumer protection department of Lambeth borough council about the manufacture and distribution of poisonous soap; and whether he intends to take any action under the Consumer Safety Act to prevent the manufacture and distribution of such soaps.

Mr. Fletcher: The trading standard officers of several London boroughs, including Lambeth, have reported instances of soaps containing mercury. Under the Cosmetic Products Regulations 1978 mercury, with minor exceptions, is prohibited as an ingredient in soaps for sale in the United Kingdom. Steps have now been taken by the local authorities concerned to remove the soaps and to prevent further supplies being made.

Marine Coatings and Anti-fouling Paints

Mr. Viggers asked the Secretary of State for Trade and Industry if he will make a statement on the contribution to the British economy by the manufacturers of marine coatings and anti-fouling paints.

Mr. Trippier: Production of marine paints by companies in the United Kingdom replying to the Government's "Business Monitor" inquiries is as follows.

Value of sales in the year to 30 September 1984

	£ million
Ships bottom compositions	20·6
Other marine paints	16·6

I understand that well over half of this is exported, though detailed figures are not available.

Mr. J. Rickford (Correspondence)

Mr. Beith asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* the letter sent by Mr. J. Rickford of his Department to the United States Securities and Exchange Commission about compensation in the event of nationalisation.

Mr. Norman Lamont: I am placing a copy of the letter in the Library.

Mr. Beith asked the Secretary of State for Trade and Industry whether the letter written by Mr. J. Rickford of the Department of Trade and Industry to the United States Securities and Exchange Commission represents the Government's policy in relation to fair compensation for United Kingdom citizens whose assets have been nationalised.

Mr. Norman Lamont: Mr. Rickford's letter is a statement of the legal protection available for purchasers of BT shares. It is not a statement of policy. The Government's policy on compensation to former owners of aircraft and shipbuilding assets nationalised under The Aircraft and Shipbuilding Industries Act 1977 remains as stated by my right hon. Friend the then Secretary of State for Industry on 7 August 1980.

Investment

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for the periods 1963 to 1970, 1972 to 1978 and 1979 to 1983 the average annual value of inward and outward investment in manufacturing in terms of 1980 values, for the EEC and for the world as a whole.

Mr. Trippier: The information available is only at current prices and is:

Average annual United Kingdom direct investment in manufacturing industries

£ million

	Inward		*Outward*	
	*EC	World	*EC	World
1963-1970	18·1	173·6	37·4	187·7
1972-1978	60·4	555·8	225·6	931·3
1979-1982†	5·0	733·6	192·0	1,655·0

* Includes Denmark, Irish Republic and Greece.
† 1983 information is not available.
Source: Overseas Transactions Inquiry.

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for the periods 1963 to 1970, 1972 to 1978 and 1979 to 1983 the average of the annual value in terms of 1980 values of inward and outward investment, excluding oil, for the EEC and for the world as a whole.

Mr. Trippier: The information available is only at current prices:

Average annual United Kingdom direct investment (excluding oil)

£ million

	*Inward**		*Outward*	
	EC†	World	EC†	World
1963-70	28·6	230·5	65·6	358·6
1972-78	152·0	856·7	395·2	1,691·9
1979-82‡	90·6	1,583·7	306·4	3,503·6

* Insurance is included only from 1969.
† Includes Denmark, Irish Republic and Greece.
‡ 1983 information is not available.
Source: Overseas Transactions Inquiry.

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for *(a)* the world and *(b)* the EEC the value of inward and outward direct investment, excluding oil, at 1980 prices or values.

Mr. Trippier: Direct investment consists of transactions in financial assets for which no suitable price indices are available. Inward and outward direct investment, excluding oil, at current prices are given in tables 3.1 and 4.1 of "Business Monitor MA4".

Unipart

Mr. John Mark Taylor asked the Secretary of State for Trade and Industry (1) what plans he now has to privatise Unipart;

(2) what proportion of the custom of Unipart is with companies other than Austin Rover;

(3) if, in considering whether to privatise Unipart, he has taken account of the in-house parts operations of Austin Rover's main competitors;

(4) what account he has taken, in his consideration of the possibility of privatising Unipart, of the effect of such privatisation on the financial position of Austin Rover.

Mr. Butcher: It is the shared objective of the BL Board and the Government to return the company and its constituent businesses, either together or separately, to the private sector as soon as is practical. Announcements as to how this will be achieved for particular businesses will be made in due course. In considering any proposals relating to the privatisation of Unipart the Government will naturaly take account of the issues identified by my hon. Friend.

Multi-fibre Arrangement

Mr. Wainwright asked the Secretary of State for Trade and Industry whether he seeks to include China in European Economic Community consideration of a new multi-fibre arrangement.

Mr. Channon: Yes. China is a signatory of the multi-fibre arrangement. In considering the future of the MFA we shall of course bear in mind the fact that China is a state trading country and is not a member of the GATT.

Television Licences

Mr. Tim Smith asked the Secretary of State for Trade and Industry if he will make a statement on the policy of his Department in relation to the issue of licences to persons wishing to establish new master antenna television systems.

Mr. Butcher: We are considering our policy towards the licensing of new master antenna television systems and discussing its implications with those most directly concerned. We will make known our conclusions shortly.

HOUSE OF COMMONS

Members' Incomes

Mr. Winnick asked the Lord Privy Seal if he will bring forward proposals to require right hon. and hon. Members to make an annual declaration of their gross annual income and the sources from which it is derived.

Mr. Biffen: Any proposal to extend the present scope of the Register of Members Interests would, in the first instance, be a matter for consideration by the Select Committee on that subject.

THE ARTS

Arts Council (Opera Expenditure)

Mr. Arnold asked the Parliamentary Under-Secretary of State answering in respect of the Arts if, pursuant to the answer of 2 April regarding expenditure by the Arts Council on opera in the English regions in 1985-86, he will list the companies, performances and other recipients of such Arts Council funds in that period; and if he will make a statement.

Mr. Waldegrave: The list is as follows:

Opera	*Allocation of grant 1985-86* £
English Bach Festival Trust	30,000
Handel Opera Society Limited	47,500
Opera North Limited	2,181,700
Regional Opera Trust Ltd. (Kent Opera)	715,000
Scottish Opera Limited	220,000
Welsh National Opera	2,260,000
Glyndebourne Productions Limited	320,000
Opera 80 Limited	200,000
Other Opera	120,000

My right hon. and noble Friend is satisfied that the allocations listed will enable these companies to continue to provide opera of a high standard to the regions.

Objects in Lieu of Taxation

Mr. Faulds asked the Parliamentary Under-Secretary of State answering in respect of the Arts whether, following his answer to the hon. Member for Warley, East on 3 April, *Official Report*, columns *647-48*, he will state the effect on any unused acceptances in lieu Vote balances of discontinuance of the administrative arrangement whereby such unused balances are transferred to the National Heritage Memorial Fund; and whether the standard accounting practice entails their cancellation by reversion to the Consolidated Fund.

Mr. Waldegrave: Unused AIL Vote balances are transferred to the National Heritage Memorial Fund and this practice has not been discontinued. Under this arrangement unspent balances do not have to be surrendered to the Consolidated Fund.

Mr. Faulds asked the Parliamentary Under-Secretary of State answering in respect of the Arts whether he will specify any pre-eminent objects and property which have been accepted in satisfaction of capital transfer tax since the beginning of the present financial year, together with the amount of tax satisfied in each case, and stating whether any objects accepted carried conditions as to destination.

Mr. Waldegrave: No offers in lieu of tax have been accepted since the beginning of the financial year. However, the sum of £167,786 has been paid from this year's acceptance in lieu vote in respect of the Geoffrey Keynes collection, which was accepted in lieu at the end of the last financial year at a total cost of £194,000, of which £26,214 was found from the 1984-85 Vote.

Calke Abbey

Mr. Faulds asked the Parliamentary Under-Secretary of State answering in respect of the Arts whether, following his answer to the hon. Member for Warley, East on 2 April, *Official Report*, column *577*, he will list the pre-eminent contents of Calke Abbey which were accepted in satisfaction of capital transfer tax, together with the amounts of tax satisfied in respect of them.

Mr. Waldegrave: The House and contents at Calke Abbey were accepted by the Government as a pre-eminent collection. There are more than 1,000 items on the inventory and it would be impracticable to list them in the *Official Report*. The amount of tax satisfied by the contents was £1·084 million.

TRANSPORT

Trunk Roads

Mr. David Marshall asked the Secretary of State for Transport if he will estimate the number of jobs supported by the £120 million of expenditure on labour identified in the breakdown of the trunk road budget given in the *Official Report*, 21 March, column *541*.

Mrs. Chalker: The Department does not keep records of this kind. The labour cost figure of £120 million is derived from analysis of accepted tenders, which show estimated costs rather than numbers to be employed. The latter can vary substantially depending on the size and nature of a contract, the amount of overtime worked and the working practices of individual contractors. However, assuming average labour costs and a 40-hour week, £120 million would represent some 10,000 to 15,000 man-years of work. This estimate relates only to labour directly employed on new construction. Additional jobs are supported by the other elements of trunk road expenditure.

Traffic Readings

Mr. Warren asked the Secretary of State for Transport if he will make arrangements to take traffic readings on the A21 and A259 trunk roads during the summer period.

Mrs. Chalker: Traffic flows on the A21 and A259 are already regularly monitored at various locations by the use of automatic traffic counters. This monitoring, which includes the summer period, is supplemented by periodic manual traffic counts. In addition this year we shall be taking traffic counts in connection with preparation of the proposed A259 Winchelsea and Rye bypass scheme.

Marylebone Station

Mr. Tony Banks asked the Secretary of State for Transport what is the expected reduction in the public service obligation stemming from the closure of Marylebone station and the diversion of services to Paddington.

Mr. David Mitchell: The public service obligation grant is paid to support the running of British Rail's passenger services as a whole. It is not attributed to individual routes or services. This means that any savings from individual rail closures do not lead automatically to a pound-for-pound reduction in the level of grant paid.

LRT (Concessionary Fares)

Mr. Tony Banks asked the Secretary of State for Transport if, upon the abolition of the Greater London council, boroughs will act jointly or separately in agreeing with London Regional Transport the arrangements for concessionary fares for the elderly on London Regional Transport services.

Mrs. Chalker: The London Regional Transport Act 1984 empowers the London Boroughs acting either jointly or separtely to enter into arrangements with LRT for the provision of travel concessions for the elderly. If the arrangements proposed are not uniform, the statutory reserve scheme will be brought into effect. The London Boroughs Association is continuing in its efforts to achieve a voluntary uniform scheme to replace that presently administered by the GLC. The co-operation of the Association of London Authorities and its member authorities, which has so far been withheld, will be essential to the achievement of such a scheme.

Pilotage

Sir Patrick Wall asked the Secretary of State for Transport what is the cost of pilotage for a 50,000-tonne vessel in the port of Hull compared with Hamburg, Antwerp and Rouen.

Mr. David Mitchell: The pilotage costs for one vessel of 50,000 GRT entering Hull are £1,978. My Department does not have available the rates of pilotage charges for Hamburg, Antwerp or Rouen.

Sir Patrick Wall asked the Secretary of State for Transport if he is satisfied that the proposed alterations in pilotage will lead to savings without reducing the safety of navigation.

Mr. David Mitchell: I believe that placing the responsibility for pilotage on harbour authorities is the best means of achieving this objective and of ensuring the provision of an efficient and cost-effective pilotage service to meet the requirements of safety.

Ports (Humber and Trent)

Sir Patrick Wall asked the Secretary of State for Transport how many ships per year use the Humber ports and the Trent ports, respectively.

Mr. David Mitchell: This information is not available to my Department, but the annual numbers of visits by ships taking pilots in the pilotage districts of Goole, the Humber and the Trent are recorded in the annual summaries of "Pilotage Returns", copies of which are laid before Parliament.

Coastguard

Mr. Harris asked the Secretary of State for Transport what is the Coastguard's regular manpower strength; and what changes are planned in subsequent years.

Mr. David Mitchell: The Coastguard's manpower strength at 1 April 1985 was 568. The planned figure for 1 April 1986 is the same. I have no current plans for further changes. Naturally the manpower levels for subsequent years will have to be considered in the context of the Government's overall objectives for Civil Service manpower; but it will be my aim to ensure that the Coastguard's operational capability remains at its present level.

ENVIRONMENT

Rates

Mr. John Fraser asked the Secretary of State for the Environment if, when he calculates targets for rate-borne expenditure and rate limits he takes into account local authority contributions to inner city partnership and urban aid schemes which are funded as to 75 per cent. by his Department.

Mr. Waldegrave: The calculation of local authority expenditure targets for 1985-86 is described in annex D of

the Rate Support Grant Report (England) 1985-86. For authorities selected for rate limitation for 1985-86, expenditure levels, on which rate limits were based, were set at the same level in cash as the authorities' 1984-85 budgets; authorities then had the opportunity to seek re-determination of their expenditure levels.

Football (Spectator Violence)

Mr. Kilroy-Silk asked the Secretary of State for the Environment what was the date on which each representative organisation submitted its comments on his consultation document, "Football Spectator Violence: Report of an Official Working Party"; and which organisations have declined to comment.

Mr. Macfarlane: The representative organisations I met submitted their written comments on the following dates:

	Dates
The Football League	17 October 1984
The Professional Footballers Association	27 November 1984
The Association of District Councils	20 December 1984
The Football Trust	8 January 1985
The Football Grounds Improvement Trust	8 January 1985
The Association of County Councils	14 January 1985
The Football League Executive Staffs' Association	12 February 1985
The Association of Metropolitan Authorities	20 February 1985
The Scottish Football Association	4 March 1985
The Scottish Football League	4 March 1985
The Football Association	11 March 1985
The Association of Chief Police Officers	13 March 1985
The Superintendents Association	13 March 1985
The Police Federation	13 March 1985
The Magistrates' Association	20 March 1985
The London Boroughs Association	2 April 1985

I have yet to receive the written comments of the Welsh Football Association, nor have I yet received any comments from representatives of Opposition parties. No organisation has declined to submit comments.

Birds (Special Protection Areas)

Mr. Kilroy-Silk asked the Secretary of State for the Environment if he will list those areas designated as areas of special protection of birds.

Mr. Waldegrave: Two areas of special protection have been designated under section 3 of the Wildlife and Countryside Act 1981—Gull Island, Warren Shore and Needs Ore Point (Hampshire) and Berry Head (Devon).

Birds of Prey

Mr. Kilroy-Silk asked the Secretary of State for the Environment what was the number of each species of bird of prey exported in 1984 and so far in 1985.

Mr. Waldegrave: The information requested is given in the following table:

Species	*Common Name*	*Export in 1984*	*Export in 1985 to date*
Parabuteo Unicinctus	Harris Hawk	2	2
Falco Peregrinus	Peregrine Falcon	9	1
Falco Cherrug	Saker Falcon	1	—
Tyto Alba	Barn Owl	1	—
Bubo Capensis Mackinderi	Cape Eagle Owl	2	—
Bubo Bubo Bengalensis	Great Eagle Owl	2	—
Falco Jugger	Lugger Falcon	2	—
Falco Rusticolus	Gyr Falcon	4	—
Buteo Buteo	Common Buzzard	1	—
Aquila Rapax	Tawny Eagle	1	—
Accipiter Gentilis	Goshawk	1	—
Neophron Perchenopterus	Egyptian Vulture	1	—

Local Authorities (Planning Permission)

Mr. Michael Brown asked the Secretary of State for the Environment if he will make regulations under the Town and Country Planning Acts to require that a local authority shall hold a public local inquiry before granting planning permission to itself for development of its own land where such development would be in conflict with an approved local plan or where no local plan has yet been approved for the area.

Mr. Macfarlane: Section III of the Local Government Act 1972 already enables a local authority to hold a public local inquiry in any case where it considers this would help it in coming to a properly informed decision. I have no evidence to suggest that it would be right or necessary to require such an inquiry to be held in every case.

Official Visits

Dr. Cunningham asked the Secretary of State for the Environment to which local authority areas he and Ministers in his Department are planning official visits in the next two months; and if he will give the dates and purpose of each visit.

Mr. Patrick Jenkin: I shall write to the hon. Member.

Caravan Parking, Widdrington

Mr. Beith asked the Secretary of State for the Environment what objections from third parties have been received by his Department in respect of an appeal against conditional planning permission by Castle Morpeth borough council for use of land for the temporary parking of caravans at land adjoining No. 1, Bus Row Cottages, Widdrington village.

Mr. Macfarlane: Three letters of objection have been received from residents of Bus Row Cottages. A petition of support signed by five residents of the caravan site has also been submitted.

Mr. Beith asked the Secretary of State for the Environment whether any decision has yet been announced or taken as a result of the local inquiry held by his inspector at Morpeth on 10 April in respect of an appeal against an enforcement notice issued by Castle Morpeth borough council relating to the stationing of residential caravans at The Junction Inn, Widdrington.

Mr. Macfarlane: By agreement with the parties to this appeal, the inquiry scheduled for 10 April was cancelled because the council decided on 4 April to grant planning permission for an alternative site and the appellant consequently withdrew the appeal.

Local Government Bill (Scientific and Technical Services)

Mr. Wareing asked the Secretary of State for the Environment if he will make a statement on the Fourth Report of the House of Lords Select Committee on Science and Technology on the Local Government Bill (Scientific and Technical Services) in so far at it dealt with the organisation of local government.

Mr. Waldegrave: We shall need to study the report in detail, and my right hon. Friend will in due course be responding to the Committee in the normal way.

Nuclear Waste

Mr. Wareing asked the Secretary of State for the Environment what recent reports have been made available to him on the subject of the disposal of nuclear waste; whether any changes in policy on the matter are envisaged; and if he will make a statement.

Mr. Waldegrave: My right hon. Friend regularly receives reports from the Radioactive Wastes Management Advisory Committee normally in June or July each year. In addition, he receives much advice from official and other sources.

Last November he also received the report of the independent review of disposal of radioactive waste in the north-east Atlantic, commissioned jointly with my right hon. Friend the Minister of Agriculture, Fisheries and Food and the general secretary of the Trades Union Congress and chaired by Professor Holliday. My right hon. Friend set out the Government's response to the report in a written reply on 13 December 1984, at columns *579-80*, to my hon. Friend the Member for Staffordshire South-East (Mr. Lightbown). As recommended in the report, my Department is now undertaking a study of the best practicable environmental options for the disposal of different types of low and intermediate level radioactive wastes. The results will be taken fully into account in the further development of policy.

Reema Houses

Mr. Barron asked the Secretary of State for the Environment how many reports on Reema type houses he has received from the Building Research Establishment in the last 12 months; and if he expects any more.

Sir George Young: The Building Research Establishment published a report on Reema hollow panel houses in June 1984. It is now engaged in a study of large panel building systems, which will include investigation of some more recent houses of Reema construction. The findings of these further studies will be published in due course.

Rate Precepts

Mr. Galley asked the Secretary of State for the Environment which four county councils in England raised their rate precepts by the greatest percentage between 1981-82 and 1985-86; which four had the smallest increase; and what in each case was the percentage change.

Mr. Waldegrave: The four shire county councils in England which raised their precepts by the greatest percentage between 1981-82 and 1985-86 were:

	per cent.
Nottinghamshire	71
Derbyshire	67
Humberside	60
Avon	50

The four with the smallest increases were:

	per cent
Lincolnshire	25
Dorset	25
Suffolk	26
Buckinghamshire	26

Ordnance Survey Advisory Board

Mr. Nicholls asked the Secretary of State for the Environment when he expects to publish the second annual report of the Ordnance Survey Advisory Board.

Mr. Waldegrave: The second annual report of the Ordnance Survey Advisory Board is published today. Copies have today been placed in the Libraries of both Houses and are available from Ordnance Survey on purchase.

Salmon Fisheries (Conservation)

Mr. Onslow asked the Secretary of State for the Environment how many licences have been *(a)* applied for and *(b)* issued in England and Wales under the Wildlife and Countryside Act 1981 for the shooting of goosanders and mergansers to prevent serious damage to salmon fisheries.

Mr. Waldegrave: I shall answer this question shortly.

Landscape Areas Special Development Order

Mr. Key asked the Secretary of State for the Environment when he intends to issue the consultation paper proposing the making of a new landscape areas special development order.

Mr. Macfarlane: I am issuing the consultation paper today and I understand that my right hon. Friend the Secretary of State for Wales is doing likewise. A copy has been placed in the Library.

Rate Support Grant

Mr. Andrew F. Bennett asked the Secretary of State for the Environment if he will list in the *Official Report* (i) for each county council and (ii) for each district council in England and Wales *(a)* the total payments made in rate support grant for the year 1974-75, *(b)* an estimate of the payments shown in *(a)* above at present day prices and *(c)* the total payments made in rate support grant for the year 1984-85.

Mr. Waldegrave [*pursuant to his reply*, 19 March 1985, c. *413-22*]: The figures for the authorities given in my answer of Tuesday 19 March 1985 should read as follows:

Authority	Column	Correct figure
New Forest	RSG payment 1974-75	1·8
Kettering	RSG payment 1984-85	2·8
East Staffordshire	RSG payment 1984-85	3·1
Waveney	1984-85 price base using GDP deflator	10·9
Mid Sussex	RSG payment 1974-75	2·8

Local Authority Services (Competition)

Mr. Lawrence asked the Secretary of State for the Environment how long he intends the period of consultation to be before he introduces legislation for competition in the provision of local authority services.

Mr. Waldegrave: The formal period for responses to the proposals set out in the Government's consultation paper issued on 14 February ends on 30 April.

Subject to this consultation my right hon. Friend proposes to introduce the necessary legislation in the next parliamentary Session.

Frogs

Mr. Kilroy-Silk asked the Secretary of State for the Environment (1) what are the names and locations of those dealers and pet shops licensed to trade in frogs;

(2) what is the means by which he monitors the sale of frogs by licensed dealers and pet shops;

(3) what is the number of frogs sold by each licensed dealer and pet shop and the source from which the frogs are obtained.

Mr. Waldegrave: My Department collects information on the extent of the trade in frogs from returns submitted by licensed traders. Licences issued by my Department do not impose any limitation on the numbers of frogs that may be sold, but traders are required to provide six-monthly returns giving details of the numbers sold and the sources from which they were obtained. The information is passed to the Nature Conservancy Council as data for the quinquennial review of species.

The information from these returns is summarised as follows:

Licensee	Licence issued	Location	Number sold	Source
Barking Pets	March 1983	Essex	122	Captive-bred
Bioserv Ltd.	December 1984	Somerset	—	—
Broadway Pet Stores	November 1982	LB Newham	565	Essex/Kent/Herts
C'n'C Pet Stores	March 1983	Kent	284	Essex/Kent
Exotic World of Pets	July 1984	Hants	—	—
GBI Laboratories	November 1984	West Yorks	55	Cheshire
Gillingham Pet and Aquatic Centre	March 1983	Kent	70	Trade
Griffin and George	November 1982	West Sussex	37,994	Ireland/Cornwall
Hamlet Stores	February 1985	Herts	—	—
Howe CR (Pet Shop)	March 1983	Hants	—	—
Pet Fare	March 1983	Lancs	10	Kent
Maydencroft Aquatic nurseries Ltd.	March 1985	Herts	—	—
Midland Pet Aquarium	March 1985	West Midlands	—	—
Pet Mart	May 1984	Notts	—	—
The Pet Shop (Chatham)	February 1985	Kent	—	—
Sealink Ltd. (Import agents)	January 1983	Dyfed	56,029	Ireland
Mr. Skewes	December 1982	Cornwall	5,678	Cornwall
Stapleton CG	December 1982	Cornwall	4,645	Cornwall
Timstar Laboratories	December 1984	Cheshire	375	Ireland
Western Froggeries	February 1984	Cornwall	7,635	Cornwall
Wildwood Water Gardens Ltd.	March 1983	LB Enfield	130	Trade
Xenopus Ltd.	November 1982	Surrey	20,458	Ireland/Cornwall
		Total	134,050	

Merseyside

Mr. Wareing asked the Secretary of State for the Environment (1) what plans he has to maintain and develop the Merseyside Economic Development Company and its subsidiaries should the Merseyside county council be abolished;

(2) what plans he has to maintain and develop the Merseyside innovation centre should the Merseyside county council be abolished.

Mr. Patrick Jenkin: Any functions, rights and liabilities of the Merseyside county council in these respects which exists at abolition will pass to successor authorities. It will be for those authorities to consider whether to maintain these activities.

Harp and Hooded Seal Pup Skins (EC Directive)

Mr. Nicholls asked the Secretary of State for the Environment whether he will support the extension of the European Community directive banning the commercial import of harp and hooded seal pup skins and products when it expires in September.

Mr. Waldegrave: The Government remain concerned about conserving seals. Conscious of public anxiety, we will be discussing a range of options for the extension of the existing ban with our European colleagues in the coming months, taking account of all the views that have been expressed.

In addition, the Government will support a Swedish proposal to include hooded seal in appendix II of the convention on international trade in endangered species of wild fauna and flora (CITES), which will be considered at the fifth conference of parties to the convention which begins next week. This would provide a measure of permanent protection for all hooded seals—adults and their pups—because there can be no trade in a species listed in appendix II except under strict licensing controls.

PRIME MINISTER

Franks Committee

Q38. **Mr. Dalyell** asked the Prime Minister why she will not, in the light of further relevant documents which have become available, reconvene the Franks committee on the events leading to the Falklands conflict.

The Prime Minister: There is no reason to do so.

Football Hooliganism

Q45. **Mr. John Carlisle** asked the Prime Minister whether she has concluded discussions with the Football Association and other interested bodies on the subject of football hooliganism; and if she will make a statement.

The Prime Minister: I met representatives of the Football Association and Football League on 1 April. At that meeting we agreed a number of measures against spectator violence which the football authorities will pursue, and which the Government will support, in part through legislation. The details were given by my hon. Friend the Minister with responsibility for sport in reply to the hon. Member for Barnsley, East (Mr. Patchett) on 4 April, at column 756. I have no present plans to meet the football authorities again.

Afghan Counter-revolutionary Organisations

Q60. **Mr. Ron Brown** asked the Prime Minister how many times during her term of office she has met representatives of the Afghan counter-revolutionary organisations.

The Prime Minister: I have met Afghan victims of the Soviet occupation on three occasions: on my visit to Pakistan in 1981; in 1982 when I received a delegation from the Afghanistan Support Committee; and in 1983 when I met a group of Afghans from the Logar valley, scene of an horrific massacre in September 1982.

Disarmament and Arms Control

Q78. **Mr. Latham** asked the Prime Minister whether she will make a statement on the policy contribution being made by Her Majesty's Government to the several negotiations currently taking place on disarmament and arms control.

The Prime Minister: We remain in close and regular touch with the United States and our other Allies over the US-Soviet talks in Geneva on nuclear and space arms. We fully support the agreed objective of the talks, which is to work out effective agreements aimed at preventing an arms race in space and ending it on earth, at limiting and reducing nuclear arms and strengthening strategic stability.

The Government also continue to play an active part in the work of the Geneva conference on disarmament, especially the negotiations for a worldwide chemical weapons ban. At the Stockholm conference on disarmament in Europe, we continue to work with our allies for an agreement on practical confidence and security building measures designed to promote military openness which would reduce the likelihood of an outbreak of hostilities in Europe. At the MBFR talks in Vienna, we remain an active participant in negotiations aimed at achieving parity at lower levels of conventional forces in Europe.

Rating and Revaluation (Scotland)

Q97. **Mr. McQuarrie** asked the Prime Minister what representations she has received on the rating and revaluation systems in Scotland; and if she will make a statement.

The Prime Minister: I have received about 760 such representations. By and large they express concern at both the effects of revaluation and the spending decisions of certain councils. I share much of this concern.

A review of local government finance and the rating system, in which my hon. Friend the Minister with responsibility for home affairs and the environment in Scotland is involved, was announced by my right hon. Friend the Secretary of State for the Environment last October.

The purpose of the review is to see whether a fairer, simpler and more stable system of local government finance can be found which would strengthen the accountability of local authorities while maintaining a reasonable balance between the interests of central and local government. The review is of course covering alternatives to domestic rates and is also concerned with businesses which at present pay rates but do not have a corresponding voice in local government elections.

Commendable progress has been made, but there is much further work to be done over the next few months and it is not possible at this stage to predict the outcome.

Engagements

Mr. Parry asked the Prime Minister if she will list her official engagements for Thursday 18 April.

Mr. Greenway asked the Prime Minister if she will list her official engagements for 18 April.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today. This evening I hope to attend a banquet given by President Banda.

Asian Visit

Mr. Teddy Taylor asked the Prime Minister if she will make a statement on the outcome of her official visit to Malaysia.

Mr. Wareing asked the Prime Minister if she will make a statement on her recent visit to Asian countries.

The Prime Minister: I refer my hon. Friend and the hon. Gentleman to the reply that I gave to the hon. Member for Liverpool, Riverside (Mr. Parry) on 16 April 1985, at columns *133-4*.

Mr. Wareing asked the Prime Minister what discussions she had with leaders of the Tamil minority during her recent visit to Sri Lanka.

The Prime Minister: During my visit to Sri Lanka I met several representatives of the Tamil community, including some holding ministerial and other Government

positions, and a leader of the Tamil United Liberation Front, the former Member of Parliament, Dr. Tiruchelvam, with whom I had wide-ranging talks about the inter-communal problem.

Mr. Gordon Brown asked the Prime Minister if she will list the contracts successfully negotiated for Britain during her trip to the Far East and Saudi Arabia.

The Prime Minister: Gaining business in the very competitive ASEAN market needs persistence, a continuing presence, and products at the right price and quality. Many British companies are active in the countries that I visited, and I was able to support their efforts by underlining in my talks the strength of our industry particularly in biotechnology, communications, transportation, water schemes and aerospace. I am hopeful that my own talks and the development of closer bilateral relations in future will lead to greater success for our companies.

Mr. Spearing asked the Prime Minister if she will list the Ministers who accompanied her during her visits in south-east Asia.

The Prime Minister: None.

Indonesia (Human Rights)

Mr. Wareing asked the Prime Minister what issues of human rights she raised with President Soeharto of Indonesia during her recent visit to his country.

The Prime Minister: My discussions with President Soeharto were confidential. But I can assure the hon. Member that the Indonesian Government are well aware of Her Majesty's Government's position on human rights.

Mr. Denis Pirie

Mr. Winnick asked the Prime Minister in what capacity Mr. D. Pirie is employed in the Department of Trade and Industry; and if it was known when he was appointed to his present position, that he had been an official of the National Socialist Movement and of the National Front and that he had been convicted for trying to equip a private army for political purposes.

The Prime Minister: Mr. Pirie is employed as an export market research adviser; it was known that he had Fascist affiliations; it was not known that he had a conviction, and he was entitled, under the Rehabilitation of Offenders Act 1974, not to disclose this fact.

Coal Industry Dispute

Mr. Sayeed asked the Prime Minister what assessment the Government have made of the effect on the outcome of the recent coal industry dispute of Government policies introduced since 1979.

The Prime Minister: I am glad that the dispute is over and that the coal industry is quickly returning to normal working. Since 1979 the Government have invested over £4 billion in the coal industry, and have provided £4 billion in grant support. Our approach to the industry's future has always been very positive. I hope that everyone in the industry will now join us in working to secure a healthy, efficient and prosperous industry able to take advantage of the opportunities available to coal.

Constitution

Mr. Beith asked the Prime Minister if she will seek to enact in statutory form in all British territories, including the United Kingdom, provisions similar to those included in chapter 1 of the "Constitution of the Falkland Islands, Protection of Fundamental Rights and Freedom of the Individual"; and whether she will make a statement.

The Prime Minister: The constitutions of several of our dependent territories already contain a chapter providing for the protection of individual human rights. The Government have no plans to make provision with similar effect in respect of the United Kingdom.

SOCIAL SERVICES

Cardiovascular Disease (Diet)

38. **Mr. Gerald Bowden** asked the Secretary of State for Social Services whether the Committee on Medical Aspects of Food Policy or any other Government medical panel has reported a direct relationship between diet and the incidence of cardiovascular disease.

Mr. John Patten: Nine of the 10 experts who produced the report on diet and cardiovascular disease for the chief medical officer's committee on the medical aspects of food policy believed it likely that coronary heart disease would be reduced through a decrease in fat intake, although the panel agreed that evidence fell short of proof. They concluded that a relationship between diet and other cardiovascular diseases could be considered only on the balance of available evidence in each case.

Departmental Achievements

Mr. Pawsey asked the Secretary of State for Social Services if he will list his Department's principal achievements since 1979.

Mr. Fowler: In the field of health, we have supported a National Health Service in England which is treating more patients a year than ever before. This objective had been achieved by providing record resources; taking steps to see that Health Service money is used to better effect; and developing a more modern health service better fitted to care for and prevent sickness and respond to changing demands.

The increased level of service provided is shown by the facts that, in England alone, comparing 1983 with 1978:

almost 667,000 more in-patient cases were treated;
250,000 more day cases were treated;
there were over 2½ million extra outpatient attendances;
667,000 more people were treated by district nurses or visited nurses or were visited at home by health visitors;
in 1983, 1 million more children aged five and under attended child health clinics;
the number of coronary artery bypass grafts rose from 3,191 in 1978 to 9,443 in 1983, an increase of nearly 200 per cent. (United Kingdom figure);
there were almost 3½ million more courses of dental treatment;
the number of new renal patients accepted for treatment rose from 1,094 in 1978 to 1,846 in 1983, an increase of 69 per cent. The number of patients being treated for end stage renal failure rose from 5,390 to 10,266 an increase of 90 per cent. For most renal patients, the preferred method of treatment is by kidney transplant; the Government launched a campaign, in February 1984, to increase the number of organs becoming available for transplant and to provide the donor card scheme. During

the following twelve months, kidney transplants rose by 30 per cent., from 1,089 to 1,415 (United Kingdom figures).

This improved performance has been supported by record spending on the health service. Total spending has increased from £6½ billion in 1978-79 to a projected £14½ billion in 1985-86. By 1984-85, expenditure had increased by more than 20 per cent. measured against general inflation. These extra resources have been more than enough to meet the growth in demand resulting from the increasing numbers of elderly people. Capital spending has been increased, in real terms, following a cut of one-third, in real terms, under the previous administration. As a result, 20 major new health building projects have begun and been completed since 1979. 130 further projects are currently being designed or are under construction. Health authorities are planning further developments worth over £213 million.

Against the background of these record levels of financial support, we are succeeding in achieving better value for money spent in the health service and thus in treating more patients than ever before. A key first step was to simplify the formal structure of the health service by abolishing area health authorities. Then, from 1 April 1985, we established independent family practitioner committees accountable to me. Many other steps have been taken or are in train to achieve clearer accountability and better management within the health service. These include:

- annual accountability reviews by Ministers of the performance of regional health authorities at which objectives are set and RHAs held to account for their achievements. The review process has now been extended to District Health Authorities and their Units;
- the appointment — as recommended by the (Griffiths) management inquiry report on NHS management which we commissioned—of general managers, with personal responsibily for performance, at regional and district level and in hospitals and other units; and the revision of management structures to complement this;
- Rayner-style efficiency scrutinies on particular aspects of health service activity. The first round of scrutinies has shown scope for considerable savings by better management and more effective use of resources. Of the seven scrutiny reports published so far, one report alone (on cheaper ways of advertising for staff) is likely to achieve savings of up to £4 million per annum. A second round is being launched;
- the development of performance indicators to enable health authorities to compare their services with those provided by other authorities; a second, more sophisticated package of indicators is about to be issued;
- a major review of NHS information requirements and systems (the Körner review): health authorities are now implementing the results;
- the development of management budgeting, involving doctors, to improve resource usage and control;
- a report on the disposal of under-used and surplus land and buildings, following which health authorities are re-examining their property holdings to free resources for patient care;
- competitive tendering for hospital support services to test their cost-effectiveness: significant savings (£9·4 million on 72 contracts) are being realised for patient care;
- the introduction of health authority cost improvement programmes: health authorities planned to make cost improvements valued at £100 million in 1984-85, and are planning further improvements for 1985-86;
- better arrangements for the planning and control of manpower so that while the number of patients treated in the National Health Service has increased, the overall level of staff employed in the health service had levelled out by 1983 and fell in 1984. Nonetheless, by September 1984 there were over 4,000 more doctors and dentists and nearly 47,000 more nurses and midwives than in September 1978.

Within my Department I have, as recommended by the Griffiths report, set up a Health Service Supervisory Board to advise me on major issues and appointed as chairman of the National Health Service Management Board a senior industrialist with outside management experience to improve the management performance of the Service.

These improvements in management and efficiency are directed at not simply more treatment for patients but also a better quality of service. This is reflected not only in developments in acute services mentioned above but also in progress made towards the development of the priority services identified in "Care in Action":

- health authorities enabled to make continuing payments to local authorities and voluntary organisations to provide community care for people moving out of long-stay hospitals;
- a 50 per cent. real increase in joint finance between 1978-79 and 1984-85; and legislation to make joint finance funds available for educational and housing projects;
- Government funding for projects to re-locate long-stay patients moving out of hospitals and in particular to provide homely accommodation for mentally handicapped children in the community;
- a real increase of over 35 per cent. in the value of DHSS general grants to voluntary bodies and new central initiatives involving the voluntary sector such as the drug misuse initiative;
- the first major legislative reform in the field of mental health since 1959, including the setting up of the Mental Health Act Commission;
- the establishment and extension for a further period of the Rampton hospital review board;
- the establishment of three experimental National Health Service nursing homes and measures to improve standards in residential homes for elderly people;
- an initiative to promote fresh voluntary projects for under fives.

The Government have also given a major push to the prevention of health and social problems. We have seen a reduction of 30 per cent. in perinatal mortality between 1979 and 1983; reductions in cigarette smoking; the development of intermediate treatment for young people in trouble; central grants for projects to tackle drug abuse; new campaigns on rubella immunisation, the ante-natal care of Asian mothers and babies, and drug misuse; and other measures to combat glue sniffing and drug and alcohol misuse.

In the field of primary care we have ended opticians' unjustified monopoly in the dispensing of glasses, allocated £9 million specifically to improve primary care in inner cities, and reduced the drug bill by a selected list of prescribable medicines in certain categories. In 1983-84 there were over two thousand more family doctors in England and nearly 1,800 more dentists than in 1978-79. The average family doctor's patient list size had reduced from 2,312 in 1978 to 2,116 in 1983.

Apart from the statutory services, we have welcomed the development and expansion of the private sector of health care. The compulsory phasing out of pay beds from National Health Service hospitals has been ended and we are working to encourage closer co-operation between private hospitals and the National Heath Service for the benefit of patients. About 4½ million people now choose to cover themselves with private medical insurance, providing a useful supplement to the total sum of health care and relieving pressure on the National Health Service. Their right to make such extra provision is one which this Government have vigorously defended.

In the field of social security we have more than honoured our pledge to maintain the real value of pensions and other long-term benefits. Between November 1978 and November 1984 pensions were raised by 83·6 per cent. while the Retail Price Index rose by 77·2 per cent. Pensions are now uprated in line with the actual movement in prices — an improvement on the forecast method which was previously used and which led to inaccuracy and uncertainty. The Christmas Bonus for pensioners, which was not paid in 1975 or 1976, has been made permanent through an Act of Parliament. From November 1984 periods after people reach age 80 have counted towards the 10 year residence test for the over 80's non-contributory retirement pension. Before that date people entering, or returning, to the United Kingdom after the age of 70 were usually unable to qualify no matter how long they lived in this country afterwards.

We have fully protected the value of war pensions and war widows' pensions and have maintained the preference over the civilian pensions. War widows' pensions and allowances are no longer taxable. A new mobility allowance for war pensioners has been introduced and higher rates of benefit are paid under the new scheme. We have made significant improvements to the age allowances payable to war widows, especially those aged 80 and over.

For families, under this Government, child benefit and one-parent benefit have reached their highest ever value in real terms. The real value of Family Income Supplement has also been increased.

Expenditure on cash benefits to the long-term sick and disabled has increased by about 30 per cent. in real terms since 1978-79. Significant improvements in the benefits have been made:

- mobility allowance has been made tax free and has doubled in cash;
- the earnings limit for invalid care allowance has been doubled;
- there has been a real increase in the therapeutic earnings limit for those on incapacity benefit;
- the "invalidity trap" has been removed;
- the proposed severe disablement allowance has ended the controversial household duties test;
- the scope of the industrial injuries occupational deafness scheme (in particular its coverage) has been extended.

The supplementary benefit schemes rules have been published in regulations and in publicly available guidance for staff. Substantial improvements in benefits have taken place:

- an increase in the real value of the scale rates;
- automatic entitlement to the long-term scale rate for men over 60;
- a reduction in the qualifying period for the payment of the long-term scale rate from two years to one;
- an increase in the amount of savings people on supplementary benefit can have while still drawing full benefit; and a new disregard for the surrender value of life insurance policies;
- increased help in meeting fuel costs: we expect to spend about £400 million in 1984-85 on heating additions which are now paid automatically to supplementary benefit householders aged 65 and over or with a child under 5;
- equal access for men and women to supplementary benefit;
- a tapered earnings disregard for single parents.

During 1984, the Government set in train the most wide-ranging review of the social security system since the Beveridge report over 40 years ago. Four review teams were appointed to examine the four main benefit areas — provision for retirement, supplementary benefit, housing benefit, and benefits for children and young people. In parallel with this, we instituted a review of provision for maternity and we also commissioned a major new survey, by the Office of Population Census and Surveys, into the prevalence of the needs arising from disablement.

The review has been conducted in a uniquely open way. Three of the main review teams were chaired by DHSS Ministers and the fourth—the housing benefit review—had an independent chairman. Each chairman was assisted by two outside members in assessing the evidence and analysing the issues raised. All four review teams invited written and oral evidence; over 4,000 individuals and organisations responded by submitting written evidence, and 19 public sessions were held at which the teams led by Ministers heard and discussed oral evidence. In addition, the housing benefit review team heard oral evidence at informal meetings with interested organisations and individuals.

The review has led to extensive public debate about the social security system and has enabled Ministers to hear at first hand views and ideas for change from a wide spectrum of opinion. The Government are now considering the conclusions of the review and proposals for change and we will be publishing these as soon as possible. The main objectives underlying our considerations are: to secure the most effective use of the huge resources directed to social security, now running at about £40 billion a year (some 30 per cent. of all public spending); to ensure that resources are directed to those who need help most; to simplify what has become an extremely complicated system; and to improve its administration.

Within my own Department, measurers to improve operational efficiency have helped to reduce staff from over 98,000 in 1979 to 93,361 in March 1985, despite an increased workload. We have reduced the number of social security regions from 12 to seven, implemented a programme of devolution of work, reorganised internal audit to increase efficiency, and introduced a system of budgetary control for certain administrative expenditure. In the Department's headquarters, I have instituted a management accounting system which seeks to clarify organisational objectives and monitor their achievement. At the same time, the headquarters staff of the Department has been reduced by 20 per cent. since 1979.

For the longer term, we have published consultative proposals for a social security operational strategy which will make full use of computerised information at national and local level to improve services for the public. Early projects within the strategy providing microcomputing facilities in DHSS local offices and improved enquiry facilities through terminals in unemployment benefit offices are being developed for implementation in the next 12 months.

As well as being more efficient, we are also providing a better service to the public. For example, nearly half of our local offices have set up a working group on service to the public; a freefone enquiry service has been introduced to answer social security enquiries; 112 staff found from efficiency savings have been allocated to local offices exclusively to improve service to the public and provide better information; postal claiming has been introduced for supplementary benefit for unemployed claimants and is being extended to other groups shortly; and applicants for legal aid can now provide information by post instead of at a local office interview.

Benefits (Take-up)

Mr. Hayes asked the Secretary of State for Social Services if he will list the social security benefits for which take-up has proved higher than expected.

Mr. Newton: It is not possible at this stage to separate out with precision the effect of increased take-up from other factors influencing increased expenditure on social security benefits in such areas as invalidity benefit, housing benefit and supplementary benefit for board and lodging (including residential care and nursing homes). However the number of people claiming mobility allowance, attendance allowance and severe disablement allowance has proved consistently higher than expected.

Supplementary Benefit

Mr. Ashdown asked the Secretary of State for Social Services if he will publish a list, showing by social security regions, for each year since 1981 the number of visits made by local officers to supplementary benefit claimants and the number of such visits made other than in respect of a new claim.

Mr. Whitney: The numbers of effective visits made to supplementary benefit claimants in each Region for each year since 1981 are set out in the tables. The number of regions was reduced from nine to seven in 1982.

Region	*All effective visits*	*Effective visits other than in respect of a claim*
1981		
North East	555,509	343,294
East Midlands and East Anglia	282,620	164,843
West Midlands	311,993	185,994
London North	267,418	157,274
London South	295,190	169,403
London West	214,211	116,102
Wales/S. West	502,793	309,931
North West	490,217	321,924
Scotland	405,200	271,427
1982		
North East	632,273	434,823
Midlands	518,207	340,265
London North	452,953	275,447
London South	454,668	267,788
Wales/S. West	501,064	318,636
North West	530,540	373,262
Scotland	441,561	312,282
1983		
North East	579,321	377,276
Midlands	479,901	276,289
London North	464,113	277,858
London South	421,368	236,896
Wales/S. West	474,845	293,813
North West	505,430	323,582
Scotland	456,996	317,925
1984		
North East	491,626	319,804
Midlands	475,174	286,814
London North	438,716	257,266
London South	408,878	230,565
Wales/S. West	431,080	258,724
North West	446,719	290,344
Scotland	464,662	326,627
1985 (to 12 March)		
North East	117,884	77,896
Midlands	105,971	64,611
London North	93,534	55,148
London South	89,769	52,102
Wales/S. West	95,933	57,743
North West	97,897	64,303
Scotland	110,353	79,524

Christmas Bonus

Mr. Robert Banks asked the Secretary of State for Social Services how many pensioners have still to receive their 1984 Christmas bonus arising from the delays caused by the strike at his Department's offices in Newcastle.

Mr. Whitney: The 1984 Christmas bonus exercise was completed satisfactorily and broadly on time. I understand that one of my hon. Friend's constituents failed to receive the bonus because she had moved house and the payment was sent to her old address. When the local office was notified of the mistake the payment was retrieved and passed on to the constituent. If my hon. Friend is aware of any other problems in connection with the 1984 Christmas bonus perhaps he would let me have details.

Child Care Law

Mr. Nicholas Winterton asked the Secretary of State for Social Services if he will extend the deadline for comments on the inter-departmental working party review of child care law to 30 June.

Mr. John Patten: I have authorised an extension of the deadline for comments on the discussion papers prepared by the working party from 30 April to 31 May, and am writing to my hon. Friend about this matter.

Mr. Nicholas Winterton asked the Secretary of State for Social Services what representations he has received advocating extension of the deadline for receipt of comments on the inter-departmental working party review of child care law.

Mr. John Patten: We have received representations from the Family Welfare Association and the Law Society; our officials have received similar requests from the Association of County Councils, British Agencies for Adoption and Fostering, Family Rights Group and the National Council of One Parent Families.

Benefits

Mr. Norman Hogg asked the Secretary of State for Social Services (1) how many persons were in receipt of housing benefit in Cumbernauld and Kilsyth in each year from 1979 to 1984;

(2) how many persons received rate rebates in Cumbernauld and Kilsyth in each year from 1979 to 1984.

Mr. Whitney: This information is not available in the precise form requested. It is estimated that the numbers of households receiving rent rebates, rent allowances and rate rebates in Cumbernauld and Kilsyth, including Cumbernauld new town, were as follows:

	Rent rebate	*Rent allowance*	*Rate rebate*
1979-80	3,030	3	4,080
1980-81	3,370	10	5,220

	Rent rebate	Rent allowance	Rate rebate
1981-82	3,970	16	5,540
*1982-83	6,900	18	8,600
1983-84	8,380	72	8,500

* From November 1982 for some and from April 1983 for all cases, assistance with rent and rates formerly met through supplementary benefit was transferred to housing benefit.

Mr. Norman Hogg asked the Secretary of State for Social Services how many persons received supplementary benefit in Cumbernauld and Kilsyth in each year from 1979 to 1984.

Mr. Whitney: I refer the hon. Member to my reply to him on 27 March at column *255*.

Mr. Norman Hogg asked the Secretary of State for Social Services how many persons received family income supplement in Cumbernauld and Kilsyth in each year from 1979 to 1984.

Mr. Whitney: I regret that this information is not available. Family income supplement claims are dealt with by one centre at Blackpool and no information is maintained about claims from particular local areas.

Mr. Gould asked the Secretary of State for Social Services if he has taken into account, in deciding the future of single payments under the supplementary benefits scheme, representations made by organisations providing help to low-income people in respect of energy-saving measures such as draught-proofing and insulation.

Mr. Whitney: We have received a large number of representations on a wide variety of subjects, including supplementary benefit single payments for draught-proofing in the course of our review of social security. We are currently considering our conclusions of the review, taking account of those representations and also of the review's main aims — to ensure that the very large resources devoted to social security are used to the best effect and to see that those in most need of financial help receive it.

Rayner Scrutinies

Mrs. Dunwoody asked the Secretary of State for Social Services if he will list in the *Official Report* each of the scrutinies carried out by Sir Derek Rayner on behalf of his Department, listing the cost to the Department in each case.

Mr. Fowler: Eighteen efficiency scrutinies have so far been completed in the Department of Health and Social Security. These scrutinies were conducted by the Department itself under the guidance of, initially, Lord Rayner and currently, Sir Robin Ibbs. The subjects scrutinised and the cost of each study, are as follows:

	£
1. Arrangements for Paying Social Security Benefits	23,000
2. Payment of benefit to Unemployed People	*
3. Final Relevant Year	12,000
4. DHSS Activities in Support of Health Care Exports	15,300
5. Handling of Correspondence in DHSS and OPCS	30,000
6. Validation of NI Contribution Records	20,000
7. Review of Statistical Services	23,000
8. Forms into Shape—An Analysis of forms use in DHSS	33,150
9. Review of Personnel Work	151,900
10. Payment of Benefit to People in Hospital	25,000
11. Legal Aid Assessment	*
12. Wheelchair Purchase and Repair	13,000
13. The Recovery of Overpaid Benefit	18,600
14. Consultancy, Inspection and Review Capacity	48,000
15. Government Supervision of Occupational Pension Schemes	*
16. Identifying and Developing Internal Talent	24,873
17. Administrative and Legislative Burdens	12,050
18. Accommodation	25,500

* Joint scrutinies with other Departments — DHSS costs not separately identified.

Nine similar scrutinies have also been carried out in the Health Service, the costs of which were borne by various health authorities. They are as follows:

	£
1. Use of Non-Ambulance Transport	7,500
2. Non-Emergency Ambulance Service	7,232
3. Central Stores Policy	7,666
4. Residential Accommodation	17,036
5. Recruitment Advertising	11,376
6. Collection of Income Due to Health Authorities	*
7. Cost of Catering in the NHS	14,424
8. Use of Forms	2,380
9. Collection of Fees by Health Authorities under Road Traffic Act 1972	14,976

* Not costed.

Statutory Sick Pay

Mrs. Beckett asked the Secretary of State for Social Services how his Department's calculation, published in the report by the Comptroller and Auditor General on statutory sick pay HC45, that employers would pay out £615 million in statutory sick pay in 1983-84 was made; how it was calculated that this would be £480 million more than would have been paid out through occupational sick pay schemes; and what is the estimated figure for the extension of statutory sick pay to 28 weeks.

Mr. Whitney: The figure of £615 million is based on an estimate of the number of weeks for which sickness benefit would otherwise have been paid plus an addition for married women and widows paying reduced rate contributions who were not eligible for sickness benefit but would be eligible for statutory sick pay. The figure of £480 million (£525 million when additional national insurance contributions are taken into account) represents the amount of extra sick pay it was estimated employers would pay out in the first full year of the SSP scheme compared with their previous payments of occupational sick pay. It is less than the total SSP paid out because employers who paid full pay to their employees when sick would not have paid out anything extra when SSP was introduced; while for employers who paid full pay less sickness benefit, the additional costs of SSP were assumed to be those of making sick pay up to full pay. More information about the way in which the estimates for SSP were calculated is given in the DHSS paper "Financial Effects of Statutory Sick Pay" dated April 1982. I am arranging for a copy to be placed in the Library.

It is not possible to make reliable estimates of the additional costs to employers when SSP is extended to 28

weeks, because we do not have information on how much employers currently pay out in occupational sick pay for extended periods of sickness.

Severe Disablement Allowance

Mr. Barry Jones asked the Secretary of State for Social Services how many applications for severe disablement allowance have been received from people in Wales; and how many claims have been decided at the last date for which figures are available.

Mr. Newton: As at 12 March 1,330 claims for severe disablement allowance had been received in the Department's local offices in Wales of which 64 had been decided.

Health Authorities (Chairmen)

Mr. Wood asked the Secretary of State for Social Services when he will be appointing new chairmen to district health authorities; and if he will make a statement.

Mr. John Patten: The term of office of some 183 chairmen of district health authorities ends on 31 March 1986 and we are currently seeking nominations for new chairmen. If hon. Members wish to recommend any individuals as chairmen I invite them to write to me by 3 June 1985. Reappointments and changes will be announced in due course.

Children (Visiting Policy)

Mr. Wood asked the Secretary of State for Social Services if he will make a statement on his policy towards the visiting of children in care and living with their families.

Mr. John Patten: We have reviewed this issue following the tragic death of Jasmine Beckford and the Chief Inspector of the Social Services Inspectorate has now written to all local authority Directors of Social Services in England advising them on the discharge of their responsibilities for these children. The text of his letter follows. It lays particular emphasis on the visiting of children who are subject to a care order or parental rights resolution but allowed to live at home with their family.

Good practice requires the regular and frequent visiting of such children. How often will depend on individual circumstances. The effect of paragraph 4 of this letter is to secure that, for example, children under five would be visited not less often than every six weeks, but in many cases visits would need to be much more frequent, indeed daily if necessary.

The Social Services Inspectorate propose an early inspection of the supervision of social workers in the assessment and monitoring of children in need of protection.

Following is the letter:

To: Directors of Social Services

9 April 1985

Dear Director

CHILDREN IN THE CARE OF A LOCAL AUTHORITY AND PLACED WITH THEIR FAMILIES

Grave public concern has been expressed about the circumstances of the death of Jasmine Beckford. I am writing to you at this stage, before a formal inquiry has begun, about a subject that is causing particular anxiety: the arrangements for ensuring the well-being of children in the care of a local authority subject to a care order or a parental rights resolution who are allowed to live with their own families.

2. The local authority has in such cases the powers and duties of a parent or guardian. Returning the child to the family must clearly be part of a planned process of rehabilitation. That process must include sufficient oversight to confirm that the child is likely to flourish and that its welfare is likely to be promoted by a permanent return to its family.

3. I am writing therefore to remind you of your responsibilities for such children and the essential requirement for social workers to visit and see such children in order to ensure their safety and well-being. A child should not be placed back with its family unless such visits can be ensured and a child's placement should not be changed by the parents without the local authority's agreement.

4. There is no specific legislative requirement concerning frequency of visiting such children. Nevertheless, conscientious discharge of the local authority's duties and of good professional practice demands regular and frequent contact between the responsible worker and the child, particularly in the early weeks of a child's return home. It may appear that frequent visiting is no longer necessary when the discharge of a care order or the rescinding of a parental rights resolution is being contemplated, but I strongly recommend that the frequency of visiting should not be less than that prescribed by Regulation 21 of the Boarding-Out of Children Regulations 1955.

5. Local authorities have a statutory duty to review the cases of all children in their care at least every six months. I recommend that, where a child in care is placed with its family, the placement be reviewed by a social services manager or appropriate professional officer within 2-4 weeks and thereafter as necessary. This review and subsequent reviews should examine all aspects of the child's well-being and should include first-hand reports by the social worker of visits to the family with particular reference to the physical and emotional development of the child, so that the authority can take an informed decision as to whether or not the child should remain with its family. The review might also wish to consider if there is a need for additional support to the family.

6. Social workers who have day to day responsibility for such children should be provided with the necessary support, guidance, supervision and management. You may wish to consider in addition administrative procedures to ensure that effective mechanisms exist to arrange for the removal of a child if necessary.

7. The purpose of this letter is to concentrate attention upon a small group of children who may be particularly vulnerable. You and your colleagues bear the heavy responsibility of identifying the individual children concerned and of acting appropriately. I hope that my recommendations will strengthen the implementation of policies of rehabilitating children in care with their natural families.

Yours faithfully,
W. B. UTTING,
Chief Inspector,
Social Services Inspectorate

Written Answers to Questions

Friday 19 April 1985

DEFENCE

Australian Royal Commission Hearings (Transcripts)

Mr. Chris Smith asked the Secretary of State for Defence if he will seek to obtain a copy of the transcript of the Australian Royal Commission hearings *(a)* in London and *(b)* in Australia, with a view to placing it in the Library.

Mr. Butler: I will arrange for a copy of the Royal Commission's report to be placed in the Library when it is published. However, the full transcript of proceedings already runs to over 7,000 pages, and further evidence in Australia has still to be taken; I would not feel justified in placing so large a volume of material in the Library. In the meantime, copies of the very considerable number of United Kingdom documents and records relating to the nuclear trials programme in Australia which were given to the Royal Commission are now available in the Public Record Office.

Demonstrators (Complaints)

Mrs. Renée Short asked the Secretary of State for Defence what procedures are currently adopted by his Department for dealing with complaints from civilian peace or anti-missile demonstrators in the vicinity of Royal Air Force bases alleging ill-treatment while being arrested by American service personnel.

Mr. Lee: United States service personnel are not responsible for dealing with the activities of demonstrators outside the perimeters of MOD establishments, which is a matter for the civil police. United States personnel do not arrest intruders found within the perimeters of Defence establishments, but hand them over to a constable or other authorised British person who will then, if necessary, make an arrest. Any complaints about the actions of United States personnel in such instances are investigated by the United Kingdom and United States authorities and, where appropriate, legal or disciplinary action is taken in accordance with the agreement regarding the status of forces of parties to the North Atlantic treaty as implemented by the Visiting Forces Act 1952.

Head of Defence Sales

Mr. Jim Spicer asked the Secretary of State for Defence if he will announce the appointment of the Head of Defence Sales.

Mr. Heseltine: I am pleased to announce the appointment of Mr. C. M. Chandler as the next Head of Defence Sales in succession to Sir James Blyth. Mr. Chandler will be seconded to the Ministry of Defence by his current employer, British Aerospace, for up to three years.

TRANSPORT

Car-Bicycle Accidents

Mr. Dormand asked the Secretary of State for Transport what research has been undertaken by his Department concerning the culpability of motorists in car-bicycle accidents; and if he will make a statement.

Mrs. Chalker: The responsibility of any party involved in an accident is in many cases difficult to determine conclusively, for many factors may be involved, including, for example, weather and road conditions. The Department is, however, currently investigating through various studies the major contributory factors to cycling accidents with a view to identifying ways in which such accidents may be prevented.

Mr. Dormand asked the Secretary of State for Transport how much each local authority spent on cycle facilites in 1984-85, showing capital and revenue spending separately.

Mrs. Chalker: This information is not available centrally.

Mr. Dormand asked the Secretary of State for Transport if he will estimate the effect of recent changes in the transport supplementary grant on the provision of facilities for cyclists.

Mrs. Chalker: I am not aware of any change in local authority commitment to cycling provision.

Local Authorities (Grant Bids)

Mr. Dormand asked the Secretary of State for Transport how much grant was bid by each local authority in the 1985-86 transport policies and programmes process.

Mrs. Chalker: I refer the hon. Member to my answer to a question by my hon. Friend the Member for Falmouth and Camborne (Mr. Mudd) on 14 November 1984, at columns *267-73*.

Vehicle Excise Licence Campaign (Bromley and Camden)

Mr. Wheeler asked the Secretary of State for Transport how many of his officials and officers of the Metropolitan police are engaged in the two-week vehicle excise licence campaign in the London boroughs of Bromley and Camden; what is the inclusive cost of deploying these officials; and if he will make it his policy within six months to report to the House the conclusions of the exercise to show *(a)* how many motorists pay a mitigated penalty, *(b)* how many motorists are prosecuted in the magistrates' courts and with what result, *(c)* in both instances, how much money is recovered and how much remains uncollected, and *(d)* the total inclusive costs to all official sources for expenditure incurred in the exercise.

Mr. Michael Spicer: Twenty-four members of staff from the London enforcement office are engaged either wholly or partly on the campaigns which my Department is currently carrying out in conjunction with the London boroughs of Bromley and Camden, at a staff cost of approximately £4,640. The campaigns are of one week duration. The Metropolice police are not involved. I will write to my hon. Friend when the outcome of these campaigns is known.

"The Bicycle and the Environment"

Mr. Dormand asked the Secretary of State for Transport whether he will make a statement on the conclusions in the Federal German Government's study, "The Bicycle and the Environment", a copy of which has been set to him; and if he will authorise a similar study for the United Kingdom.

Mrs. Chalker: I assume that the hon. Member is referring to the report issued two years ago on the reduction of ecological pressure by promoting the use of bicycles. There are no plans to commission a similar study here.

Local Government Reform

Mr. Tony Banks asked the Secretary of State for Transport what resources his Department is providing for the working party of borough officers established by the London Boroughs Association which is assessing the effect of abolition of the Greater London council on highways and traffic matters in London.

Mrs. Chalker: I refer the hon. Member to the answer I gave him on Wednesday 17 April at column 178.

Stansted Airport (Inquiry)

Mr. Churchill asked the Secretary of State for Transport what assessments his Department provided to the recent public inquiry into the proposed development of Stansted airport as to (i) the impact on the public sector borrowing requirement of the capital cost of the proposed development of the airport itself (ii) the impact on the public sector borrowing requirement and the cost to public funds of the associated infrastructure costs including housing, sewerage and roads.

Mr. Michael Spicer: No evidence was given by my Department on the implications of the proposed developments for the public sector borrowing requirement. The evidence on costs is summarised in chapter 51 of the inspector's report.

Singapore Airlines

Mr. Arnold asked the Secretary of State for Transport when he now expects to announce a decision on the application by Singapore Airlines to operate a scheduled service from Manchester.

Mr. Michael Spicer: The services for which SIA has applied do not fall within the terms of the existing air services arrangements. Consultations are therefore required between aviation authorities, and these are to take place at the beginning of May.

Bicycle Schemes

Mr. Tony Banks asked the Secretary of State for Transport if he will make it his policy, in the event of the abolition of the Greater London council, to allocate to the London boroughs the resources in transport supplementary grant to implement those bicycle schemes planned by the Greater London council.

Mrs. Chalker: It will be open to London boroughs, in the same way as the GLC, to support worthwhile schemes, and they will be eligible to seek transport supplementary grant in the same way as all other authorities.

Roads (Expenditure)

Mr. Knox asked the Secretary of State for Transport what was the figure for actual expenditure on trunk roads in England in 1984-85; and how this compares with the net provision.

Mrs. Chalker: Latest outturn figures for the year show that gross spending on trunk roads was provisionally £820.5 million and, once an estimated £14.3 million of receipts are accounted for, we can expect the net total to be around £806.2 million. This is under £2 million—or less than 0·25 per cent.—short of the cash limit. Firm figures for the year are expected to be available in June but are unlikely to differ significantly from those given above. This is a very good result.

NORTHERN IRELAND

"Studying our Past"

Sir John Biggs-Davison asked the Secretary of State for Northern Ireland if he will place in the Library particulars of the prize-winning projects in the annual "Studying our Past" schools history competition.

Mr. Scott: Yes; I am arranging for this to be done as soon as possible.

Armagh Prison (Strip Searches)

Mr McNamara asked the Secretary of State for Northern Ireland how many strip searches were made of female prisoners in Her Majesty's prison, Armagh, in March; if he will give the number of persons involved and the number of times each person was searched; whether any prison contraband, smuggled item or illegal correspondence was discovered in any search, indicating which items; in how many cases prisoners refused to be searched and had to be restrained while the search was being concluded; and if he will indicate the reasons for the search, namely, making an appearance at Armagh court house on remand, attending trial, inter-prison visit or other reasons, respectively.

Mr. Scott: During March 1985 a total of 59 strip searches were carried out on 35 prisoners, A life-sentence prisoner taking part in a pre-release programme was searched on 10 occasions; 15 prisoners were searched twice, and 19 were searched once. No prohibited articles were found during these searches and no prisoner refused to be searched. The searches were carried out in the following circumstances:

	Number
Attending Armagh remand court	—
Attending trial	1
Inter-prison visits	11
Pre-release programme	8
Home leave scheme	11
First committal on remand/to await sentence	9
First admission on sentence/final discharge	24
Bail court appearance	6
Total	59

Mr. McNamara asked the Secretary of State for Northern Ireland whether the three items of smuggled contraband so far found on women prisoners subject to

strip searches in Her Majesty's prison, Armagh, were found on remand prisoners returning from appearing before the court in Armagh.

Mr. Scott: Two of the items were found during the routine reception search of two prisoners who were remanded in custody to the prison for the first time; and the third was found during a random search of a remand prisoner prior to her appearance at Armagh court house.

SCOTLAND

Morbidity (Lenihan Investigation)

Mr. Canavan asked the Secretary of State for Scotland whether he will publish in the *Official Report* all advice notes which he or his officials received expressing concern about the methods adopted by Professor Lenihan in his recent investigation into morbidity in the Denny-Bonnybridge area.

Mr. John MacKay: Three letters have been received commenting on the methods adopted by the Lenihan review group, and copies of these have been placed in the Library.

Housing Statistics

Mr. Craigen asked the Secretary of State for Scotland if, using information from local authorities' housing checklists and housing plans, he will give the number of local authority dwellings in each district at 31 March 1984 which were *(a)* built pre-1940 of non-traditional construction and require comprehensive modernisation and *(b)* built immediately post-war and up to 1955 of non-traditional construction and require comprehensive modernisation.

Mr. Ancram: The information requested is set out in the table, which shows the figures submitted by local authorities in their housing plan checklists for 1984.

Estimated Numbers of Local Authority Dwellings at 31 March 1984

	Built pre-1940 of non-traditional construction requiring comprehesive modernisation	*Built immediately post-war (up to 1955) of non-traditional construction requiring comprehensive modernisation*
SCOTLAND	744	31,629
Borders		
Berwick	0	0
Ettrick and Lauderdale	0	0
Roxburgh	0	20
Tweeddale	0	0
Central		
Clackmannan	2	282
Falkirk	116	1,884
Stirling	0	115
Dumfries and Galloway		
Annandale and Eskdale	0	0
Nithsdale	12	525
Stewartry	0	40
Wigtown	0	305
Fife		
Dunfermline	0	931
Kirkcaldy	0	1,598
North East Fife	0	0
Grampian		
Aberdeen	134	1,911
Banff and Buchan	0	60
Gordon	3	0
Kincardine and Deeside	0	0
Moray	1	105
Highland		
Badenoch and Strathspey	0	0
Caithness	0	205
Inverness	—	—
Lochaber	0	75
Nairn	0	14
Ross and Cromarty	0	14
Skye and Lochalsh	0	0
Sutherland	0	65
Lothian		
East Lothian	0	605
Edinburgh	0	3,600
Midlothian	100	402
West Lothian	0	83
Strathclyde		
Argyll and Bute	0	174
Bearsden and Milngavie	—	—
Clydebank	0	1,300
Clydesdale	0	961
Cumbernauld and Kilsyth	0	29
Cumnock and Doon Valley	0	1,720
Cunninghame	0	1,398
Dumbarton	0	2,267
East Kilbride	0	0
Eastwood	0	0
Glasgow	0	1,645
Hamilton	204	—
Inverclyde	0	72
Kilmarnock and Loudoun	0	1,054
Kyle and Carrick	0	10
Monklands	72	730
Motherwell	0	2,012
Renfrew	0	771
Strathkelvin	0	146
Tayside		
Angus	0	0
Dundee	100	3,800
Perth and Kinross	0	276
Orkney Islands	0	20
Shetland Islands	0	147
Western Isles Islands	0	258

Mr. Craigen asked the Secretary of State for Scotland if, using information from local authorities' housing checklists and housing plans, he will produce a table showing the number of local authority dwellings in each district at 31 March 1984 which were built post-1955 of non-traditional construction and *(a)* require major repairs, *(b)* require partial modernisation and *(c)* require rewiring only.

Mr. Ancram: The information requested is set out in the table, which shows the figures submitted by local authorities in their housing plan checklists for 1984.

Estimated numbers of local authority dwellings at 31 March 1984

	Built post 1955 of non-traditional construction requiring		
	Major repairs	*Partial modernisation*	*Rewiring only*
Scotland	*49,997	17,485	14,834
Borders			
Berwick	0	0	0
Ettrick & Lauderdale	0	4	0
Roxburgh	40	0	0
Tweeddale	28	0	0
Central			
Clackmannan	0	0	0
Falkirk	1,170	3,000	500
Stirling	0	0	—
Dumfries & Galloway			
Annandale & Eskdale	0	0	0
Nithsdale	0	0	0
Stewartry	0	0	0
Wigtown	0	0	0
Fife			
Dunfermline	181	—	—
Kirkcaldy	—	110	0
North East Fife	0	0	0
Grampian			
Aberdeen	1,329	700	500
Banff & Buchan	200	0	0
Gordon	0	0	0
Kincardine & Deeside	0	0	0
Moray	233	106	0
Highland			
Badenoch & Strathspey	0	10	10
Caithness	0	170	0
Inverness	—	—	—
Lochaber	180	141	20
Nairn	58	0	0
Ross & Cromarty	539	0	0
Skye & Lochalsh	0	0	4
Sutherland	40	—	—
Lothian			
East Lothian	0	0	0
Edinburgh	6,000	7,000	6,000
Midlothian	0	58	0
West Lothian	2,000	3,000	0
Strathclyde			
Argyll & Bute	309	0	0
Bearsden & Milngavie	—	—	—
Clydebank	0	294	0
Clydesdale	0	194	0
Cumbernauld & Kilsyth	0	0	0
Cumnock & Doon Valley	1,070	1,050	0
Cunninghame	148	0	0
Dumbarton	—	—	—
East Kilbride	0	0	0
Eastwood	0	0	0
Glasgow	24,592	—	—
Hamilton	—	—	—
Inverclyde	0	0	0
Kilmarnock & Loudon	0	0	0
Kyle & Carrick	234	0	0
Monklands	800	0	0
Motherwell	5,123	0	0
Renfrew	250	226	—
Strathkelvin	0	0	0
Tayside			
Angus	0	0	0
Dundee	5,000	1,422	7,800
Perth & Kinross	*433	—	0
Orkney Islands	0	0	0
Shetland Islands	40	0	0
Western Isles Islands	0	0	0

* Includes figures where the local authority did not distinguish between partial and comprehensive repairs.

Mr. Craigen asked the Secretary of State for Scotland if, using information from local authorities' housing checklists and housing plans, he will produce a table showing the numbers of local authority dwellings of traditional construction in each district at 31 March 1984 which were built *(a)* before 1940, and *(b)* post-1939 and which (i) require comprehensive modernisation, (ii) require partial modernisation and (iii) require rewiring only.

Mr. Ancram: The information requested is set out in the table, which shows the figures submitted by local authorities in their housing plan checklists for 1984.

Estimated numbers of local authority dwellings at 31 March 1984

	Built pre-1940 of traditional construction requiring			Built post-1939 of traditional construction requiring		
	Modernisation		Rewiring only	Modernisation		Rewiring only
	Comprehensive	*Partial*		*Comprehensive*	*Partial*	
SCOTLAND	68,302	27,285	2,026	*127,740	64,949	101,380
Borders						
Berwick	0	0	0	0	537	0
Ettrick & Lauderdale	0	0	0	933	0	0
Roxburgh	342	250	0	0	1,000	0
Tweeddale	68	0	0	50	0	0
Central						
Clackmannan	0	0	0	1,372	0	—
Falkirk	1,500	2,500	900	5,500	5,500	3,000
Stirling	584	400	0	248	0	650

	Built pre-1940 of traditional construction requiring			Built post-1939 of traditional construction requiring		
	Modernisation		Rewiring only	Modernisation		Rewiring only
	Comprehensive	Partial		Comprehensive	Partial	
Dumfries & Galloway						
Annandale & Eskdale	25	0	0	1,725	0	552
Nithsdale	1,570	—	—	4,000	—	—
Stewarty	100	38	0	0	177	0
Wigtown	0	900	0	830	0	0
Fife						
Dunfermline	831	0	0	1,000	8,500	2,566
Kirkcaldy	964	0	0	7,698	—	3,194
North East Fife	481	1,400	686	1,129	55	272
Grampian						
Aberdeen	444	7,135	0	12,000	0	7,700
Banff & Buchan	1,500	0	0	500	0	750
Gordon	31	144	0	0	1,020	0
Kincardine & Deeside	0	135	0	331	9	0
Moray	220	248	119	61	1,700	361
Highland						
Badenoch & Strathspey	4	0	0	0	60	85
Caithness	78	0	0	138	705	224
Inverness	—	—	—	—	—	—
Lochaber	320	500	0	1,200	500	74
Nairn	0	0	0	44	123	26
Ross & Cromarty	0	310	0	402	1,577	0
Skye & Lochalsh	81	0	121	251	0	20
Sutherland	—	80	—	250	250	30
Lothian						
East Lothian	96	0	0	*3,733		150
Edinburgh	3,384	0	0	2,007	3,410	6,000
Midlothian	0	4,000	0	0	6,200	0
West Lothian	0	2,000	0	0	10,000	1,500
Strathclyde						
Argyll & Bute	353	0	0	2,500	0	650
Bearsden & Milngavie	—	—	—	—	—	—
Clydebank	0	0	0	0	5,676	0
Clydesdale	2,330	0	0	1,860	430	0
Cumbernauld & Kilsyth	0	1,170	0	1,149	470	0
Cumnock & Doon Valley	2,957	0	0	4,114	0	0
Cunninghame	24	698	0	2,950	0	0
Dumbarton	2,023	0	0	—	—	—
East Kilbride	0	0	0	383	0	0
Eastwood	0	0	0	0	0	0
Glasgow	22,129	2,786	0	*35,794		41,669
Hamilton	2,821	—	—	—	—	—
Inverclyde	0	0	0	6,600	6,000	0
Kilmarnock & Loudoun	502	982	200	3,000	0	0
Kyle & Carrick	0	0	0	5,751	0	3,100
Monklands	2,764	0	0	1,525	0	4,607
Motherwell	3,365	0	0	158	0	12,500
Renfrew	10,013	0	0	12,000	—	0
Strathkelvin	0	1,609	0	0	3,291	0
Tayside						
Angus	45	0	0	1,500	3,200	2,000
Dundee	3,100	0	0	2,800	3,610	7,600
Perth & Kinross	616	0	0	144	114	2,000
Orkney Islands	170	0	0	0	200	100
Shetland Islands	311	0	0	110	299	0
Western Isles Islands	156	0	0	0	336	0

* Includes figures where the local authority did not distinguish between partial and comprehensive modernisation.

Mr. Craigen asked the Secretary of State for Scotland if he will produce a table showing the number of local authority dwellings in each district at 31 March 1984 which required treatment for *(a)* condensation, and *(b)* rising/penetrating damp.

Mr. Ancram: The information requested is set out in the table, which shows the figures submitted by local authorities in their housing plan checklists for 1984.

As problems with condensation and penetrating damp often occur together, the same dwelling may appear in both sets of figures.

Estimated numbers of local authority dwellings at 31 March 1984

	Dwellings requiring treatment for	
	Condensation	*Rising/penetrating damp*
SCOTLAND	234,656	80,504
Borders		
Berwick	0	0
Ettrick and Lauderdale	60	40
Roxburgh	552	20
Tweeddale	196	0
Central		
Clackmannan	270	30
Falkirk	7,000	200
Stirling	4,200	200
Dumfries and Galloway		
Annandale and Eskdale	150	25
Nithsdale	1,000	—
Stewartry	0	0
Wigtown	295	85
Fife		
Dunfermline	2,600	15
Kirkcaldy	4,140	26
North East Fife	—	—
Grampian		
Aberdeen	17,000	—
Banff and Buchan	500	0
Gordon	510	310
Kincardine and Deeside	854	0
Moray	488	70
Highland		
Badenoch and Strathspey	50	0
Caithness	140	20
Inverness	—	—
Lochaber	1,400	850
Nairn	0	0
Ross and Cromarty	884	50
Skye and Lochalsh	51	0
Sutherland	190	0
Lothian		
East Lothian	232	33
Edinburgh	15,500	500
Midlothian	3,500	0
West Lothian	4,104	0
Strathclyde		
Argyll and Bute	813	0
Bearsden and Milngavie	—	—
Clydebank	1,250	0
Clydesdale	238	0
Cumbernauld and Kilsyth	500	0
Cumnock and Doon Valley	4,079	3,570
Cunninghame	1,645	397
Dumbarton	3,200	4,070
East Kilbride	0	0
Eastwood	0	0
Glasgow	92,504	61,669
Hamilton	7,996	1,142
Inverclyde	6,000	3,000
Kilmarnock and Loudoun	3,578	0
Kyle and Carrick	4,570	162
Monklands	2,500	800
Motherwell	4,000	2,000
Renfrew	13,000	—
Strathkelvin	—	—
Tayside		
Angus	3,800	80
Dundee	16,224	1,000
Perth and Kinross	1,800	0
Orkney Islands	0	0
Shetland Islands	663	100
Western Isles Islands	430	40

EDUCATION AND SCIENCE

Voluntary Schools

Mr. Baldry asked the Secretary of State for Education and Science if any problems remain outstanding in the diocese of Oxford concerning the making of instruments of government for voluntary schools in the diocese pursuant to the Education Act 1980.

Mr. Dunn: Various issues were raised in local consultations which are required before my right hon. Friend may make new instruments for such schools, and these issues have taken a little time to resolve. However, new instruments have now been made for most of the diocese's schools in Buckinghamshire, and the remainder, together with those for their schools in Berkshire and Oxfordshire, are expected to be made shortly.

Mr. Baldry asked the Secretary of State for Education and Science when it is anticipated that, pursuant to the Education Act 1980, new instruments of government will be completed for voluntary schools in Oxfordshire.

Mr. Dunn: There are 154 voluntary schools in Oxfordshire. New instruments have already been made for five, and those for the 124 schools under the diocese of Oxford will be made shortly. Draft instruments for the remainder are currently out for consultation and should all be finalised in good time for the 1 September 1985 deadline.

University Students

Mr. Greenway asked the Secretary of State for Education and Science what number of students were in full-time statu pupillari in universities in 1976-77 and each succeeding year; and what is his estimate of the number for 1985-86; and if he will make a statement.

Mr. Brooke: The number of full-time university undergraduate students in Great Britain since 1976-77 are shown in the table:

	Thousands
1976-77	222
1977-78	232
1978-79	239
1979-80	245
1980-81	251
1981-82	253
1982-83	250
1983-84	244
*1984-85	241

* Provisional estimate.

Undergraduate numbers are not expected to change significantly in 1985-86.

Nursery Education

Mr. Skinner asked the Secretary of State for Education and Science if he will now introduce legislation providing free state nursery education for all children under five years of age; and if he will make a statement.

Mr. Dunn: The Government's aim, that their plans for local authorities' expenditure should allow provision attributable to under-fives education to be maintained in real terms, as stated in the recent White Paper "Better Schools", is as realistic an aim as can be expected in the foreseeable future. Within this level of provision there is scope for local flexibility and for improvements in quality and cost-effectiveness.

Ethnic Minority Pupils

Mrs. Renée Short asked the Secretary of State for Education and Science what consultations he has planned to have with directors of local education authorities about extending recruitment for greater numbers of teachers for pupils from ethnic minority groups.

Mr. Dunn: As my right hon. Friend informed the House on 14 March at column 452, he intends to consider with the education service and with representatives of the ethnic minorities ways in which a greater proportion of the teacher force might be recruited from ethnic minority groups. The exact form of the consultation has yet to be determined.

Ethnic Minorities (Departmental Appointments)

Mrs. Renée Short asked the Secretary of State for Education and Science if he has any plans in the near future to recruit or appoint to senior positions within his Department officials from ethnic minority communities.

Sir Keith Joseph: The Department's promotion and recruitment procedures operate on the basis of merit and without reference to the ethnic origin of candidates. It is not possible, therefore, to say now whether future appointments to senior positions in the Department will include officials from ethnic minority communities.

Nursery School Places

Mr. Skinner asked the Secretary of State for Education and Science how many nursery school places were available in 1979, 1980, 1981, 1982, 1983 and 1984.

Mr. Dunn: The numbers of pupils attending maintained nursery schools in England in 1979, 1980, 1981, 1982, 1983 and 1984 were 48,477, 48,456, 48,154, 48,989, 49,551 and 49,406, respectively. Information on the number of nursery school places is not available; these figures represent the nearest equivalent—the number of places filled.

Handicapped Children

Mr. Alfred Morris asked the Secretary of State for Education and Science if he will make a statement on the implications of the decision of the National Association of Schoolmasters/Union of Women Teachers to advise teachers not to accept handicapped children into mainstream schools unless resources are made available to provide proper care for them; and whether, in the light of this decision, he is now prepared to make resources available for the full implementation of the Education Act 1981.

Mr. Dunn: My right hon. Friend would deprecate any discrimination against a child, whether in the provision of education or otherwise, on account of his or her handicap.

If a child who has special educational needs and is the subject of a statement under the Education Act 1981 is to be placed in an ordinary school, that placement must be compatible with his receiving the special educational provision that he requires, as specified in the statement. If a child is not the subject of a statement, his admission to a county or voluntary school is governed by the provisions of sections 6 and 7 of the Education Act 1980.

The Government have already made available additional resources to assist with specific aspects of special education. We shall continue to look for other ways in which further funding might be found.

FOREIGN AND COMMONWEALTH AFFAIRS

EC (Spain and Portugal)

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs what information about the costs of entry to the EEC of Spain and Portugal, not at present available to Her Majesty's Government, he expects to become available by the time the treaty of accession is ready for ratification.

Mr. Rifkind: The Commission estimates that at the end of transition enlargement will represent a cost to the Community budget as a whole of between 0·1 per cent. and 0·2 per cent. of the VAT own resource base annually. A comprehensive estimate of the costs of enlargement will be possible only in the light of developments between now and the end of the transition period. But as full information as possible, based on the latest available Commission figures, will be given to the House when it considers the treaty of accession.

El Salvador

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs when he expects El Salvador to provide the names of officers selected for training in the United Kingdom; and if the United Kingdom offer of training facilities has any time limit attached to it.

Mr. Rifkind: I have nothing to add to the reply my hon. Friend the Member for Mid-Sussex (Mr. Renton) gave to the hon. Member for Liverpool, Broadgreen (Mr. Fields) on 15 February at column 302.

PRIME MINISTER

Argentina (Trade Sanctions)

Mr. Hoyle asked the Prime Minister when the trade sanctions with Argentina will be lifted.

The Prime Minister: The Argentine Government could take a major step towards the normalisation of our bilateral relations by agreeing to the reciprocal lifting of

the trade embargo. We have made a number of proposals, both bilaterally and through the European Community, to achieve this. Argentine Government have not yet responded constructively.

Mr. Hoyle asked the Prime Minister what representations Her Majesty's Government have received from James Fairclough Ltd. of Warrington, about the effect of trade sanctions against Argentina on its ability to import the high grade maize required for its products.

The Prime Minister: The Government have received representations from Allied Mills Ltd.—of which James Fairclough and Sons is a subsidiary—as well as from two hon. Members and a member of the public. They have been advised that we cannot make an exemption for Argentine maize from the general embargo on imports from Argentina without undermining its effectiveness.

South-East Asia Visit (Cost)

Mr. Tony Banks asked the Prime Minister if she will give the total cost to public funds of her recent trip to the far east.

Mr. Gordon Brown asked the Prime Minister what was the total cost to public funds of her tour of Asia and Saudi Arabia.

The Prime Minister: The current estimated cost to public funds of the recent visit to Asia and Saudi Arabia is £174,000. Most of this represents reimbursement to the Ministry of Defence for the use of an RAF aircraft.

Energy Efficiency and Conservation Policy

Mr. Wallace asked the Prime Minister if she will make a statement about the co-ordination between the different Departments responsible for the implementation of energy efficiency and conservation policy..

The Prime Minister: My right hon. Friend the Secretary of State for Energy has responsibility for the Government's overall strategy for energy efficiency as well as for his Department's energy efficiency office. There are regular consultations between Departments on matters with energy efficiency impacts. The Government's publicity campaign is stimulating an upsurge of interest and activity in energy efficiency.

EMPLOYMENT

Labour Statistics

Mr. Gould asked the Secretary of State for Employment (1) whether he will publish in the *Official Report* a table showing for 1970, 1979 and the latest available date the numbers employed in the different sectors of the engineering and allied industries including motor cars and motor car components;

(2) whether he will publish in the *Official Report* a table showing for 1970, 1979 and the latest available date the numbers employed in *(a)* the steel industry, *(b)* coal mining, *(c)* other extractive industries and *(d)* the different sectors of manufacturing industry other than the engineering and allied industries and textiles and clothing;

(3) whether he will publish in the *Official Report* a table showing for 1970, 1979 and the latest available date the numbers employed in the different sectors of the textile industry and in clothing.

Mr. Alan Clark: The following table gives, for June 1971 (1970 is not available), June 1979 and June 1984, the estimated number of employees in employment in Great Britain in each available class of the 1980 standard industrial classification (SIC) within the production industries.

More detailed analyses of employment estimates, by SIC group or activity heading, are available only from September 1981. The most recent figures, for December 1984, were published in table 1.4 of the labour market data section of the March 1985 issue of *Employment Gazette*, a copy of which is in the Library.

Employees in employment—Great Britain

Standard Industrial Classification 1980	*Division or Class*	*June 1971*	*June 1979*	*June 1984*
Energy and Water Supply	1	788·8	711·7	621·0
Coal extraction and manufacture of solid fuels	11	359·5	298·0	229·8
Extraction of mineral oil and natural gas	13	2·2	19·6	32·9
Mineral oil processing	14	30·7	33·1	23·0
Nuclear fuel production	15	19·9	17·8	15·6
Production and distribution of electricity, gas and other forms of energy	16	323·3	277·6	250·3
Water supply	17	44·1	59·8	64·3
Extraction of minerals and ores other than fuels; manufacture of metals, mineral products and chemicals	2	1,258·4	1,109·7	784·6
Metal manufacturing and extraction of metalliferous ores and minerals nes	21-23	506·1	409·4	249·7
Manufacture of non-metallic mineral products	24	316·3	273·4	194·4
Chemical industry	25	397·6	403·0	325·5
Production of man-made fibres	26	38·4	23·9	15·1
Metal goods, engineering and vehicles	3	3,655·1	3,338·0	2,563·8
Manufacture of metal goods nes	31	576·1	516·2	379·1
Mechanical engineering	32	1,125·2	1,010·5	772·4
Manufacture of office machinery and data processing equipment	33	87·1	81·8	72·7
Electrical and electronic engineering	34	795·3	737·9	648·6
Manufacture of motor vehicles and parts thereof	35	503·1	433·1	289·7
Manufacture of other transport equipment	36	432·7	432·2	292·6
Instrument engineering	37	135·5	126·3	108·8
Other manufacturing industries	4	2,996·9	2,665·6	2,066·9
Food, drink and tobacco manufacturing	41-42	774·0	715·0	610·6

Standard Industrial Classification 1980	Division or Class	June 1971	June 1979	June 1984
Textiles	43	503·0	375·9	231·1
Manufacture of leather and leather goods	44	40·6	35·2	24·1
Footwear and clothing	45	472·8	397·7	270·4
Timber and wooden furniture	46	260·8	248·9	202·2
Manufacture of paper and paper products; printing and publishing	47	592·6	547·1	482·1
Processing of rubber and plastics	48	247·3	239·6	173·3
Other manufacturing	49	105·8	106·3	73·1

Mr. Speller asked the Secretary of State for Employment how many people are employed currently, or to the latest date known, in hotels, restaurants, leisure centres, public houses, wine bars and brasseries, clubs, cafes, sandwich and snackbars, coffee and tea rooms, catering at tourist attractions, university and college catering, school meals service, hospital catering service (including those employed in private hospitals), hospital domestic services, contract catering and cleaning services, catering departments in the public sector, catering departments in the private sector, armed forces, police forces, prison services and fire services, catering education and training and consultancy, marketing, promotion and inspection companies and boards.

Mr. Alan Clark: The Department's employment estimates are classified according to the standard industrial classification. The following table presents estimates of the number of employees employed in the hotel and catering industries identified in that classification, and in contract catering and cleaning services.

Employees in Employment in Great Britain in December 1984

Industry	Employees
Restaurants, snackbars, cafes etc	181,400
Public houses and bars	248,600
Night clubs and licensed clubs	151,300
Canteens and messes	119,300
Hotel trade	237,700
Other tourists or short stay accommodation	24,500
Contract catering and cleaning services	210,300

The Department's statistics do not identify those engaged in catering occupations in other industries. Such information is available from the 1981 census of population and is published in table 13 of the census publication "Economic Activity: Great Britain" (CEN 81 EA), a copy of which is in the Library.

Mr. Kilroy-Silk asked the Secretary of State for Employment how many men on Merseyside have been unemployed for more than 12 months.

Mr. Alan Clark: The following information is available in the Library. It is provisionally estimated that there were 56,600 males in the Merseyside metropolitan county who had been unemployed for more than 12 months at 14 March 1985. The figure includes an estimate for those whose claims are not dealt with by computer.

Crown and Non-Crown Workplaces

Mr. Ashley asked the Secretary of State for Employment if the same criteria regarding the issue of improvement and prohibition notices are applied by the Health and Safety Executive to *(a)* Crown and *(b)* non-Crown workplaces.

Mr. Peter Bottomley: Yes.

Mr. Ashley asked the Secretary of State for Employment how many employees work in *(a)* Crown and *(b)* non-Crown workplaces which are under the jurisdiction of the Health and Safety Executive.

Mr. Peter Bottomley: In 1983, the latest year for which an estimate can be made, it is estimated that 1·7 million employees worked in Crown workplaces and 12·8 million employees worked in non-Crown workplaces under the jurisdiction of the Health and Safety Executive.

Mr. Ashley asked the Secretary of State for Employment which organisations have made representations to him that immunity from health and safety legislation should be removed from Crown workplaces.

Mr. Peter Bottomley: I met the right hon. Member and others with a deputation from the General Municipal, Boilermakers and Allied Trades Union on 17 April to discuss their representation on exemption of the Crown from prosecution under the Health and Safety at Work etc. Act 1974 and from the provisions in that Act relating to improvement and prohibition notices.

Mr. Ashley asked the Secretary of State for Employment on how many occasions and in what context he has formally reviewed the question of removing immunity from Crown workplaces in respect of health and safety legislation.

Mr. Peter Bottomley: Ministerial consideration was given in 1983 to whether there was any shortfall in health and safety at work standards in Crown employment due to the Crown's exemption from prosecution under the Health and Safety at Work etc. Act 1974 and from the provisions in that Act relating to prohibition and improvement notices. This was in response to a point raised during a debate in the House on health and safety at work on 11 March 1983.

Mr. Ashley asked the Secretary of State for Employment if he will now seek to remove the immunity in respect of health and safety requirements from all Crown workplaces.

Mr. Peter Bottomley: The Crown is already bound by the general duties of the Health and Safety at Work etc. Act 1974, and is bound to comply with regulations made under the Act unless specific exemptions are made. We have no plans at present to seek to remove the Crown's exemption from the provisions of the Act relating to improvement and prohibition notices and from prosecution in the courts. However, we have undertaken to look carefully at the dossier of evidence on the effects of Crown immunity which the right hon. Member has promised to send me.

Health and Safety Executive

Mr. Ashley asked the Secretary of State for Employment if he will give the resources allocated to the Health and Safety Executive in each year of its existence stating them in *(a)* cash terms and *(b)* real terms; and if he will give the number of inspections carried out in each year.

Mr. Peter Bottomley: The resources allocated to the Health and Safety Commission and Executive have been published each year in Supply Estimates. When these are deflated using the single index most widely used for such purposes, the gross domestic product deflator, the figures are as shown in the following table. When using the figures in column (3) it should be remembered that a number of elements within the Health and Safety Commission/Executive's budget have not moved in line with the gross domestic product over this period.

£000's

Year (1)	*Supply Estimate* (2)	*At 1983-84 prices* (3)
1974-75	12,311	37,193
1975-76	27,972	67,565
1976-77	38,610	82,149
1977-78	44,647	83,609
1978-79	46,836	79,383
1979-80	55,757	80,807
1980-81	70,970	86,760
1981-82	80,816	89,996
1982-83	81,335	84,990
1983-84	87,873	87,873
1984-85	90,298	86,410
1985-86	93,283	85,035

The numbers of visits made by Health and Safety Executive inspectors in each year from 1975 (the first full year of the Executive's existence) to 1983 are as follows:

Year	*Number of Visits*
1975	341,000
1976	307,000
1977	279,000
1978	281,000
1979	289,000
1980	291,000
1981	270,000
1982	254,000
1983	241,000

Visits may be made for a variety of purposes and vary greatly in duration. Care should also be taken in interpreting movements in figures for total visits because of changes in recording methods over the years and changes in the priority given to different types of visits with varying average duration.

Hospitals (Kitchens)

Mr. Ashley asked the Secretary of State for Employment in how many hospitals visited by the health and safety inspectors there was evidence of unclean kitchens; and how many outbreaks of food poisoning have been reported in each year since 1979.

Mr. Peter Bottomley: Health and Safety Executive inspectors do not have the enforcement responsibility for unclean hospital kitchens. Hospital kitchens are visited by the environmental health officers of local authorities. This is a matter for my right hon. Friend the Secretary of State for the Environment. The reporting of outbreaks of food poisoning is a matter for my right hon. Friend the Secretary of State for Social Services.

Health and Safety

Mr. Ashley asked the Secretary of State for Employment how many workplaces came under the jurisdiction of the Health and Safety Executive; what percentage have been visited by health and safety inspectors; what percentage of those visited were issued with improvement or prohibition notices; what percentage of those issued with notices responded satisfactorily; what percentage were monitored, and in what way, so as to assess the level of the response; and if in each case he will distinguish between *(a)* Crown and *(b)* non-Crown work places.

Mr. Peter Bottomley: I shall reply to the right hon. Member as soon as possible.

Mr. Paul Dixon

Mr. Ashton asked the Secretary of State for Employment why Mr. Paul Dixon of 6 Fleetway, Worksop, who quit his job at Manton colliery during the strike last June and who has had two other jobs since is still classed as a striking miner and has been refused benefit now he is unemployed again.

Mr. Alan Clark: Mr. Dixon is not classed as a striking miner. He has told us that he is working part-time and payment of benefit has been withheld whilst the independent adjudicating authorities consider his entitlement under social security regulations that cover part-time working—the Social Security (Unemployment, Sickness and Invalidity Benefit) Regulation 1983, regulations 7(1)*(g)*.

NATIONAL FINANCE

Mortgage Interest Tax Relief

Mr. Craigen asked the Chancellor of the Exchequer (1) if he will give the total annual cost of mortgage interest tax relief paid to mortgagors who are taxed above the standard rate for each financial year from 1982-83 to 1984-85 in Scotland;

(2) if he will produce a table showing the annual total amount of mortgage interest tax relief for *(a)* Great Britain, *(b)*Scotland, *(c)* England and *(d)* Wales from 1982-83 to 1984-85 and also the average mortgage tax relief per mortgagor in (i) Great Britain, (ii) Scotland, (iii) England and (iv) Wales for the same period.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Construction Contracts

Mr. Colvin asked the Chancellor of the Exchequer if he will make a statement about the use of variation of price clauses in Government construction contracts.

Mr. Peter Rees: The Government have decided to revert to the pre-1973 practice of agreeing to variation of price (VOP) clauses in their construction contracts only when these run for more than two years. The existing arrangements, which permit VOP in contracts which run for more than one year, were introduced at a time of high

and rapidly escalating inflation. The Government's financial policies have brought inflation under control and will ensure that it remains under control.

This decision follows consultation with the construction industry, and careful consideration within the Government.

Departments will introduce the new arrangements as soon as possible.

THE ARTS

Kelmscott House

Mr. Tony Banks asked the Parliamentary Under-Secretary of State answering in respect of the Arts when the Minister for the Arts expects to announce a decision on the Greater London council's compulsory purchase order on Kelmscott House.

Mr. Waldegrave: I shall let the hon. Member have a reply as soon as possible.

ENERGY

Energy Efficiency

Mr. Greenway asked the Secretary of State for Energy which theatre groups he has sponsored over the past year to spread the message to schools about the need for the efficient use of energy; what has been the cost to date of sponsoring these groups; what information he has as to the number of children who have seen the performances; how he assesses the effectiveness of these performances; what are his future plans for sponsoring such groups; and if he will make a statement.

Mr. David Hunt: My Department has sponsored four such theatre groups so far this academic year who have performed to over 120,000 children. It is planned to tour at least three groups around United Kingdom schools during the autumn term 1985 to coincide with the production of new schools materials covering many aspects of energy.

Mr. Wallace asked the Secretary of State for Energy if, be reference to the criteria set out in the answer of 1 April, *Official Report,* column 902, he will indicate the improvement in energy efficiency achieved in the United Kingdom over the most recent 12-month period for which figures are available.

Mr. David Hunt: Preliminary analysis indicates that the United Kingdom's energy efficiency improved by about 3 per cent. during 1984, the latest period for which figures are available.

AGRICULTURE, FISHERIES AND FOOD

Third World Countries

Mr. Steel asked the Minister of Agriculture, Fisheries and Food how much Government-funded research and development into agriculture is of identifiable benefit to Third world countries.

Mr. Jopling: I shall reply to the right hon. Member as soon as possible.

Young Farmers

Mr. Nicholas Winterton asked the Minister of Agriculture, Fisheries and Food (1) what European Economic Community aid is available for young farmers and new entrants into agriculture;

(2) when he intends to implement the European Economic Community scheme for aid to young farmers and new entrants into agriculture.

Mrs. Fenner: I shall reply to my hon. Friend as soon as possible.

Research and Development

Mr. Steel asked the Minister of Agriculture, Fisheries and Food (1) if his Department's estimates of publicly-funded agricultural research and development given in the debate on 13 March, *Official Report,* column 412, included the amount spent in the university sector;

(2) what representations he has received about the cut in his Department's budget for research and development; and what proportion of these favoured an increase in the research and development budget;

(3) if he will make a statement outlining the main objectives of Government-supported agricultural research; and what long-term plans existed for such research.

Mr. Jopling: I shall reply to the right hon. Member as soon as possible.

HOME DEPARTMENT

London Joint Board for Fire

Mr. Tony Banks asked the Secretary of State for the Home Department if he will list the parameters he intends to use when assessing the first three years of the life of the proposed London Joint Board for Fire whether or not the joint board budget and manpower complement is acceptable.

Mr. Giles Shaw: Clauses 66 and 83 of the Local Government Bill now before Parliament provide for my right hon. and learned Friend to exercise transitional precept and manpower controls over the London Fire and Civil Defence Authority. He intends to use them to ensure that it can discharge economically, effectively and efficiently its statutory functions and maintain nationally recommended minimum standards of fire cover.

TRADE AND INDUSTRY

Marple Dale Hospital, Stockport

Mr. Arnold asked the Secretary of State for Social Services if he will give details of the sale of the Marple Dale hospital, Stockport, and associated land; and if he will make a statement.

Mr. John Patten: I understand that North-Western regional health authority has accepted the highest tender received for the Marple Dale hospital, Stockport, and completion of the sale is expected in the next five weeks. I suggest my hon. Friend contacts the chairman of the regional health authority for any further information he requires.

Satellite Broadcasting

Mr. Latham asked the Secretary of State for Trade and Industry when he intends to make a statement about arrangements for direct satellite broadcasting; and when he intends to permit members of the public to buy reception equipment to receive existing programmes being broadcast in neighbouring countries in the English language.

Mr. Butcher: Responsibility for the development of direct broadcasting by satellite lies with my right hon. Friend the Secretay of State for the Home Department. Members of the public who wish to operate equipment to receive programmes broadcast for direct reception by satellite from neighbouring countries are free to do so under the terms of their existing television licences, although there are at present no such programmes being broadcast. As stated in my reply to my hon. Friend the Member for Beaconsfield (Mr. Smith) on 18 April, the Government are urgently considering their policy towards the licensing of new master antennae television systems which can receive non-DBS services and hope to make its conclusions known shortly.

Multi-fibre Arrangement

Mr. Haynes asked the Secretary of State for Trade and Industry what account he is taking of the dependence of certain areas on employment in clothing and textiles in deciding his policy on future levels of textile and clothing imports in the context of the renegotiation of the multi-fibre arrangement; and if he will make a statement.

Mr. Channon: The Government will take full account of all the employment aspects of restricting textile and clothing imports, including employment in the textile and clothing industries, employment indirectly affected in other industries, and regional concentrations of employment.

SOCIAL SERVICES

Vaccine Damage

Mr. Stephen Ross asked the Secretary of State for Social Services how many deaths attributable to the pertussis vaccine were reported to the Committee on Safety of Medicines for the following years: 1964 to 1968, 1969 to 1974, 1975 to 1980 and 1981 to 1984; and how many such deaths occurred within 48 hours of administering the vaccine.

Mr. John Patten: The Committee on Safety of Medicines has received the following yellow card reports of deaths where an association with pertussis vaccine was suspected:

Years	*Total deaths*	*Deaths occurring during the first two days following vaccination*
1964 to 1968	10	8
1969 to 1974	17	3
1975 to 1980	17	8
1981 to 1984	7	4

It is very important to note that these reports of suspected associations between the vaccinations and deaths do not establish a casual relation ship between the two events.

Mr. T. J. Buckle

Mr. Ashton asked the Secretary of State for Social Services why Mr. T. J. Buckle of 30 Coniston road, Worksop, who quit his job at Manton colliery last June is still being refused benefit and classed as a striking miner.

Mr Newton: A person who loses employment as a result of a stoppage of work due to a trade dispute at his place of empoyment is disqualified for receiving unemployment benefit unless he can show that he is not participating or directly interested in the dispute. Such disqualification continues for as long as the stoppage of work continues, unless he finds genuine work elsewhere in his normal occupation or becomes regularly engaged in some other occupation.

It is for the independent adjudicating authorities to decide whether the stoppage of work has ended in the light of the situation at each individual place of employment, and I understand that the adjudication officer has decided that the last day of the stoppage at Manton colliery was 30 March 1985. Benefit will therefore be payable from 1 April, subject to the usual three waiting days, to any ex-miners previously disqualified due to this stoppage.

National Health Service

Mrs. Renèe Short asked the Secretary of State for Social Services on what research the statistics were based which are listed in the leaflets describing the developments the National Health Service has made under his administration which are to be sent to hospitals and health centres; and what consultations he had with statisticians in the National Health Service regions before compiling the information contained in them.

Mr. John Patten: The leaflet summarises information given in the "Health Service in England: Annual Report 1984" (HMSO) and is based on readily available data routine collected by the Department.

Food Irradiation

Mr. Frank Cook asked the Secretary of State for Social Services (1) when he expects to receive the report of the advisory committee on irradiated and stored foods;

(2) what process of public consultation is planned before any Government decision on whether or not food irradiation will be permitted in the United Kingdom.

Mr. John Patten: In the United Kingdom, regulations prohibit the production, importation and sale of irradiated foods for general human consumption. As I explained in my reply to the hon. Member for Leyton (Mr. Cohen) on 1 April at column *496*, the advisory committee on irradiated and novel foods is currently preparing its report for Health and Agriculture Ministers on the safety and wholesomeness of irradiated foods. We expect to publish the report and to invite public comment. Should we thereafter consider that any changes in the regulations are desirable, we would put forward proposals which would be the subject of further consultation.

Mrs. Doris Woodland

Mr. Steen asked the Secretary of State for Social Services, pursuant to the answer of 1 April, *Official Report* column *497*, regarding the payment by his Department of arrears due to Mrs. Doris Woodhead of West Charleton, near Kingsbridge, if he will arrange for Mrs. Woodhead also to be sent a breakdown of figures covering the period 1 July 1982 to 22 April 1984; and if he will also advise as to when the review decision about payments from 23 April 1984 will be made.

Mr. Whitney: The review decision regarding payments from 23 April 1984 was sent to Mrs. Woodhead on 12 April 1985. A breakdown of the amounts payable from 1 July 1982 to 22 April 1984 will be sent to Mrs. Woodhead as soon as possible.

Medical Aid for Poland Fund

Mr. Tony Lloyd: asked the Secretary of State for Social Services (1) how much aid was given in 1984 to the Medical Aid for Poland Fund; and how much he expects to be given in 1985 and of what kind;

(2) how much surplus medical equipment and supplies were given to Equipment for Charity Hospitals Overseas in 1984; and how much he expects will be given in 1985.

Mr. John Patten: *[pursuant to his reply,* 15 April 1985, c. *97]*: National Health Service authorities are responsible for deciding what equipment and supplies are surplus to their requirements and for their disposal in accordance with guidance issued by the Department in HN(76)2, a copy of which is in the Library. Information about such disposals is not generally provided to the Department.

I understand, however, that the Medical Aid for Poland Fund received aid in the form of a wide range of surplus NHS supplies in 1984. Details of quantities of the different items are not available but it is estimated that the 5,809 boxes of supplies provided amounted to 74·5 tonnes by weight.

I also understand that Equipment for Charity Hospitals Overseas (ECHO) received a wide range of surplus medical equipment and supplies in 1984, for some of which it made a nominal payment. Details of quantities of all the different items provided are not readily available, but it is estimated that some 110 van-loads, amounting to 193 tonnes by weight, were supplied. The following list gives examples of the kinds of items included and the quantities:

14,000 Syringes (old type markings)
400 Nurses dresses
15 Operating tables
5 Hydraulic dental chairs
12 Incubators
300 Tubular bed frames
6 Diathermy machines.

It is not possible to say how much surplus equipment and supplies will be provided to either organisation in 1985.

ENVIRONMENT

Cleethorpes Borough Council (Fun Park)

Mr. Michael Brown asked the Secretary of State for the Environment if he will order an immediate public local inquiry into the proposal by Cleethorpes borough council for a fun park on land owned by the council itself.

Mr. Macfarlane: No. Since the local planning authority has granted itself deemed planning permission, the planning application cannot now be called in by my right hon. Friend.

West Midlands Region

Mrs. Renée Short asked the Secretary of State for the Environment if he will list the level of central Government grants allocated to local government finances in the west midlands region in each single year since 1979.

Mr. Macfarlane: The readily available information is given in the table. Further details, including housing subsidies and housing benefits, could be given only at disproportionate cost.

*Grants to Local Government in West Midlands region**

£ million

	1979-80	*1980-81*	*1981-82*	*1982-83*	*1983-84*	*1984-85*	*1985-86*
1. Rate support grants†							
Needs and resources‡	692·3	825·6					
Block grant‡			873·6	873·6	933·4	923·1	946·8
Domestic element‖	69·4	70·8					
Domestic rate relief grant‖			71·8	73·4	74·2	74·8	75·5
2. Transport supplementary grant¶	22·8	23·9	18·3	25·3	27·1	27·0	16·9
3. Specific grants•	146·8	186·7	206·2	222·9	289·8	—	—
4. Capital grants•	16·6	29·0	24·2	33·8	30·9	—	—

* The figures relate to the shire counties of Hereford and Worcester, Shropshire, Staffordshire and Warwickshire, the metropolitan county of West Midlands and to all the district councils covered by these counties.

† The rate support grant system changed in 1981-82. Figures for earlier years are not on a comparable basis. The figures for 1979-80 and 1980-81 include the needs, resources and domestic elements. Thereafter they include block grant and domestic rate relief grant.

‡ Figures up to 1981-82 are final entitlements. Those for 1982-83 and 1983-84 are entitlements based on outturn after holdback. Those for 1984-85 and 1985-86 are based on budgets after and before holdback respectively.

‖ The figures up to 1983-84 are final entitlements. Those for 1984-85 and 1985-86 are latest estimates.

¶ The figures up to 1984-85 cover all transport, while that for 1985-86 is for roads capital only.

• Figures are not available for 1984-85 and 1985-86.

Mrs. Renée Short asked the Secretary of State for the Environment what target expenditure levels were set for the

west midlands region's local authorities for each single year since 1982; and what proportion of their grants they lost in the form of penalties during the same period.

Mr. Macfarlane: This information is in the table. Expenditure guidance for 1981-82 related only to current expenditure as defined for rate support grant purposes, and is in November 1980 prices. Guidance for other years relates to total expenditure, and is in cash. The percentages take account of all disregards granted, and are based on block grant entitlements before holdback on the latest supplementary report for each year. Grant penalties have not so far been approved by the House and implemented for 1985-86.

	1981-82		*1982-83*		*1983-84*		*1984-85*		*1985-86*
	Guidance	*Penalty as a percentage of grant before penalty*	*Guidance*	*Penalty as a percentage of grants before penalty*	*Guidance*	*Penalty as a percentage of grant before penalty*	*Guidance*	*Penalty as a percentage of grant before penalty*	*Guidance*
	£ million		*£ million*		*£ million*		*£ million*		*£ million*
West Midlands CC	198·413	10·57	196·923	14·58	226·102	20·39	229·437	32·57	254·024
Birmingham	280·032	—	363·764	—	373·816	—	373·557	—	387·123
Coventry	32·067	—	113·317	—	117·655	0·06	119·391	—	122·548
Dudley	58·285	—	85·445	—	83·347	—	85·916	—	90·653
Sandwell	77·480	9·99	105·771	—	109·939	—	112·105	—	116·263
Solihull	46·553	—	63·490	—	61·660	—	62·875	—	64·958
Walsall	63·976	7·89	89·017	11·79	96·067	1·42	97·484	4·04	100·117
Wolverhampton	65·498	7·55	95·567	—	98·342	—	100·248	—	102·991
Hereford and Worcester CC	154·393	—	197·220	—	203·759	—	207·773	0·90	219·052
Bromsgrove	2·177	—	3·236	—	2·593	—	2·623	—	2·708
Hereford	1·628	—	2·381	—	2·366	—	2·409	—	2·499
Leominster	0·841	—	1·768	—	1·424	—	1·448	—	1·505
Malvern Hills	2·299	—	3·663	—	3·253	—	3·440	4·14	3·640
Redditch	2·569	—	3·285	—	3·570	—	3·617	—	3·728
South Herefordshire	1·155	—	1·999	—	1·583	—	1·627	—	1·646
Worcester	2·542	—	3·932	—	3·948	0·38	4·039	—	4·163
Wychavon	3·757	—	4·349	—	4·473	—	4·539	—	4·654
Wyre Forest	3·988	10·25	5·948	—	6·205	—	6·297	—	6·490
Shropshire CC	95·452	—	123·198	—	124·994	1·10	127·456	0·35	133·798
Bridgnorth	1·229	—	2·012	—	1·562	—	1·593	—	1·656
North Shropshire	1·425	—	2·101	—	1·910	—	1·980	—	2·104
Oswestry	0·898	—	1·433	—	1·186	—	1·205	—	1·252
Shrewsbury and Atcham	2·512	—	3·935	—	3·625	—	3·696	—	3·841
South Shropshire	1·132	—	1·593	—	1·454	—	1·479	—	1·537
The Wrekin	4·650	7·36	7·014	—	7·247	—	7·354	—	7·579
Staffordshire CC	264·974	—	324·372	—	338·383	1·26	343·374	7·10	366·929
Cannock Chase	1·953	—	4·002	—	4·086	—	4·083	—	4·126
East Staffordshire	2·491	—	4·720	—	3·872	—	4·188	—	4·203
Lichfield	2·240	—	3·436	—	2·979	—	2·977	—	3·092
Newcastle-under-Lyme	4·232	—	5·463	—	5·530	—	5·612	—	5·784
South Staffordshire	2·196	—	3·913	—	2·982	—	2·980	—	3·097
Stafford	3·026	—	5·225	—	4·351	—	4·474	—	4·730
Staffordshire Moorlands	2·449	—	3·894	—	4·000	—	4·027	—	3·943
Stoke-on-Trent	8·939	—	13·483	—	13·147	—	13·470	6·80	13·882
Tamworth	1·950	—	3·069	—	3·115	—	3·113	—	3·235
Warwickshire	120·654	—	150·215	—	155·211	0·89	158·002	1·88	165·366
North Warwickshire	1·837	—	2·596	—	2·684	1·25	2·724	—	2·807
Nuneaton and Bedworth	4·468	—	7·098	—	7·405	—	7·400	—	7·429
Rugby	2·868	—	3·958	—	3·829	—	3·969	—	4·125
Stratford on Avon	3·013	—	4·468	—	4·245	—	4·334	—	4·561
Warwick	3·502	—	5·665	—	5·118	—	5·114	2·76	5·355

Short-life Council Dwellings

Mr. Tony Banks asked the Secretary of State for the Environment what information he has as to the number of short-life council dwellings licensed to housing associations.

Sir George Young: No such information is available.

Thamesmead

Mr. Tony Banks asked the Secretary of State for the Environment if, prior to reaching a decision on the future of Thamesmead in the event of the abolition of the Greater London council, he will publish an assessment of the obligations, including financial obligations, that would be involved if the transfer were to be other than to the relevant local authorities; and if he will make a statement.

Sir George Young: I am discussing with local representatives how a trust would function should ownership be transferred to it. Local views will be reflected in the formal consultation with residents later this year.

Redundant Farm Buildings

Mr. Nicholas Winterton asked the Secretary of State for the Environment what plans he has to seek the introduction of measures to alter planning legislation to facilitate farmers finding alternative uses for redundant farm buildings.

Mr. Macfarlane: My Department's planning circulars already urge local planning authorities to look carefully and sympathetically at proposals to re-use redundant farm buildings for small firms' activities. Planning permission should in general always be granted unless there are serious planning objections.

Local Government Reform

Mr. Tony Banks asked the Secretary of State for the Environment what proposals he has for the continuation of the work of the Greater London council's tourist information centre in Shaftesbury avenue in the event of the abolition of the Greater London council.

Mr. Waldegrave: I refer the hon. Member to paragraph 2.22.1 of the "Yellow Book" — the Government's proposals for transferring functions to London Boroughs and metropolitan districts—dated July 1984.

Mr. Tony Banks asked the Secretary of State for the Environment (1), pursuant to the answer of 16 November 1984, *Official Report*, column 378, how it is intended that information collected by the London boroughs on a consistent basis, and subject to the agreement of a two-thirds majority, would be made available to the public and to the boroughs as a whole; and where the information would be analysed, held or published, in the event of the abolition of the Greater London council;

(2) pursuant to the answer of 16 November 1984, *Official Report*, column 378, what method would be used to record whether a two-thirds majority of boroughs had agreed to collect a particular piece of information; and for how long each individual agreement would impose a duty on all boroughs to provide such information, in the event of the abolition of the Greater London council.

Mr. Kenneth Baker: I refer the hon. Member to clause 86 of the Local Government Bill. These are matters for the London borough councils to decide.

Mr. Tony Banks asked the Secretary of State for the Environment what is his estimate of the cost savings in the administration of planning in London in the event of the abolition of the Greater London council.

Mr. Macfarlane: I have nothing to add to the estimates in the answer my right hon. Friend gave to my hon. Friend the Member for Surbiton (Mr. Tracey) on 30 November 1984, at column 611.

Local Authority Services (Competition)

Mr. Lawrence asked the Secretary of State for the Environment how long he intends the period of consultation to be before he introduces legislation for competition in the provision of local authority services.

Mr. Waldegrave [*pursuant to his reply*, 18 April 1985]: The formal period for responses to the proposals set out in the Government's consultation paper issued on 14 February ends on 30 April.

Subject to this consultation, it is proposed to prepare necessary legislation in time for the next parliamentary Session.

Local Authorities (Government Communications)

Dr. Cunningham asked the Secretary of State for the Environment if he will publish *(a)* the circulars, *(b)* the circular letters, *(c)* the statutory instruments (standing orders) and *(d)* other communications sent to all authorities, or all authorities in a class, by his Department in England in each year for 1981-82 to 1984-85.

Mr. Patrick Jenkin [*pursuant to his reply*, 22 March 1985, c. 637]: Details of circular and circular letters issued by my Department to local authorities in the years 1981-82 to 1984-85 (up to 7 March 1985) are as follows. Details of statutory instruments made by my Department may be obtained from the Department's annual list of publications, and its monthly supplements, copies of which are available in the Library. No central record is maintained of other communications issued to local authorities.

CIRCULAR LETTERS TO LOCAL AUTHORITIES

1 April 1981–31 March 1982

12 May 1981—Westminster Cleaner City Campaign.
2 June 1981—Sale of Council Houses and Flats, and Disposal of Housing Land.
2 June 1981—Local Authority current expenditure 1981-82.
10 June 1981 — Housing Strategies and Investment Programmes for Local Authorities in England: Arrangements for 1982.
July 1981—Town and Country Planning Act 1971: Gradings on Provisional Lists.
July 1981 — Advice note: The Minerals Content of Development Plans.
25 July 1981—Local Authority Expenditure 1981-82 (Follow-up to letter of 2 June).
August 1981—Local Authority Current Expenditure (England) 1982-83.
17 August 1981 — Rate Rebate, Rent Allowance and Rent Rebate Schemes.
3 September 1981 — Local Authority Current Expenditure 1981-82: Revision of Budgets.
16 September 1981—"Wanting to Move?" Housing Booklet 12.
18 September 1981—Housing Investment Programmes: Low Cost Home Ownership Initiatives.

29 September 1981 — Local Authority Current Expenditure 1981-82: Revision of Budgets.
12 October 1981 — Town and Country Planning Act 1971: Listing of Buildings of Special Architectural or Historic Interest: Programme to complete the National Re-survey.
16 October 1981 — Mr. Stanley's speech of 29 September 1981 to the Institute of Environmental Health Officers.
21 October 1981 — Housing Act 1980: Local Authority Mortgage Interest Rates.
Early November 1981—Mr. Stanley's speech at Stoneleigh on 23 October to the Royal Institute of Disability and Rehabilitation.
10 November 1981 — Amendment to the General Consent to the disposal of houses.
11 November 1981—Shorthold tenancies.
11 December 1981—First Supplementary Rate Support Grant Report for 1982-83.
21 December 1981—Rate Support Grant Settlement 1982-83.
22 December 1981 — Secretary of State's new initiatives on Derelict Land.
5 February 1982—Reservoirs (Safety Provisions) Act 1930.
5 February 1982—Shared Ownership—Miscellaneous Issues.
12 February 1982 — Special financial assistance to Local Authorities following disasters in recent severe weather.
22 February 1982—The Tenants Exchange Scheme.
15 March 1982 — Housing Act 1980: Local Authority Mortgage Interest Rates.
19 March 1982—The Tenants Exchange Scheme.
19 March 1982 — Housing Act 1980: Housing Subsidy System; Determination of Reckonable Expenditure and Reckonable Income.

1 April 1982—31 March 1983
2 April 1982 — Housing Acts 1974 and 1980: House Revovation Grants; Increase in Rate of Intermediate and Repair Grants.
5 May 1982 — General Rate Act 1967: Distribution of Transport Boards' Payments in Lieu of Rates.
10 May 1982—Town and Country Planning Act 1971: Listing of Buildings of Special Architectural Interest; Programme to complete the National Re-urvey.
12 May 1982 — Health and Safety at Work etc. Act 1974, s.62(3) Fees for Building Control.
13 May 1982—Airey Homes.
25 May 1982 (amended early July) — Housing Strategy and Investment Programmes for Local Authorities in England: Arrangements for 1983-84.
26 May 1982—The Tenants Exchange Scheme.
3 June 1982—Payment of Rate Support Grant: Transport and National Parks Supplementary Grants.
7 June 1982—Revisions of Thresholds for the Advertisement of Public Contracts.
8 June 1982 (approximate)—Management of Gypsy Sites.
15 June 1982—Derelict Land Scheme.
25 June 1982 — General Rate Act 1967: Distribution of Transport Boards' Payments in Lieu of Rates.
30 June 1982—National Insurance Surcharge Reduction.
27 July 1982—Rate Support Grant Settlement.
29 July 1982—Grant Holdback for 1981-82 and 1982-83.
3 August 1982—Direct Labour Organisations.
10 August 1982 — Housing Act 1980: Authority Mortgage Interest Rate.
18 August 1983—Rate Support Grant: GRE indicator E7
23 August 1983 — Rent Rebate. Rent Allowance and Rate Rebate Schemes.
2 September 1982—ORLIT Dwellings
14 September 1982—Rate Product Rules 1981: Calculation of Inclusive Product.
5 October 1982 — Housing Acts 1974 and 1980: House Renovation Grants: Increase in Rate of Intermediate and Repairs Grants.
29 October 1982 — Local Authority Capital Underspending, 1982-83.
15 November 1982 — Housing Act 1980: Section 110: Local Authority Mortgage Interest Rate.
10 December 1982—Report of the Chief Inspector of Audit.
16 December 1982—Rate Support Grant Settlement.
17 January 1983—Housing Subsidies and Allied Matters.
24 January 1983 (approx)—Do It Yourself Shared Ownership.
8 February 1983—Prefabricated Reinforced Concrete Houses.
18 February 1983—Prefabricated Reinforced Concrete Houses.
21 March 1983—
(1) Housing Acts 1974 and 1980: Increase in Eligible Expense Limits for Home Improvement Grants.
(2) Additional Capital Allocations for Enveloping.

1 April 1983—31 March 1984
17 June 1983—Rate Support Grant: Block Grant Entitlements 1982-83.
28 June 1983 — Housing Act 1980: Section 110: New 'Standard National Rate' of Interest for Local Authority Mortgages.
5 July 1983 — Rate Support Grant 1981-82, 1982-83 and 1983-84.
5 July 1983 — Housing for Mentally Ill and Mentally Handicapped People.
5 July 1983—Sale of Council Houses and Flats.
12 July 1983 — DOE Housing Booklet No. 14: Home Improvement Grants.
21 July 1983 — Housing (Homeless Persons) Act 1977: Revised Code of Guidance.
10 August 1983—Redundancy on Local Government.
? September 1983—Preventing Rent Arrears.
15 Septembr 1983—Accounting for Pooling Arrangements in the Block Grant System.
17 October 1983 — Annex to Traditional Urban Programme Circular 24.
2 November 1983 — Audit Inspectorate Report — Local Planning: The Development Control Function.
11 November 1983—Defective Houses.
1 December 1983—Asbestos in Housing.
5 December 1983—Health and Safety at Work etc. Act 1974: The Building (Prescribed Fees) (Amendment) Regulations 1983.
14 December 1983—Rate Support Grant Settlement, 1984-85.
31 January 1984—Housing Subsidies and Allied Matters.
3 February 1984—1982-83 Rate Support Grant Entitlements.
9 February 1984 — Revisions of Thresholds for the Advertisement of Public Contracts.
9 March 1984—Grant Related Expenditure 1984-85.
12 March 1984 — Rate Support Grant Supplementary Report (England) (No. 2) 1983-84.
19 march 1984—Local Government Superannuation Scheme: The Local Government Superannuation (Amendment) Regulations 1984.
21 March 1984 — Housing Act 1980: Section 110: Local Authority Mortgage Interest Rates.

1 April 1984—31 March 1985
2 April 1984 — DOE Housing Booklet No. 14: Home Improvement Grants.
26 April 1984 — Technical Handbook of Grant Related Expenditure 1984-85.
1 May 1984—Housing Investment Programmes: Arrangements for 1985-86.
13 June 1984—Housing Services for Disabled People.
15 June 1984 — Treatemnt of Cases of Redundancy and Premature Retirement in Local Government.
18 July 1984 — Action to Correct Forecast Overspending on Local Authority Programmes 1984-85.
24 July 1984—Rate Support Grant Settlement 1985-86.
30 July 1984 — Local Authority Mortgage Interest Rates: Housing Act 1980, Section 110.
20 August 1984—Housing Act 1980: The "Cost Floor".
22 August 1984—National Insurance Surcharge Payments.
4 September 1984—Rates Act 1984: Section 13.
12 September 1984 — Government Telephone Preference Scheme (Restricted).
10 October 1984 — Housing and Building Control Act 1984: Mortgages.
10 October 1984—Staying at Home: Helping Elderly People.
15 October 1984 — Local Authority Capital Expenditure in 1984-85.
26 October 1984 — Ronan Point: Advice on Dwellings Constructed of Large Load-Bearing Panels.
29 October 1984 — Local Authority Mortgage Interest Rates: Housing Act 1980: Section 110.
11 December 1984—Rate Support Grant Settlement 1985-86: Rate Support Grant Supplementary Report (England) (No. 2) 1984-85: Rate Support Grant Supplementary Report (England) (No. 3) 1983-84.

17 December 1984—Asbestos in Electric Storage Heaters.
19 December 1984—Taking the Initiative: A Survey of Low Cost Home Owners.
28 December 1984—Rate Support Grant Settlement 1985-86 [Amendment to Enclosure to Letter of 11 December 1984].
12 February 1985—Agricultural Restoration and Aftercare of Mineral Workings
19 February 1985—Local Government Planning and Land Act 1980, Local Government Finance Act 1982, Rate Support Grant 1985-86.
7 March 1985—The Support Lending Scheme 1985-86.
8 March 1985 — Housing Subsidies and Allied Matters. Determinations of Reckonable Expenditure in Respect of Management and Maintenance.
17 March 1885—The Support Lending Scheme 1985-86.

1 April 1981—31 March 1982

15/81 28 April 1981—Compulsory Acquisition of Land—Rate of Interest after Entry.
14/81 29 April 1981—Capital Programmes.
13/81 5 May 1981—Compulsory Purchase Orders made under Housing Powers.
16/81 6 May 1981—Local Government, Planning and Land Act 1980: Allowances for Members of Local Authorities and Similar Bodies.
18/81 27 May 1981—Local Authority Improvement for Sale Scheme.
17/81 29 May 1981—Health and Safety at Work Etc Act 1974 Section 66: Type Relaxation Directions Nos. 4A and 5.
19/81 26 June 1981—Urban Programme Circular 22: Capital and Non-Capital Projects starting in 1982-83 (England).
20/81 21 July 1981—Local Government Act 1972: Rates of Travelling Allowances for Members of Local Authorities and Similar Bodies.
21/81 24 July 1981—Homes Insulation Act 1978: Homes Insulation Scheme 1980 Amendment (No. 1) 1981. Housing Act 1974: Compulsory Improvement.
24/81 6 August 1981—Publication by Local Authorities of Information about Manpower and about the Employment of Disabled People.
22/81 7 August 1981 — Local Government Act 1972: Pecuniary Interests of Local Authority Members; Special Responsibility Allowances.
23/81 10 August 1981—Local Government, Planning and Land Act 1980; Town and Country Planning; Development Plans.
26/81 18 August 1981—Local Government and Planning (Amendment) Act 1981.
28/81 1 September 1981—Compulsory Acquisition of Land: Rate of Interest After Entry.
29/81 1 September 1981—Oil Pollution of Beaches.
27/81 4 September 1981—European Economic Community Directive 80/767: Public Sector Supply Contracts.
30/81 30 September 1981 — Local Government Superannuation Regulations 1974-1981.
31/81 6 November 1981—Compulsory Acquisition of Land: Rate of Interest after Entry.
33/81 12 November 1981—Homes Insulation Act 1978: Homes Insulation Scheme 1980 Amendment (No. 2) 1981.
34/81 20 November 1981—Building Regulations.
25/81 23 November 1981—Clean Air Acts 1956 and 1968: Chimney Heights.
32/81 25 November 1981—Wildlife and Countryside Act 1981.
37/81 9 December 1981 — Homes Insulation Act 1978: Homes Insulation Scheme 1981.
35/81 11 December 1981 — Local Government Superannuation Regulations 1974-1981.
36/81 11 December 1981—Housing Acts 1974 and 1980: House Renovation Grants for the Disabled.
38/81 18 December 1981 — Planning and Enforcement Appeals.
39/81 22 December 1981—Safeguarding of Aerodromes, Technical Sites, and Explosives Storage Areas: Town and Country Planning (Aerodrome) Direction 1981.
2/82 29 January 1982—Control of Pollution Act 1974: Codes of Practice on Noise from Audible Intruder Alarm, Model Aircraft and Ice-Cream Van Chimes etc.
1/82 8 February 1982 — Town and Country Planning (Minerals) Act 1981.
4/82 1 March 1982—EC Directive on the Protection of Groundwater against Pollution caused by certain Dangerous Substances (80/68/EEC).
3/82 4 March 1982 — Commons Act 1899: Commons (Schemes) Regulations 1982. Commons Registration Act 1965. Commons Registration (General) (Amendment) Regulations 1982.
6/82 15 March 1982—Local Government, Planning and Land Act 1980: Direct Labour Organisations; Year 2 (1982-83).
5/82 18 March 1982 — Housing Act 1981: Housing Subsidies and Accounting.
8/82 24 March 1982 — Local Government Act 1972: Allowances for Members of Local Authorities and Similar Bodies.
7/82 26 March 1982—Capital Programmes.

1 April 1982—31 March 1983

10/82 April 1982—Disabled Persons Act 1981.
(*Note:* 10/82 was a joint circular for which DHSS was "lead" Department. It has therefore been counted against that Department's circulars quota.)
11/82 14 April 1982—Homes Insulation Act 1978: Homes Insulation Scheme 1982. Housing Acts 1974 and 1980. House Renovation Grants and Compulsory Improvement.
12/82 21 April 1982—Compulsory Acquisition of Land: Rate of Interest after Entry.
13/82 4 May 1982—Town and Country Planning (Structure and Local Plans) Regulations 1982 (SI 1982 No. 555).
14/82 25 May 1982—The Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) Regulations 1982.
16/82 25 June 1982—Urban Programme Circular 23: Main Phase Projects starting in 1983-84 and Holiday Projects in 1983 (England).
18/82 30 July 1982—Compulsory Acquisition of Land: Rate of Interest after Entry.
17/82 2 August 1982—Development in Flood risk Areas—Liaison between Planning Authorities and Water Authorities. (*Note:* 17/82 was a joint circular for which MAFF was "Lead" Department. It has therefore been counted against that Department's circulars quota.)
15/82 5 August 1982—Superannuation Act 1972. Local Government Superannuation (Amendment) Regulations 1982. Local Government (Compensation for Premature Retirement) Regulations 1982.
20/82 20 August 1982—EC Directive relating to the Quality of Water intended for Human Consumption (80/778/EEC).
21/82 24 August 1982—Guidelines for Aggregates Provision in England and Wales.
23/82 3 September 1982—Local Authority Housing Project Control: Changes in Renovation Thresholds and Procedures.
19/82 6 September 1982—Local Government (Miscellaneous Provisions) Act 1982. (*Note:* 19/82 was a joint circular for which the Home Office was "Lead" Department. It has therefore been counted against that Department's circulars quota.)
22/82 7 September 1982—Lead in the Environment.
24/82 27 September 1982—Wildlife and Countryside Act 1981. Commencement of Part 1.
9/82 13 October 1982—Compulsory Acquisition of Land: Rate of Interest after Entry.
25/82 25 October 1982—Fire Safety in Houses in Multiple Occupation.
27/82 17 November 1982 — Local Government Superannuation (Amendment) (No. 2) Regulations 1982.
26/82 22 November 1982—Hazardous Substances.
28/82 22 November 1982 — Compulsory Acquisition of Land: Rate of Interest after Entry.
29/82 3 December 1982—Improvement of Older Housing: Enveloping.

30/82 22 December 1982 — Homes Insulation Act 1978: Homes Insulation Schemes 1982 Amendment 1982: Homes Insulation Directions 1982 Amendment 1982.
2/83 19 January 1983 — Local Government Act 1972: Allowances for Members of Local Authorities and Similar Bodies.
3/83 19 January 1983—Publication by Local Authorities in England and Information about Manpower.
4/83 31 January 1983—Wildlife and Countryside Act 1981: Financial Guidelines for Management Agreements.
1/83 1 February 1983—Public Rights of Way.
3/83 7 February 1983—Compulsory Acquisition of Land: Rate of Interest after Entry.
6/83 14 February 1983—(1) Airey Houses (2) Improvements to Older Housing: Housing Acts 1974 and 1980.
10/83 11 March 1983—Homes Insulation Act 1978: Homes Insulation Scheme 1983.
—8/83 18 March 1983—Local Government Superannuation (Transferred Water Employees) Regulations.
7/83 21 March 1983—Health and Safety at Work etc. Act 1974: Section 66 — Building Regulations and Type Relaxation Direction No. 6.
9/83 28 March 1983—Capital Programmes.
11/83 29 March 1983 — (Social Security and Housing Benefits Act 1982) Statutory Sick Pay: Effect on Councillors.

1 April 1983—31 March 1984

12/83 5 April 1983 — Housing Maintenance: Value for Money and Contracting Out.
13/83 27 April 1983—Purchase Notices.
14/83 29 April 1983 — Local Authorities and Housing Associations
16/83 30 June 1983—Water Act 1983.
17/83 11 June 1983 — Urban Programme Circular 24: Traditional Urban Programme: Projects Starting in 1984-85 and Holiday Projects in 1984 (England).
18/83 14 July 1983—Compulsory Acquisition of Land: Rate of Interest after Entry.
15/83 20 July 1983 — Model Standing Orders for Local Authority Contracts.
19/83 27 July 1983—Local Government, Planning and Land Act 1980: Direct Labour Organisations: Year (1983-84).
20/83 8 August 1983—Hazardous Waste Inspectorate.
22/83 25 August 1983—Planning Gain.
21/83 30 August 1983—Asbestos Materials in Buildings.
23/83 19 September 1983—Caravan Sites and Control of Development Act 1960.
24/83 26 September 1983 — Local Government Superannuation (Amendment) Regulations 1983: Local Government Superannuation (Amendment) (No. 2) Regulations 1983.
25/82 22 November 1983—The Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1983.
27/73 24 November 1983 — Homes Insulation Act 1978: Homes Insulation Scheme 1983 Amendment 1983.
26/83 12 December 1983—Local Government England and Wales: The Accounts and Audit Regulations 1983.
29/83 19 December 1983—Compulsory Acquisition of Land: Rate of Interest after Entry.
28/83 29 December 1983—Publication by Local Authorities of Information about the Handling of Planning Applications.
30/83 29 December 1983 — Housing Association Grant (HAG): Annual Return.
1/84 30 January 1984—Crime Prevention. *Note:* 1-84 was a joint circular for which the Home Office was "lead" Department. It has therefore been counted against that Department's circular quota.)
2/84 7 February 1984 — Local Government Act 1972: Allowances for Members of Local Authorities and Similar Bodies.
3/84 27 February 1984—Opencast Coal Mining.
4/84 14 March 1984 — Housing Finance Act 1972: Slum Clearance Subsidy.
6/84 27 March 1984—Capital Programmes.
7/84 28 March 1984—The Supervisory Scheme for Fire Test Laboratories and the National Testing Laboratory Accreditation Scheme.
8/84 28 March 1984 — Establishment of the Historic Buildings and Monuments Commission for England.
10/84 29 March 1984 — Certification of Local Authority Claims for Exchequer Grants and Subsidies.
9/84 30 March 1984 — Planning Control over Hazardous Development.

1 April 1984 to 31 March 1985

11/84 9 April 1984—Town and Country Planning (Control of Advertisements) Regulations 1984.
5/84 30 April 1984—Zoo Licensing Act 1981.
12/84 30 May 1984 — The Local Government Boundary Commission for England: Reviews of Principal Areas.
13/84 29 June 1984—Homes Insulation Act 1979: Homes Insulation Scheme 1984.
14/84 4 July 1984—Green Belts.
15/84 4 July 1984—Land for Housing.
17/84 26 July 1984 — Water and the Environment; The Implementation of Part II of the Control of Pollution Act 1974.
18/84 3 August 1984 — Crown Land and Crown Development.
19/84 7 August 1984 — Urban Programme Circular 25: Traditional Urban Programme: Projects starting in 1985-86 and Holiday Projects in 1985 (England).
20/84 8 August 1984 — Compulsory Acquisition of Land: Rate of Interest after Entry.
21/84 15 August 1984—Housing and Building Control Act 1984.
16/84 4 September 1984—Industrial Development.
22/84 7 September 1984 — Memorandum on Structure and Local Plans: The Town and Country Planning Act 1971: Part II (As amended by the Town and Country Planning (Amendment) Act 1972, The Local Government Act 1972, and the Local Government Planning and Land Act 1980.
23/84 14 September 1984 — Procedure for Informing the Historic Buildings and Monuments Commission for England of Applications for Planning Permission and for Listed Building Consent.
24/84 1 October 1984 — Compulsory Acquisition of Land: Rates of Interest after Entry.
26/84 17 October 1984 — Improvement of Older Housing: Enveloping.
25/84 18 October 1984—EC Directive relating to the Quality of Water intended for Human Consumption.
28/84 7 November 1984 — Housing Defects Act 1984: Assistance for Eligible Private Owners of Prefabricated Reinforced Concrete Houses Designed before 1960.
29/84 8 November 1984—Compulsory Acquisition of Land: Rate of Interest after Entry.
27/84 26 November 1984—Clean Air Acts 1956 and 1968: Maximum Cost Limits.
3/85 4 January 1985 — Compulsory Acquisition of Land: Rate of Interest after Entry.
1/85 7 January 1985—The Use of Conditions in Planning Permissions.
2/85 15 January 1985—Planning Control over Oil and Gas Operations.
4/85 21 January 1985 — Local Government Act 1972: Allowances for Members of Local Authorities and Similar Bodies.
5/85 27 February 1985—Reservoirs Act 1975.
8/85 8 March 1985—Compulsory Acquisition of Land. Rate of Interest after Entry.
7/85 11 March 1985—Homes Insulation Act 1978: Homes Insulation Scheme 1984: Amendment 1985.
6/85 15 March 1985 — Compulsory Purchase Orders: Procedures (amendment of Circular 26/77)

Written Answers to Questions

Monday 22 April 1985

CHURCH COMMISSIONERS

Molesworth (Land Sales)

Mr. Frank Field asked the hon. Member for Wokingham, representing the Church Commissioners, if the Peterborough diocese has to report to, or gain the permission of, the Commissioners for the sale of land at Molesworth to the Ministry of Defence.

Sir William van Straubenzee: The land in question is diocesan glebe and the Commissioners' consent would be required under The Endowments and Glebe Measure 1976.

ATTORNEY-GENERAL

Northern Ireland (Criminal Cases)

Sir John Biggs-Davison asked the Attorney-General in how many criminal cases in the Northern Ireland courts accomplices of accused have turned Queen's evidence; in how many such cases this evidence has been uncorroborated; and what has been the result of such cases.

The Attorney-General: As I said in the written answer which I gave to my right hon. and learned Friend the Member for Leicester, South (Mr. Spencer) on 24 October 1983, the law and practice in Northern Ireland, as in England and Wales, has always permitted the use of the evidence of accomplices in criminal trials: it is not something which has happened only in the context of the prosecution of terrorists or only in the situation which currently obtains in Northern Ireland. However, I take the present question to be directed at cases where such evidence has been used in recent years and specifically at trials for offences which are scheduled offences under the Northern Ireland (Emergency Provisions) Act 1978. In respect, therefore, of trials on indictment for scheduled offences where evidence was given by an accomplice, the position for the years 1982 to date is as follows:

Year	*No. Trials*	*Persons Acquitted*	*Persons Convicted or Pleading Guilty*
1982	1	0	4
1983	4	13	55
1984	3	46	26
1985	1	21	8

In 1984, the convictions of 14 of the persons tried in 1983 were quashed on appeal to the Court of Appeal.

There is no comprehensive record of, and it is not now feasible to identify without disproportionate cost, all the evidence which was before the court in relation to individual charges or whether such evidence was capable of constituting corroboration.

PRIME MINISTER

Football Hooliganism

Mr. Kilroy-Silk asked the Prime Minister if, further to her answer to the right hon. Member for Islwyn (Mr. Kinnock) on 14 March, *Official Report*, column 432, football hooliganism is to be tackled by way of increased numbers of police and increased equipment, she will indicate by how many and where Her Majesty's Government intend to increase police numbers and what equipment is to be provided, to whom and at what cost.

The Prime Minister: I said no such thing. We have greatly strengthened the police service—on 28 February there were 9,286 more police officers in England and Wales than in May 1979—so that more officers are available for chief constables to deploy as required. Football hooliganism has to be tackled both by the football authorities and by the police and the courts. In his pursuant reply on 4 April at columns *756-57* to a question by the hon. Member for Barnsley, East (Mr. Patchett), my hon. Friend the Minister for Sport set out the substantial package of new measures which are being taken, following my meeting with the football authorities on 1 April. These measures include steps to extend the powers of the courts and the police and discussions with the police about improvements in their effectiveness in dealing with football violence. So far as equipment is concerned, I would refer the hon. Member to the reply by my hon. Friend the Minister of State, Home Office to a question by my hon. Friend the Member for Basildon (Mr. Amess) on 4 April, at column *723*.

Multi-fibre Arrangement

Mr. Gould asked the Prime Minister if she discussed a new multi-fibre arrangement with any of the Governments with which she had discussions on her recent trip abroad; what views were expressed to her on this subject; and what indication she was able to give of Her Majesty's Government's attitude.

The Prime Minister: Yes; I said the multi-fibre arrangement is currently under review here, as, no doubt, in other countries.

Export Orders

Mr. Gould asked the Prime Minister if she will list those export orders which she discussed with foreign Governments on her recent trip abroad, and indicate those orders where the discussions she held have increased the chances of their being obtained by British firms.

The Prime Minister: I refer the hon. Member to the reply that I gave to the hon. Member for Dunfermline, East (Mr. Brown) on 18 April at column 267.

Nurses and Widwives (Pay Review Body Report)

Mr. Dubs asked the Prime Minister when she received the report of the pay review body on nurses and midwives pay; and when she will make this public.

The Prime Minister: I am receiving this report today. It will be considered in the normal way.

Social Services Departments (Supplementary Employment Grant)

Mrs. Renée Short asked the Prime Minister what response she has made to the letter she has received from the Association of Directors of Social Services proposing that the Government pay social services departments a supplementary employment grant to give jobs to the unemployed involving simple caring tasks.

The Prime Minister: The proposals in the association's letter were given detailed and careful consideration and a reply was sent on my behalf on 3 April 1985 by my hon. Friend the Parliamentary Under-Secretary of State for Health and Social Security.

My hon. Friend referred the association to the White Paper "Employment: the Challenge for the Nation"—Cmnd. 9474—in which the Government's policy on job creation is clearly set out.

HOME DEPARTMENT

Metropolitan Police (Recruitment)

Mr. Bowen Wells asked the Secretary of State for the Home Department what is the effect of the Rehabilitation of Offenders Act upon recruitment to the Metropolitan police; and whether a juvenile conviction for petty vandalism is sufficient to bar entry into the force.

Mr. Giles Shaw: By virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, the provisions of the 1974 Act do not apply to applications for appointment as a police constable. Applicants are not, therefore, entitled to withhold information about a previous conviction on the grounds that it is for other purposes spent under the Act. It is for the chief officer of police to decide whether, in any particular case, an isolated minor offence should be disregarded.

ARWEN 37 Weapon

Mr. Chris Smith asked the Secretary of State for the Home Department if he will obtain and place in the Library a copy of the report of the Metropolitan police officers who witnessed the recent manufacturer's demonstration of the ARWEN 37 weapon.

Mr. Giles Shaw: According to the Commissioner of Police of the Metropolis, none of his officers has attended a manufacturer's demonstration of the ARWEN 37 since 1982. No formal report on that demonstration was submitted.

Metropolitan Police (Water Cannon)

Mr. Chris Smith asked the Secretary of State for the Home Department on how many occasions during the past 12 months any of the water cannon vehicles based by the Metropolitan police at the river way site in Greenwich have left the site to travel on the public highway; and what was the purpose of their journey on each such occasion.

Mr. Giles Shaw: I understand from the Commissioner of Police of the Metropolis that during the last 12 months the water cannon left the Greenwich site on two occasions for maintenance.

Metropolitan Police (Armoured Vehicles)

Mr. Chris Smith asked the Secretary of State for the Home Department how many armoured vehicles the Metropolitan police force has; what types of vehicles they are and how many there are of each type; and on what occasions during the past 12 months each type has been used.

Mr. Giles Shaw: I understand from the Commissioner of Police of the Metropolis that the force has 15 armoured motor cars and that the majority are in regular use.

Metropolitan Police (Drugs Policy)

Mr. Peter Bruinvels asked the Secretary of State for the Home Department if he will meet the Commissioner of Police of the Metropolis to discuss the Metropolitan police force's policy towards cases involving the possession of cannabis.

Mr. Giles Shaw: No. Chief officers of police, including the Commissioner of Police of the Metropolis, are already well aware of my right hon. and learned Friend's views about drug misuse. They have available to them in exercising their responsibility in this matter the Attorney-General's guidelines on criteria for prosecution and my right hon. and learned Friend's advice to them on the appropriate use of cautioning. It is also open to them in any case of doubt or difficulty to seek the advice of the Director of Public Prosecutions.

Metropolitan Police (Vehicles)

Mr. Chris Smith asked the Secretary of State for the Home Department how many vehicles specifically designated for the carrying of prisoners the Metropolitan police has at the current time; and how many they had in 1979.

Mr. Giles Shaw: Ninety eight in 1979; 114 now.

Television (Background Noise)

Mr. Ashley asked the Secretary of State for the Home Department if he will hold discussions with the chairmen of the British Broadcasting Corporation and Independent Broadcasting Authority about the problems caused to viewers, especially those hard of hearing, by background noise.

Mr. Giles Shaw: I know that the broadcasting authorities are aware of the problems that may be caused to viewers, particularly the hard of hearing, by background noise. If, however, the right hon. Member has particular instances in mind, I am sure that it would be useful if he were to notify the broadcasting authorities with a view to their bringing the matter to the attention of the producers concerned.

British Nationality

Mr. Stanbrook asked the Secretary of State for the Home Department when he proposes to introduce legislation conferring on British nationals overseas rights and privileges under the British Nationality Act 1981 equivalent to those accorded to other categories of British nationality by that Act with regard to qualification for British citizenship.

Mr. Waddington: It is intended that a draft of an Order in Council to implement the nationality provisions of the Hong Kong Act 1985 should be put before Parliament with a view to the order itself being made by April 1986. Among other things, the draft order will include provision for British nationals (overseas) to be entitled to be registered as British citizens under section 4 of the British Nationality Act 1981 on the same terms as British dependent territories citizens and other British nationals.

Mr. Alhaji Umaru Dikko

Mr. Stanbrook asked the Secretary of State for the Home Department on what date the current leave to remain in the United Kingdom given to Alhaji Umaru Dikko expires.

Mr. Waddington: On 20 June 1984, Mr. Dikko was granted leave to enter the United Kingdom as a visitor for a period of six months. Before the expiry of that period, Mr. Dikko applied for asylum in the United Kingdom. This application has the effect of extending his leave to remain while his application is under consideration.

Peacock Inquiry

Mr. Latham asked the Secretary of State for the Home Department whether he can yet give further details on the Peacock inquiry into broadcasting finance; and to whom members of the public should address any comments which they wish to make.

Mr. Giles Shaw: The terms of reference of the Peacock committee were circulated in the *Official Report* following my right hon. and learned Friend's statement of 27 March about the BBC's licence fee at column 479. We hope to be able to announce the names of the members of the committee before long. The committee will doubtless indicate, as soon as it begins its task, how it wishes evidence to be submitted to it.

RAF Molesworth

Mrs. Renée Short asked the Secretary of State for the Home Department what was the total cost of the policing operation at RAF Molesworth over the Easter weekend; and if he will call for a report from the chief constable of Cambridgeshire police about the number of people arrested for alleged criminal damage and other offences.

Mr. Giles Shaw: The chief constable of Cambridgeshire informs me that 107 people were arrested at the site for alleged offences including criminal damage, trespass on military land, assault on the police and destruction. He is not yet in a position to give a complete estimate of the costs of policing the demonstration.

Royal Air Force Bases (Demonstrations)

Mrs. Renée Short asked the Secretary of State for the Home Department if he has had any discussions with chief constables about the degree of retaliation by police to peaceful demonstrations at Royal Air Force bases; and if he will make a statement.

Mr. Giles Shaw: No. Chief constables are well aware that police officers must not use force unless it is absolutely necessary to do so.

Channel Islands (Drugs Money)

Mr. Foulkes asked the Secretary of State for the Home Department if he will publish the information given to the Under-Secretary on his visit to the United States of America regarding the use of the Channel Islands to deposit in secret money from illegal drugs activities.

Mr. Mellor: It would not be appropriate to publish details of the specific case which was mentioned to me.

Mr. Foulkes asked the Secretary of State for the Home Department what action he proposes to take to counter the use of the Channel Islands for the deposit of money from illegal drugs activities.

Mr. Mellor: My right hon. and learned Friend will continue to encourage the Channel Islands to follow their present policies of enacting parallel legislation to the United Kingdom, and of adopting similar standards and practices to avoid abuse of banking facilities. He will keep a close watch on any indications of money from illegal drug activities being channelled through the islands, and these will be brought to the attention of the island authorities as a matter of urgency.

Metropolitan Police (Medals)

Mr. Bendall asked the Secretary of State for the Home Department why it takes 12 months for the Metropolitan police to notify and present the recipient with a medal for long service and conduct.

Mr. Giles Shaw: I understand from the Commissioner of Police of the Metropolis that there is no unnecessary delay between an officer becoming eligible for the police long service and good conduct medal and the award of the medal. If my hon. Friend has a particular case in mind, he may wish to take it up with the Commissioner.

Crimes Against Children

Mr. Peter Bruinvels asked the Secretary of State for the Home Department, if he will call for reports from each chief constable as to the number of children who were: *(a)* murdered and *(b)* abducted and *(c)* sexually assaulted in 1984 and to date in 1985; how these figures compare with the previous five years; and if he will make a statement.

Mr. Giles Shaw [*pursuant to his reply*, 15 April, c. *14*]: The Government view such crimes against children with the utmost concern. Chief officers fully share this view and respond to these offences accordingly. Much relevant information is already reported regularly and my right hon. and learned Friend sees no need to call for special reports at this stage. The age and sex of victims of homicide is published annually in "Criminal Statistics, England and Wales"—table 4.6 of the latest issue for 1983, Cmnd. 9349; corresponding statistics for 1984 will become available later this year. The number of recorded offences of child stealing—which includes offences under the Child Abduction Act 1984, kidnapping, abduction of persons of all ages and of all sexual offences including some specifically involving juveniles — is published annually in chapter 2 of "Criminal Statistics, England and Wales". The latest figures for 1984 were published in "Home Office Statistical Bulletin" issue 6/85, on 12 March 1985. The numbers of persons found guilty or

cautioned up to 1983 for certain offences in which the victim was, or may have been, a juvenile are given in table 1; corresponding figuresa for 1984 will become available later this year. Some information about the number of young people recorded as missing each year is available from the missing persons bureau of the Metropolitan Police and is given in table 2; these figures are not a comprehensive record of persons missing and traced, particularly those from outside the Metropolitan police district, because not all such cases are reported.

Table 1 Offenders found guilty or cautioned for certain offences

England and Wales

Number of offenders

Offences	*1979*	*1980*	*1981*	*1982*	*1983*
Child stealing	18	12	11	11	20
Kidnapping	29	45	45	45	40
Abduction:	33	29	29	25	27
of which abduction of unmarried girl under 16	22	13	15	17	14
Buggery:	248	299	280	248	254
of which i) with a boy under the age of 16 or with a woman or an animal	142	164	164	136	165
ii) attempt to commit buggery with a boy under the age of 16 or with a woman or an animal	22	15	10	9	14
Indecent assault on a male:	749	814	736	725	789
of which indecent assault on male person under 16 years	634	685	616	600	654
Rape	392	457	326	412	330
Indecent assault on a female:	3,470	3,490	3,258	3,391	3,235
of which on females under 16 years of age	2,516	2,572	2,369	2,417	2,333
Unlawful sexual intercourse with girl under 13	128	156	111	141	149
Unlawful sexual intercourse with girl under 16	2,111	1,906	1,689	1,559	1,673
Incest:	177	171	143	133	152
of which i) incest with a girl under 13	56	54	38	47	46
ii) inciting girl under 16 to have incestuous sexual intercourse	11	8	12	7	9
Gross indecency with a child	270	280	247	247	255

*Table 2 Persons aged less than 18 recorded as missing by the Missing Persons Bureau of the Metropolitan Police**

Number of persons†

Year	*Recorded as missing‡*	*Traced or identified‖*
1979	3,600	3,200
1980	3,900	3,300
1981	3,200	2,800
1982	4,300	3,500
1983	3,900	3,300
1984	4,100	3,700

* Includes some cases reported by police forces other than the Metropolitan Police.

† The same persons may be reported missing more than once.

‡ Includes some persons first reported missing in previous years.

‖ Includes persons traced who were first reported missing in previous years.

ENERGY

Advisory Committee on Research and Development

Mr. Speller asked the Secretary of State for Energy if he will list the members of the Advisory Committee on Research and Development together with details of those members with close involvement in any renewable energy source, nuclear power, fossil fuel energy and energy conservation industry.

Mr. David Hunt: I have nothing to add to my reply to my hon. Friend on 25 February at columns 15-16.

Coal Industry (European Community Proposals)

Mr. Douglas asked the Secretary of State for Energy if he will give details of all the proposals emanating from the European Economic Community to which Her Majesty's Government is a party which relate to the reduction of coal output in Britain and the degree of progress made towards meeting the targets set by the Commission, in terms of number of pits, manpower and output.

Mr. Peter Walker: No such proposals have been received.

EMPLOYMENT

Youth Training Scheme

Mr. Kilroy-Silk asked the Secretary of State for Employment how many of those on youth training schemes in Knowsley have gone on to full-time employment in each year since its inception.

Mr. Peter Morrison: The information requested is not available. Regular information on the destinations of a sample of young people leaving the youth training scheme in each of the Manpower Services Commission's areas should be available by the end of May 1985.

Employment Protection

Mr. Skinner asked the Secretary of State for Employment if he will now seek to extend the provisions of the Employment Protection Acts 1975 and 1978 to all workers irrespective of the number of hours worked; and if he will make a statement.

Mr. Peter Bottomley: No. The Government consider it right that an employee should have to work for an employer for a minimum number of hours each week before acquiring some of the statutory rights enforceable against that employer.

Pregnancy Leave

Mr. Skinner asked the Secretary of State for Employment (1) if he will now introduce legislation

providing women workers with at least six months' pregnancy leave on full pay, with jobs guaranteed and with no loss of employment rights or entitlement to holiday pay and pensions; and if he will make a statement;

(2) if he will now consider extending the existing statutory maternity leave to include at least three months' paid maternity leave; and if he will make a statement.

Mr. Peter Bottomley: The Government have been considering the question of financial provision for maternity as part of the social security review. We will announce the outcome of the review shortly. As regards other rights during maternity absence, the statutory provisions are constantly under review, but we have no immediate plans to amend them.

Labour Statistics

Mr. Skinner asked the Secretary of State for Employment what was the percentage of women in the total work force employed part-time in 1981, 1982, 1983 and 1984, respectively.

Mr. Alan Clark: In December 1984, 46·4 per cent. of female employees in employment in Great Britain worked part-time. The corresponding figures for December 1981, December 1982 and December 1983 were 42·6 per cent., 43·7 per cent, and 45·3 per cent. respectively.

National Minimum Wage

Mr. Skinner asked the Secretary of State for Employment if he will now introduce legislation providing a national minimum wage of £100 per week for all workers; and if he will make a statement.

Mr. Peter Bottomley: No. A national minimum wage would raise employers' costs and threaten jobs, including the jobs of those it was designed to help.

Community Programme (Merseyside)

Mr. Kilroy-Silk asked the Secretary of State for Employment (1) how many full-time community programme placements are available on Merseyside;

(2) how many part-time community programme places are currently available on Merseyside.

Mr. Peter Morrison: At 29 March, the latest date for which figures are available, there were 6,488 filled places on Merseyside. It is for sponsors to determine the balance between full and part-time jobs within available resources, but at that date 2,278 places were full-time and 4,210 were part-time.

Health and Safety Commission

Mrs. Renée Short asked the Secretary of State for Employment if he will list the number of staff who have been employed by the Health and Safety Commission in each year since 1979; and if he will consider giving them further assistance to enable a greater number of staff to visit factories more regularly.

Mr. Peter Bottomley: The numbers of permanent staff employed by the Health and Safety Executive at 1st April each year were:

	Number
1979	4,168
1980	4,110
1981	3,884
1982	3,712
1983	3,593
1984	3,563
1985	3,616

Decisions on the deployment of staff to particular areas of work are a matter for the Executive.

Young Deaf People

Mr. Ashley asked the Secretary of State for Employment what steps he has taken to identify and evaluate the special employment problems of young deaf people; and if he will make a statement.

Mr. Alan Clark: There is no specific arrangements for identifying and evaluating the employment problems of young deaf people specifically. All disabled people, including those who are young and those who are deaf, are able to benefit from the Manpower Services Commission's general employment services and its specialist schemes and services for disabled people, according to their individual needs.

Mr. Ashley asked the Secretary of State for Employment what special training facilities are provided for young deaf people to improve their employment prospects.

Mr. Alan Clark: The Manpower Services Commission, which has responsibility for training matters, does not offer national training provision aimed specifically at young deaf people. The Commission's policy is to encourage these young people to integrate with their able-bodied counterparts on locally provided schemes which can be adapted to meet individual needs.

Credit Card Companies

Mr. Teddy Taylor asked the Secretary of State for Employment what information he has regarding the number of persons employed in consequence of the business activities of credit card companies in the United Kingdom.

Mr. Alan Clark: The Department's employment estimates are analysed according to the 1980 standard industrial classification which does not distinguish the business activities of credit card companies.

Underpaid Workers

Mr. Ron Brown asked the Secretary of State for Employment how many workers covered by wages councils were underpaid in Lothian, Edinburgh and Leith, respectively, during 1984.

Mr. Peter Bottomley: Statistics are not collected for geographical areas smaller than Wages Inspectorate divisions.

Employees' Pay (Greater Manchester)

Mr. Meacher asked the Secretary of State for Employment whether he will publish *(a)* a table showing the proportion of full-time employees in the Greater

Manchester area who, in the New Earnings Survey 1984, are paid less than £50, £60, £70, £80, £90 and £100 when overtime earnings are included and *(b)* a table showing the proportion of full-time employees in the same area who are paid less than £100 when overtime earnings are excluded, for all males and females and sub-divided into manual and non-manual males and females.

Mr. Peter Bottomley: The available information relates to full-time adult employees working a full week and is set out below:

Greater Manchester Area
April 1984
Percentage with gross weekly earnings below

	Including overtime						*Excluding overtime*
	£50	*£60*	*£70*	*£80*	*£90*	*£100*	*£100*
Males							
Manual	0·2	0·8	1·9	4·5	9·1	15·5	22·5
Non-manual	0·5	0·9	1·6	3·2	5·3	7·3	8·3
All	0·3	0·8	1·8	3·9	7·4	11·9	16·3
Females							
Manual	2·5	9·7	24·0	42·1	57·9	74·9	78·0
Non-manual	0·8	1·9	6·0	17·6	29·0	39·5	40·3
All	1·3	4·1	11·1	24·5	37·1	49·5	50·9
Males and Females	0·6	1·9	4·8	10·7	17·1	24·2	27·9

Source: New Earnings Survey 1984

HOUSE OF COMMONS

Post Paid Envelopes

Mr. Peter Bruinvels asked the Lord Privy Seal how many official House of Commons post paid envelopes are estimated to be sent out in the post on any one sitting day.

Mr. Biffen: Correspondence in House of Commons post paid envelopes is sent by Members and their staffs through post offices throughout the United Kingdom. These envelopes are not separately identified. I am advised, however, than an average of 7,500 items are posted daily from the House of Commons on sitting days, virtually all of which are House of Commons post paid envelopes.

Mr. Peter Bruinvels asked the Lord Privy Seal exactly how much money was paid out in 1984 to the Post Office for the provision of post paid envelopes; and how this compares with each of the past five years.

Mr. Biffen: The total cost to the House of Commons Vote—Class XIII A, Vote 1—for post paid stationery in the year 1984 was £376,748·81. The cost in the previous five years was as follows:

	£
1983	351,385·36
1982	359,124·22
1981	296,229·76
1980	188,370·68
1979	81,418·53

Note: The steep rise in charges for paid stationery during 1980, by comparison with 1979, is due to a combination of rising prices and an increase in demand.

Mr. Peter Bruinvels asked the Lord Privy Seal whether he will consider providing second class post paid House of Commons stationery to complement existing stationery; and whether he is able to estimate the likely savings.

Mr. Biffen: No. I refer my hon. Friend to the First Report from the Select Committee on House of Commons (Services), Session 1982-83.

Mr. Peter Bruinvels asked the Lord Privy Seal what information he has showing the amount of House of Commons post paid mail that actually arrived the next day; what percentage is involved; how much arrived on a later day; and if he will make a statement.

Mr. Biffen: No figures are available for mail posted from the House of Commons since this goes into the ordinary postal system and is not specially checked at the point of delivery.

Sorting Office

Mr. Peter Bruinvels asked the Lord Privy Seal if he will estimate the number of letters received at the House of Commons sorting office on any one sitting day.

Mr. Biffen: I am advised that an average of 14,500 letters are received daily at the House of Commons sorting office on sitting days.

Mr. Peter Bruinvels asked the Lord Privy Seal how much mail is estimated to have been handled by the House of Commons sorting office in 1984.

Mr. Biffen: The Post Office do not keep records of the total amount of mail passing through the House of Commons sorting office, but it is estimated that approximately 6·5 million items were handled in 1984.

Telephones

Mr. Peter Bruinvels asked the Lord Privy Seal how much was the Palace of Westminster's telephone bill in 1984; how the figure compares with each of the past five years; and if he is able to divide the figures between the House of Lords and the House of Commons.

Mr. Biffen: The telephone bill for the Palace of Westminster for 1984 was £1,303,455·22. In the preceding four years it was as follows:

	£
1983	1,111,299·33
1982	1,174,629·35
1981	1,334,288·49
1980	1,164,373·89

These charges are divided into proportions which are reviewed annually. The present percentages are as follows:

	Percentage
House of Lords	9·8
House of Commons	86·1
Lord Chancellor's Department	1·8
Department of the Environment	2·2
Post Office	0·1

Sitting Times

Mr. Peter Bruinvels asked the Lord Privy Seal what was (i) the average time of rising, Fridays excepted, and (ii) the latest time of rising, in each of the past 10 Sessions and the current Session to date.

Mr. Biffen: The information is as follows:

Session	*Average time of rising (Fridays excepted)*	*Latest time of rising on next day*
1974-75	12.43 am	4.56 pm
1975-76	12.35 am	1.41 pm
1976-77	12.31 am	9.33 pm
1977-78	12.05 am	12.58 pm
1978-79	11.32 pm	11.00 am
1979-80	12.21 am	2.51 pm
1980-81	12.35 am	3.30 pm
1981-82	12.13 am	9.27 am
1982-83	11.52 pm	9.21 am
1983-84	12.26 am	10.43 pm
1984-85*	12.52 am	8.44 pm

* To Easter.

TRADE AND INDUSTRY

Imports

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for standard industrial classification headings 3434, 3443, 3452, 3453, 3454, 3634, 373, 4115, 4116, 415, and 418, the ratio of imports to home demand in 1975 and at the latest available date for the EC and the non-EC countries together with the relevant import figures.

Mr. Channon: The information is given in the table below:

Standard industrial classification heading	*EC countries*				*Non-EC countries*			
	Import Penetration (per cent.)		*Imports (£ million)*		*Import Penetration (per cent.)*		*Imports (£ million)*	
	1975	*12 months ended June 1984*	*1975*	*12 months ended June 1984*	*1975*	*12 months ended June 1984*	*1975*	*12 months ended June 1984*
3434	6	14	16	83	4	7	10	45
3443	9	13	35	256	13	26	47	495
3452	9	23	11	68	8	21	9	63
3453	21	34	70	440	41	59	37	782
3454	7	14	35	247	32	52	160	930
3634	20	24	8	37	14	28	6	44
373	40	45	93	313	33	55	79	384
4115	0	9	1	30	0	0	0	0
4116	9	32	46	407	26	21	141	264
415	7	14	20	119	35	41	100	339
418	22	17	26	94	3	4	4	18

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for standard industrial classification headings 424, 466, 4728, 481, 4811, 4831, 4833, 4942, and 4954 the ratio of imports to home demand in 1975 and at the latest available date for the EC and the non-EC countries together with the relevant import figures.

Mr. Channon: The information is given in the table below:

Standard industrial classification heading	*EC countries*				*Non-EC countries*			
	Import Penetration (per cent.)		*Imports (£ million)*		*Import Penetration (per cent.)*		*Imports (£ million)*	
	1975	*12 months ended June 1984*	*1975*	*12 months ended June 1984*	*1975*	*12 months ended June 1984*	*1975*	*12 months ended June 1984*
424	17	27	44	102	7	6	18	20
466	6	8	4	14	20	33	15	54
4728	3	13	3	29	6	21	7	48
481	8	18	62	294	5	12	43	192
4811	10	27	36	182	6	16	22	106

Standard industrial classification heading	EC countries				Non-EC countries			
	Import Penetration (per cent.)		Imports (£ million)		Import Penetration (per cent.)		Imports (£ million)	
	1975	12 months ended June 1984	1975	12 months ended June 1984	1975	12 months ended June 1984	1975	12 months ended June 1984
4831	20	41	10	33	10	12	5	10
4833	12	19	6	19	8	9	4	9
4942	8	13	5	28	27	47	18	104
4954	15	26	11	52	16	23	11	45

Investment

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report*, a table showing the level of United Kingdom investment overseas in each year since 1980 and at the latest available date together with the net investment during the year; and if he will provide any revision for earlier years since his answer to the hon. Member for Great Grimsby (Mr. Mitchell) of 29 July 1983, *Official Report*, columns *742-46*.

Mr. Channon: The level of United Kingdom investment overseas since 1980 is given table 11.1—United Kingdom External Assets—of "United Kingdom balance of payments, 1984 edition"—The CSO pink book. Flows of United Kingdom direct overseas investment are given in table 8.2, inward and outward investment, of the same publication.

The following table provides such revisions that are available to the information supplied to the hon. Member for Great Grimsby (Mr. Mitchell) on 29 July 1983 and published in columns *742-46* of the *Official Report*.

Table 1

*Flows of direct investment excluding unremitted profits and oil companies between United Kingdom and the European Community**

£ million

	Inward direct investment in United Kingdom		United Kingdom direct investment overseas		
	Net acquisition of share and loan capital	Inter-company and branch-head office accounts	Net acquisition of share and loan capital	Inter-company accounts	Branch-head office accounts
1972					
Manufacturing	6·8	−12·0	71·6	−14·2	0·5
Non-manufacturing	14·4	1·2	59·6	11·3	26·1
1973					
Manufacturing	44·1	−16·0	130·5	39·7	0·6
Non-manufacturing	44·5	17·9	165·5	14·2	10·9
1974					
Manufacturing	21·6	−5·2	56·4	17·1	1·8
Non-manufacturing	27·4	0·2	61·9	20·2	60·6
1975					
Manufacturing	9·6	19·2	36·5	−10·1	−0·3
Non-manufacturing	2·7	18·3	52·8	23·0	0·9
1976					
Manufacturing	62·3	−4·3	99·7	−16·3	1·2
Non-manufacturing	20·0	24·8	47·8	66·8	14·4
1977					
Manufacturing	52·1	−11·4	−10·7	169·0	0·7
Non-manufacturing	52·5	42·2	68·2	−55·3	4·3
1978					
Manufacturing	75·4	32·8	114·4	76·6	0·7
Non-manufacturing	26·6	61·1	69·4	66·8	47·0
1979					
Manufacturing	40·4	32·8	120·5	−223·2	4·3
Non-manufacturing	34·4	−16·6	49·4	−57·3	41·0
1980					
Manufacturing	46·0	−4·6	213·5	−148·3	−2·4
Non-manufacturing	50·5	19·3	217·0	−112·7	25·2
1981					
Manufacturing	125·7	43·2	119·9	227·4	7·8
Non-manufacturing	81·4	−80·3	125·7	−69·8	36·6
1982					
Manufacturing	24·2	−80·4	52·1	−33·0	..
Non-manufacturing	72·2	100·8	104·8	−201·7	..

* Denmark, Irish Republic and Greece are included in all years.

Table 2

Flows of direct investment excluding unremitted profits and oil companies between United Kingdom and the United States of America

£ million

	Inward direct investment in United Kingdom		*United Kingdom direct investment overseas*		
	Net acquisition of share and loan capital	*Inter-company and branch-head office accounts*	*Net acquisition of share and loan capital*	*Inter-company accounts*	*Branch-head office accounts*
1972					
Manufacturing	59·7	−46·1	18·8	−9·2	−2·8
Non-manufacturing	13·5	21·5	−0·5	15·3	16·1
1973					
Manufacturing	77·1	34·7	83·2	108·2	−0·5
Non-manufacturing	3·4	7·0	48·0	14·4	12·2
1974					
Manufacturing	127·4	35·8	78·6	80·8	−2·7
Non-manufacturing	82·8	−4·4	127·7	−14·3	23·1
1975					
Manufacturing	46·2	57·6	65·1	23·1	0·3
Non-manufacturing	−10·5	53·0	8·1	2·7	13·3
1976					
Manufacturing	76·9	39·9	164·0	−5·5	−2·3
Non-manufacturing	24·3	−18·4	16·5	−5·7	6·1
1977					
Manufacturing	85·0	25·5	175·7	−49·2	−9·4
Non-manufacturing	−43·0	−12·8	93·1	19·1	−1·9
1978					
Manufacturing	109·0	164·0	626·1	26·7	12·9
Non-manufacturing	−29·0	−8·5	101·9	−27·2	31·4
1979					
Manufacturing	−42·5	30·7	399·4	94·7	12·5
Non-manufacturing	12·7	140·6	664·1	31·5	20·9
1980					
Manufacturing	263·4	560·6	350·3	..	..
Non-manufacturing	224·5	234·2	875·8	..	..
1981					
Manufacturing	98·7	−775·2	528·5	..	..
Non-manufacturing	136·2	−42·9	1,112·9	..	..
1982					
Manufacturing	..	−195·7	392·7	..	..
Non-manufacturing	..	−70·8	552·5	..	..

Table 3

Flows of direct investment excluding unremitted profits and oil companies between United Kingdom and the rest of the world excluding the European Community and United States of America

£ million

	Inward direct investment in United Kingdom		*United Kingdom direct investment overseas*		
	Net acquisition of share and loan capital	*Inter-company and branch-head office accounts*	*Net acquisition of share and loan capital*	*Inter-company accounts*	*Branch-head office accounts*
1972					
Manufacturing	14·2	−35·5	24·2	−1·7	7·8
Non-manufacturing	40·2	25·8	23·4	4·5	20·6
1973					
Manufacturing	35·5	7·2	10·0	16·6	−11·5
Non-manufacturing	141·6	−6·9	105·7	−8·3	21·7
1974					
Manufacturing	39·9	80·1	8·1	103·7	−0·1
Non-manufacturing	178·0	19·1	47·9	11·9	41·4
1975					
Manufacturing	75·0	−17·4	56·2	−24·3	−12·0
Non-manufacturing	108·9	5·7	82·3	66·5	40·8
1976					
Manufacturing	6·1	−24·9	96·1	48·8	−25·0
Non-manufacturing	62·6	−11·3	61·1	37·5	85·2
1977					
Manufacturing	46·7	7·5	58·4	73·3	4·4
Non-manufacturing	27·0	217·2	88·5	157·3	122·2
1978					
Manufacturing	−21·4	6·1	−1·2	49·4	8·2
Non-manufacturing	68·4	56·3	82·2	117·8	100·4
1979					
Manufacturing	27·4	65·2	120·5	10·8	−17·2
Non-manufacturing	93·7	95·0	28·7	−33·6	144·2
1980					
Manufacturing	21·6	195·4	22·7	..	..
Non-manufacturing	190·8	50·2	112·6	..	..
1981					

	Inward direct investment in United Kingdom		United Kingdom direct investment overseas		
	Net acquisition of share and loan capital	Inter-company and branch-head office accounts	Net acquisition of share and loan capital	Inter-company accounts	Branch-head office accounts
Manufacturing	320·9	30·2	62·3	..	..
Non-manufacturing	130·5	291·8	471·7	..	..
1982					
Manufacturing	..	−6·1	−180·1	..	..
Non-manufacturing	..	258·7	87·4	..	..

Trade Statistics

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing imports and exports to the European Economic Community and the rest of the world in 1984 of items covered by division 66 less section 667 of the standard industrial trade classification.

Mr. Channon: For reasons of commercial confidentiality, data on imports by country under heading SITC 667 for these years are not published. The available data, together with figures for the broader heading SITC 66, are in the table.

United Kingdom trade 1984

£ million OTS basis

	World	EC	Rest of world
SITC Division 66 less group 667			
Exports	742	273	469
Imports	755	*	*
SITC Division 66			
Exports	2,299	834	1,464
Imports	2,269	689	1,580

* not available.

Source: Overseas Trade Statistics.

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing imports from and exports to the European Economic Community in 1970 and 1984 of total trade in manufactures less erratics.

Mr. Channon: The figures are in the table:

United Kingdom trade with the European Community Manufactures† excluding erratics‡*

£ million, OTS basis

	Exports	Imports
1970	1,733	1,379
1984	16,389	25,202

Notes:

* Present membership in both years.

† Standard International Trade Classification Sections 5 to 8.

‡ Precious stones, silver, aircraft, North Sea Installations and Ships.

Source: UK Overseas Trade Statistics.

Matthew Brown plc

Mr. Nicholas Winterton asked the Secretary of State for Trade and Industry if he will refer to the Monopolies and Mergers Commission the proposed takeover of Matthew Brown plc by Scottish and Newcastle Breweries.

Mr. Butcher: My hon. Friend will announce his decision as soon as practicable.

Mr. Nicholas Winterton asked the Secretary of State for Trade and Industry what representations he has received concerning the proposed takeover of Matthew Brown plc by Scottish and Newcastle Breweries.

Mr. Butcher: I will reply to my hon. Friend as soon as possible.

Exfinco

Mr. Gould asked the Secretary of State for Trade and Industry what consultations he has had with major shareholders of a new company named Exfinco; and what relationship this new company will have with the Export Credits Guarantee Department.

Mr. Channon: Officials of the Export Credits Guarantee Department are aware of the setting up of this company, which will be entitled to insure export business with the Department subject to the same criteria as apply to other companies. It has been the practice of successive Administrations not to make public details of ECGD's relationships with individual exporters.

Export Credits Guarantee Department

Mr. Gould asked the Secretary of State for Trade and Industry if he will institute a departmental investigation into allegations that the Export Credits Guarantee Department has been the victim of substantial fraud; what is the scale of the frauds alleged; what steps he has taken to secure police investigation of these allegations; and if he will make a statement.

Mr. Channon: Several months ago the Export Credits Guarantee Department asked the City of London police to investigate a number of transactions where apparent irregularities had come to light. Inquiries are in progress and I hope that they will be brought to a swift conclusion. The ECGD is co-operating fully with the police, and will continue to do so on the cases in question and any others which might arise. Action of a legal or other nature must depend on the outcome of the inquiries.

Ivory

Mr. Tony Banks asked the Secretary of State for Trade and Industry if any ivory has been imported into the United Kingdom during the past 12 months.

Mr. Channon: Between March 1984 and February 1985, the United Kingdom imported worked ivory to the value of £463,000 cif. Other imports of ivory are not separately distinguished in the United Kingdom overseas trade statistics.

Source: Tariff code 9505 8100 from SITC/R2 Item 899.11.

Turtle Products

Mr. Tony Banks asked the Secretary of State for Trade and Industry if any turtle products have been imported into the United Kingdom during the past 12 months.

Mr. Channon: Import permits have been granted for turtle products in accordance with European Council regulation No. 3626/82 which implements the Convention on International Trade in Endangered Species of Wild Fauna and Flora within the European Community. However, information on the take-up of these permits for the last 12 months is not yet available.

BSC (Tinsley Park)

Mr. Crowther asked the Secretary of State for Trade and Industry what estimates have been made of the cost *(a)* to the British Steel Corporation and *(b)* to the Government of the proposed closure of the Tinsley Park melting shop and billet mill.

Mr. Butcher: The estimated costs are a commercial matter for the British Steel Corporation. They can be met from within the corporation's existing external financing limit.

Mr. Crowther asked the Secretary of State for Trade and Industry (1) whether the Phoenix II proposals jointly submitted by the British Steel Corporation and G.K.N. in December 1983, included the closure of the Tinsley Park melting shop and billet mill;

(2) by what percentage the estimated excess capacity of the plants included in the Phoenix II proposals would be reduced by the closure of the Tinsley Park melting shop and billet mill.

Mr. Butcher: The Phoenix II proposals are still under consideration. The details of the plants concerned and any proposed changes in capacity must remain commercially confidential to BSC and GKN, but I can say that the intended closure of Tinsley Park as announced by BSC would be consistent with the Phoenix II proposals.

Whale Products

Mr. Tony Banks asked the Secretary of State for Trade and Industry if any whale products have been imported into the United Kingdom during the past 12 months.

Mr. Channon: Import permits have been granted for whale products in accordance with European Council Regulation No. 3626/82 which implements the convention on international trade in endangered species of wild fauna and flora within the European Community. However, information on the take-up of these permits for the last 12 months is not yet available.

Films (Manchester)

Mr. Silvester asked the Secretary of State for Trade and Industry on what date it is proposed to begin the experiment on the limit to delays in the release of popular films to cinemas in Manchester.

Mr. Fletcher: The Director General of Fair Trading will shortly be seeking undertakings from the industry with a view to the experiment coming into force on 31 May.

British Telecom (Shares)

Mr. Gould asked the Secretary of State for Trade and Industry what proportion of the British Telecom shares reserved for British Telecom employees and pensioners was subscribed for; what proportion was allocated; and what happened to any balance.

Mr. Butcher: Up to 10 per cent. of the shares being offered in the British Telecom flotation were available for BT employees and pensioners. Applications were received from employees and pensioners for 5·1 per cent. of the offered shares and 4·5 per cent. of the offered shares were allotted. Shares not allotted under these arrangements became available to meet applications from members of the public.

Industry and Wealth Creation (Education)

Mr. Bellingham asked the Secretary of State for Trade and Industry if he has taken any steps to improve the understanding of industry and wealth creation by primary school age children.

Mr. Trippier: Yes. This week sees the launch of a national competition organised by the School Curriculum Industry Project — SCIP — and sponsored by my Department for all schools in England and Wales with children under the age of 11. The aim of the competition will be to encourage teachers to develop children's understanding and appreciation of the contribution which industry makes to our society. The winners will be the schools with the best project for involving local industry.

A number of primary schools are already active in this area through a variety of means, such as using simulations, mini enterprises, visits to work places and visits by people in industry to the school. A free book "Schools and Industry 5-13" giving examples of what can be done and how to go about it, will be given to each school interested in taking part. All primary schools in the United Kingdom will shortly be receiving letters about this competition from the organisers.

Packaging

Mr. Kilroy-Silk asked the Secretary of State for Trade and Industry when he last had contact with the packaging industry and the Committee for Packaging and the Environment.

Mr. Waldegrave: I have been asked to reply.

My last contact with the packaging industry was on 2 November 1983 when I met INCPEN — the Industry Committee for Packaging and the Environment — with which officials maintain regular contact.

ENVIRONMENT

Badgers

Mr. Kilroy-Silk asked the Secretary of State for the Environment what is his estimate of the number of badgers; and where they are located.

Mr. Waldegrave: Accurate figures are not available, but the Nature Conservancy Council calculates that the badger population of Great Britain is in the region of 400,000. Badgers are not common in the Highlands and Islands of Scotland, on the higher mountains in Snowdonia

or Brecon, in East Anglia, or in large built-up areas. They are widespread in other areas of Great Britain and are most common on the chalk hills of the south of England such as the Cotswolds and the north and south Downs.

Houses (Right-to-Buy Scheme)

Mr. John Fraser asked the Secretary of State for the Environment how many applications he has received from local authorities to except elderly persons' dwellings from the right-to-buy scheme under schedule 1 of the Housing Act 1980 as amended by the Housing and Building Control Act 1984 since the coming into effect of the 1984 Act; and in how many of these cases he has declined to make the determination applied for by the council.

Mr. Gow: Since the Housing and Building Control Act 1984 came into operation on 26 August 1984, the Secretary of State has received 297 applications from local authorities under paragraph 5 of schedule 1 to the Housing Act 1980, as amended. Of these, 13 applications were out of time, 45 were subsequently withdrawn and 200 are under consideration. Thirty nine cases have been decided. In seven, he has made a determination to exclude the dwelling from the right to buy, while in the remaining 32 he has declined to make a determination.

Palace of Westminster (Cleaning)

Mr. Hoyle asked the Secretary of State for the Environment, pursuant to the answer of 15 April, which are the specific areas of the Palace of Westminster which are cleaned by the Exclusive Cleaning and Maintenance Company rather than by staff of either House or the Property Services Agency; what was the rationalisation of the work which caused the extension of the company's contract to October 1982; if he will list the companies which tendered for the current contract; and whether the Exclusive Cleaning and Maintenance Company submitted the lowest tender.

Sir George Young: The specific areas of the Palace which are cleaned by the company are set out in very lengthy schedules, copies of which I will send to the hon. Member. There were two elements of rationalisation of work that took place in 1982. First, the number of commercial cleaning companies working in the Palace was reduced to one. Second, the areas to be cleaned by the various bodies were defined more clearly and conveniently, removing many illogicalities which had grown up over the years. The following companies tendered for the contract, and Exclusive Cleaning and Maintenance (London) Company Ltd. submitted the lowest tender:

Exclusive Cleaning and Maintenance (London) Ltd.
Initial Service Cleaners Ltd.
Pall Mall Window and Office Cleaning Ltd.
Professional Maintenance (UK) Ltd.
RCO Contract Services Ltd.

Mr. Hoyle asked the Secretary of State for the Environment why part of the Palace of Westminster is not cleaned either by staff of the two Houses or by the Property Services Agency.

Sir George Young: The Property Services Agency provides a service common to both Houses. For many years, much of this service has been carried out commercially, and the commercial element has increased as the agency's directly employed staff has declined. The present arrangements are the result of a detailed review, in conjunction with the authorities of both Houses, in 1981.

Private Rented Accommodation

Mr. Heddle asked the Secretary of State for the Environment if he will publish in the *Official Report* full details of measures taken by the Government since 1979 to encourage a supply of a greater availability of accommodation to rent in the private sector.

Sir George Young: We took a range of measures in the Housing Act 1980:

(i) the introduction of shorthold tenancies, under which landlords are able to let for a fixed term of between one and five years with a certainty of regaining possession if they so wish;
(ii) the introduction of the assured tenancy scheme, which permits bodies approved by the Secretary of State to let property at freely negotiated rents outside the provisions of the Rent Acts;
(iii) changes to the rules for lettings by absent owner-occupiers and resident landlords, including the provision of quicker and easier possession procedures;
(iv) a reduction in the period before which a fair rent can normally be reviewed from three years to two, with a corresponding change to the phasing period, thus helping to improve the value of fair rents;
(v) simplified procedures for the registration of fair rents;
(vi) the abolition of controlled tenancies;
(vii) strengthening of the provisions covering the payments of rent arrears when possession is granted by the court.

Litter

Mr. Kilroy-Silk asked the Secretary of State for the Environment what representations he has received asking for the implementation of section 4 of the Litter Act 1983.

Mr. Waldegrave: I have had six representations asking for the implementation of this section which requires local authorities to prepare litter abatement plans. Implementation has so far been deferred in view of the need for restraint in public expenditure.

Mr. Kilroy-Silk asked the Secretary of State for the Environment, further to his reply to the hon. Member for Uxbridge (Mr. Shersby) on 28 March 1985, *Official Report*, column 338, what information is available on the type of litter deposited by the public.

Mr. Waldegrave: The following information was obtained from surveys of picnic sites on August bank holidays in 1972 and 1977 arranged by the Glass Manufacturers' Federation (GMF):

Type of litter	*Percentage of total litter*	
	1972	*1977*
Drink containers	7	7
Other cans/tins	1	1
Other plastic bottles	*	1
Ice cream cartons	3	1
Cups	3	5
Other plastic containers	1	1
Cardboard containers	2	2
Sweet paper/packets	27	22
Ice cream wrappers	*	4
Cigarette packets	8	5
Crisp packets	7	7
Newspapers	2	2
Other papers	32	23
Other litter	6	19

* =Negligible.

The results of a survey undertaken in 1983 will be published shortly by GMF.

Other information is available locally where local authorities have undertaken surveys in their areas.

Keep Britain Tidy Group

Mr. Kilroy-Silk asked the Secretary of State for the Environment what steps he has taken to satisfy himself that the Keep Britain Tidy Group makes effective use of the public funds allocated to it.

Mr. Waldegrave: Departmental officials serve on the group's executive and finance committees and have regular contact with officers of the group and are thus in close touch with the group's activities and the way in which the grant is used.

In 1982, the Department commissioned a value for money review of the group's activities. The review team concluded that the group gave value for money in promoting the prevention and control of litter. The group's community environment programme, which it implements with the co-operation of local authorities, includes photomeasurement techniques to measure the effectiveness of the programme in litter abatement locally.

Local officers of the Manpower Services Commission inspect individual projects involving staff employed by the group under the MSC's community programme.

Mr. Kilroy-Silk asked the Secretary of State for the Environment what was the total amount of public funds given in each of the last five years to the Keep Britain Tidy Group.

Mr. Waldegrave: The Keep Britain Tidy Group receive money from this Department by way of a grant under the Litter Act 1983, from the Manpower Services Commission for services and staff under the community programme, from local authorities in return for the provision of services in connection with litter abatement, and from nationalised industries by way of contribution. The respective total amounts in each of the last five years are as follows:

Year	*Amount £*
1980	349,780
1981	904,790
1982	1,483,470
*1983/84	3,757,310
1984/85	4,356,070
	10,851,420

*15 months

Ministry of Agriculture Buffer Store (Drury)

Mr. Barry Jones asked the Secretary of State for the Environment if the Property Services Agency is to convey the former Ministry of Agriculture, Fisheries and Food buffer store, Drury, Buckley, Clwyd to the district authority of Alyn and Deeside for the purposes of industrial and environmental development; and if he will make a statement.

Sir George Young: The property is surplus to Government requirement and the Property Services Agency has begun the usual sale processes including the submission of a planning application. The agency is aware that the council is an interested purchaser and a decision will be made about a possible sale to it as soon as all the relevant factors have been assessed.

Parliament House, Edinburgh

Mr. Fairbairn asked the Secretary of State for the Environment what is the estimated cost of replacing the Scotch flagstones in the corridors of Parliament House, Edinburgh, with English slabs presently being undertaken.

Sir George Young: The estimated cost of the present essential repairs to the floors in the corridors of Parliament House, Edinburgh, using flagstones approved by the local planning authority and the historic building branch of the Scottish Development Department, is £68,615 inclusive of VAT.

Local Authorities (EC Funding)

Mr. Boyes asked the Secretary of State for the Environment how successful applications for projects submitted by either the Greater London council or a metropolitan county council that have obtained funding commitments for three years from the European Economic Community will be dealt with if the councils are abolished.

Mr. Waldegrave: The principal sources of European Community funding which are involved are the European social fund—ESF—and the regional development fund —ERDF. The ESF grants will continue to be paid on approved schemes during the lifetime of the Greater London council and metropolitan county councils.

The ERDF grants are generally for capital infrastructure works and related payment claims may continue for several years. The grant allocations and associated responsibilities will pass to the successor bodies.

National Home Improvement Council

Mrs. Renée Short asked the Secretary of State for the Environment when he next plans to meet representatives of the National Home Improvement Council to discuss the level of resources for local authorities for improving their stocks of old houses.

Sir George Young: My right hon. Friend has no plans to meet representatives of the National Home Improvement Council to discuss the level of resources available to local authorities for improving their own housing stock.

Migrating Birds (Slaughter)

Mr. Tony Banks asked the Secretary of State for the Environment (1) what representations Her Majesty's Government intend to make to the French Government about the slaughter of migrating birds crossing France on their way to Britain;

(2) what representations Her Majesty's Government intend to make to the Greek Government about the hunting and slaughter of migrating turtle doves, cuckoos and other migrating birds crossing Greece en route to the United Kingdom;

(3) what representations Her Majesty's Government intend to make to the Italian Government about the annual slaughter of honey buzzards, harriers, kestrels and eagles crossing Italy en route to the United Kingdom.

Mr. Waldegrave: Under the terms of the EC birds directive, special protection is given to all migratory birds in member states, subject to certain exceptions. Should good evidence of contraventions of this directive be provided then we would, as we have in the past, draw them to the attention of the European Commission in the strongest terms. It is the Commission's responsibility to ensure that the national implementation of measures by member states complies with the directive. But we have, of course, no power to interfere in another country's internal affairs.

Large Panel Construction Systems

Mr. Barron asked the Secretary of State for the Environment when he expects to receive from the Building Research Establishments the results of the study of large panel systems of construction including panelled houses.

Sir George Young: I refer the hon. Member to the reply which I gave to the hon. Member for Newham, South (Mr. Spearing) on this subject on 15 April, at column *115*.

Salmon Fisheries (Conservation)

Mr. Onslow asked the Secretary of State for the Environment how many licences have been *(a)* applied for and *(b)* issued in England and Wales under the Wildlife and Countryside Act 1981 for the shooting of goosanders and mergansers to prevent serious damage to salmon fisheries.

Mr. Waldegrave [*pursuant to his answer*, 18 April 1985, c. *262*]: Since the Wildlife and Countryside Act came into force, two applications, both concerning goosanders, have been received; both applications were made by the same person, concern the same site in the Towy valley in Wales, and were stated to be for the protection of salmon, sewin and trout. The first application was withdrawn after the birds moved from the site. The second is currently under consideration.

WALES

A55 Bangor

12. **Sir Anthony Meyer** asked the Secretary of State for Wales what is the latest estimated date for the completion of the dualling of the A55 road to Bangor.

Mr. John Stradling Thomas: The provisional programme envisages the substantial completion of upgrading of the A55 trunk road between Chester and Bangor around the turn of the decade; subject to satisfactory progress with statutory procedures and engineering design, and the availability of resources.

Private Schools

13. **Mr. Barry Jones** asked the Secretary of State for Wales by how much cash he has assisted the private schools sector since 1982; and by how much he proposes to assist this sector for the current financial year.

Mr. John Stradling Thomas: There is nothing that I can usefully add to the answer that my right hon. Friend gave the hon. Gentleman on 4 April 1985.

Job Creation

14. **Mrs. Clwyd** asked the Secretary of State for Wales what plans he has to reduce unemployment in the Cynon Valley.

Mr. Nicholas Edwards: The Government's economic strategy is designed to attack the underlying causes of unemployment in the economy as a whole and therefore in the Cynon Valley.

Afforestation

15. **Mr. Grist** asked the Secretary of State for Wales what is his policy regarding the granting or refusal of applications for afforestation near inland waters in Wales; and if he will make a statement.

Mr. John Stradling Thomas: Applications for grant in aid for afforestation are made to the Forestry Commission which treats each case on its merits. In considering an application, the Commission consults as appropriate with the Agriculture Department, the local planning authority and other statutory authorities to ensure that the requirements of land use, agriculture, amenity recreation and nature conservation are taken into account before a decision is reached. Since mid-1984, consultation has taken place with the Welsh water authority on all applications falling in areas in which the authority has expressed interest.

Labour Statistics

16. **Mr. Rogers** asked the Secretary of State for Wales what is the total number of unemployed in Rhondda, Mid-Glamorgan and Wales at the latest date for which information is available.

Mr Nicholas Edwards: On 14 March 1985 the number of claimants unemployed were 5,522, 35,316 and 180,559 respectively.

17. **Mr. Ray Powell** asked the Secretary of State for Wales what is the total number of unemployed males and females in Wales at the latest date for which figures are available; what percentage increase these figures represent on those for May 1979; and if he will include details of young unemployed and long-term unemployed.

Mr. Nicholas Edwards: On 14 March 1985, there were 128,721 unemployed male claimants and 51,838 unemployed female claimants in Wales, an increase of 130·9 per cent. and 142·0 per cent respectively on the estimated equivalent figures for May 1979. In January 1985, 75,109 claimants were aged under 25 years and 74,799 claimants had been unemployed for over a year.

18. **Dr. Marek** asked the Secretary of State for Wales what is the present level of unemployment in Wrexham at the latest available date; and how this compares with the figure in May 1979.

Mr. Nicholas Edwards: On 14 March 1985 the number of unemployed claimants in the Wrexham travel-to-work area was 8,184. Comparable figures for May 1979 are not available because of changes to travel-to-work area boundaries and the move to claimant-based figures.

Education Expenditure

19. **Mr. Raffan** asked the Secretary of State for Wales what was the percentage expenditure after allowing for pay and prices, per child in education in Clwyd between 1978 and the latest available year.

Mr. John Stradling Thomas: Between 1978-79 and 1983-84 Clwyd's expenditure in constant terms per pupil in primary and secondary schools increased by 20 per cent.

Health Service Expenditure

20. **Mr. Harvey** asked the Secretary of State for Wales by how much Health Service spending in Wales has risen, in real terms since 1979; and what are the comparable figures for 1974 to 1979; and how many community hospitals have been opened in Wales since 1979.

Mr. Wyn Roberts: Between 1979-80 and 1984-85 total expenditure on the NHS in Wales rose by 12·5 per cent. after taking account of changes in pay and prices. The increase between 1974-75 and 1979-80 was 8·4 per cent. The Mold community hospital opened in April 1984 and four other hospitals in Clwyd have been redeveloped and re-designated as community hospitals. One other community hospital is being built in Powys.

Housing

Sir Raymond Gower asked the Secretary of State for Wales how many grants of all kinds for the repair and improvement of houses, bungalows and flats have been made *(a)* in Wales and *(b)* in the area of the Vale of Glamorgan, respectively, during each of the past 10 years; and what is his latest information regarding work of this kind still in progress.

Mr. Wyn Roberts: The available information is given below. Details of grants paid for the years 1975-77 are not held at district level.

	Type of Grant							
	Conversion and Improvement		*Intermediate and Special*		*Repairs*		*All types*	
	Vale of Glamorgan	*Wales*	*Vale of Glamorgan*	*Wales*	*Vale of Glamorgan*	*Wales*	*Vale of Glamorgan*	*Wales*
1975	..	6,694	..	612	..	30	n.a.	7,336
1976	..	6,011	..	482	..	75	n.a.	6,568
1977	..	6,515	..	388	..	114	n.a.	7,017
1978	148	5,373	27	414	2	144	177	5,931
1979	156	5,569	16	399	0	148	172	6,116
1980	203	6,783	23	412	4	147	230	7,342
1981	138	5,511	37	780	58	809	233	7,100
1982	118	5,050	34	1,236	251	4,703	403	10,989
1983	142	7,231	44	1,689	756	18,403	942	27,323
1984*	179	8,337	58	2,640	770	19,001	1,007	29,978

* Provisional

No information is available on the number of grants which have already been approved, but on which final payments have not been made.

Residential Homes

Mr. Ron Davies asked the Secretary of State for Wales if he will make a statement on the operation in Wales of the Residential Homes Act 1980.

Mr. Wyn Roberts: The Residential Homes Act 1980 was repealed and effectively superseded by the Registered Homes Act 1984, which came into force on 1 January 1985. It strengthens the regulations governing the registration, operation and inspection of all voluntary and private residential care homes catering for four or more elderly or otherwise dependent people. Although it is too soon to draw conclusions on the effectiveness of the 1984 Act in operation. The Government believe that private and voluntary residential care homes will have an increasingly valuable role to play in the development of care in the community to complement the provision made by the health and local authorities. Registration and inspection of homes remain the responsibility of local authorities.

SOCIAL SERVICES

Heart Transplants

Mr. Wood asked the Secretary of State for Social Services what his plans are for the future of heart transplantations.

Mr. Fowler: I am today publishing the report of a study commissioned by my Department into the costs and benefits of heart transplantation. The study, undertaken by the Department of Economics at Brunel university and the department of community medicine at the University of Cambridge, shows that the costs of carrying out heart transplants have fallen and that benefits, in terms of life expectancy and quality of life, have improved over the last four years.

The report, copies of which have been placed in the Library, has been considered by my Standing Medical Advisory Committee, the Transplant Advisory Panel and the British Cardiac Society. They have all suggested that a gradual expansion of heart transplantation within the National Health Service would now be justified. That is an important conclusion and one which will require careful consideration.

Up to the present, heart transplantation programmes have been supported by special central allocations to the two units concerned. In the current year, £1,600,000 has been allocated to Papworth and Harefield hospitals. That

will enable them to carry out a reasonable programme of work. It represents the limit of resources which can be provided this year and, in common with all other services, the units will have to operate within the resources available.

If heart transplantation is now to be considered as appropriate for treatment on a service development basis rather than as part of an experimental programme, it will be necessary to consider how its claims should be dealt with in relation to other competing priorities within the NHS. It is the function of the Supra Regional Services Advisory Group to advise on such issues. I am therefore asking the committee to look into the situation and to make recommendations to Ministers. This group is made up of doctors and laymen who have experience of the range of work of health authorities and advise Ministers on the financial allocations to a few highly specialised services which need central Government funding in a few designated national centres. They will need to take account both of the needs of other services within the NHS and of the extent to which any additions to the heart transplant service would be dependent upon the availability of suitably trained and experienced staff. I shall await their recommendations before reaching conclusions on the extent and nature of any expansion in the service.

"Review of Social Services"

Ms. Harman asked the Secretary of State for Social Services (1) from whom he will be seeking views after he publishes his review of social services;

(2) what will be the consultation period for those who wish to make comments on the forthcoming review of social services;

(3) what consultations he is having, following the publication of his consultation paper, "Review of Social Services", about the impact of demographic changes in the demands for social services;

(4) what consultations he is having, following the publication of his consultation paper, "Review of Social Services", about reducing or revoking any of the statutory duties currently imposed on social services departments;

(5) what consultations he is having, following the publication of his consultation paper, "Review of Social Services", to consider ways of cutting spending in social services departments.

Mr. John Patten: The hon. Member's inquiries are premature. Decisions about consultations will be made when the review is completed.

Warnock Report

Mr. Deakins asked the Secretary of State for Social Services which political parties submitted views on the Warnock report during the consultative period; and what attitude was taken by each party submitting views to the proposals about experiments on human embryos.

Mr. Kenneth Clarke: The only party to submit views was the Ecology party, which opposed the report's recommendations about research on human embryos.

Mr. Cash asked the Secretary of State for Social Services if he will place in the Library, within the next seven days, the papers submitted to and considered by the Warnock committee.

Mr. Kenneth Clarke: I am arranging for this to be done as soon as possible, where the organisation concerned is willing for its evidence to be made public. The clerical work involved is very substantial and my hon. Friend's request for all the papers within seven days may prove unrealistic.

Benefits

Mr. Forth asked the Secretary of State for Social Services what is the current average state benefit payment for a married couple with two children aged under 11 years.

Mr. Whitney: The 1983 "Family Expenditure Survey" indicates that on average married couples with two children aged under 11 years received £19 weekly in social security benefits.

Mrs. Beckett asked the Secretary of State for Social Services if he will update to November 1984 at assumed November 1984 prices, the information on the value of benefits and allowances provided in the reply of 23 December 1982, *Official Report*, column *690*, to the hon. Member for Eltham (Mr. Bottomley).

Mr. Whitney: The information is as follows:

Comparative Levels of Social Security Benefits and Values of Tax Allowance to Basic Rate Taxpayers

	(a) *Value in April 1955 money terms* £	*(b)* *Col (a) expressed at November 1984 prices** £	*(c)* *Value in November 1984 money terms* £	*(d)* *Col (c) as Index Col (b)=100* £
Married couple retirement pension (per week)	3·25	27·46	57·30	208·7
Single person tax allowance (per annum) (1)	274·00	2315·38	2005·00	86·6
Married couple tax allowance (per annum) (1)	374·00	3160·41	3155·00	99·8
Family Allowance/Child Benefit plus Child Tax Allowances (where appropriate) for a married couple plus 2 children aged under 11				
In work (per week) (2)	1·11	9·38	13·70	146·1
Sick (per week) (3)	1·15 (4)	9·74	13·70	140·7
Standard rate taxpayer	1·90 (5)	16·06	13·70	85·3

Notes to tables:

* Based on the movement in the General Index of Retail Prices.

1. Tax allowances available to all earners in 1955 comprised three elements; the personal allowance, national insurance relief and earned income relief, and all are included. Earned income relief is that for average earnings.
2. In respect of average earnings of £10·87. Estimates of average earnings have been obtained by interpolation between October estimates, using the seasonally adjusted monthly index of average earnings (older series) published by the Department of Employment.
3. Includes dependency allowance for children.
4. Rates as at May 1955 when Sickness Benefit was increased. Real value at November 1984 (Col (b) of table) calculated from May 1955 base.
5. Child tax allowance for the family illustrated would have been £200 per annum in 1955. It has been assumed that the family's income subject to tax is more than £200 below the top of the standard rate tax band.

Mrs. Beckett asked the Secretary of State for Social Services if he will update to November 1984 the information provided in the reply of 8 November 1982 to the hon. Member for Thurrock (Dr. McDonald) *Official Report*, columns *51-2*, relating to child support.

Mr. Whitney: The information is as follows:

(a) *Date*	*(b)* *Married couple's UB rate*	*(c)* *Dependency increase*	*(d)* *Child Benefit/ Family Allowance*	*(e)* *Total *Child Support*	*(f)* *Column (e) as per cent. of Column (b)*	*(g)* *Column (e) expressed at November 1984 prices†*	*(h)* *Column (g) as * index November 1984=100*
	£	£	£	£		£	
July 1948	2·10	0·375	0·25	0·625	29·8	7·18	52·4
August 1951	2·10	0·625	0·25	0·875	41·7	8·55	62·4
July 1952	2·70	0·65	0·25	0·90	33·3	8·12	59·3
May 1955	3·25	0·75	0·40	1·15	35·4	9·74	71·1
February 1958	4·00	1·10	0·40	1·50	37·5	11·27	82·3
April 1961	4·625	1·35	0·40	1·75	37·8	12·49	91·2
March 1963	5·45	1·60	0·40	2·00	36·7	13·27	96·9
January 1965	6·50	1·85	0·40	2·25	34·6	14·14	103·2
October 1967	7·30	2·10	0·40	2·50	34·2	14·37	104·9
April 1968	7·30	2·05	0·75	2·80	38·4	15·44	112·7
October 1968	7·30	1·90	0·90	2·80	38·4	15·24	111·2
November 1969	8·10	2·20	0·90	3·10	38·3	15·98	116·6
September 1971	9·70	2·80	0·90	3·70	38·1	16·38	119·6
October 1972	10·90	3·30	0·90	4·20	38·5	17·13	125·0
October 1973	11·90	3·70	0·90	4·60	38·7	17·08	124·7
July 1974	13·90	4·50	0·90	5·40	38·8	17·66	128·9
April 1975	15·90	4·70	1·50	6·20	39·0	17·23	125·8
November 1975	18·00	5·50	1·50	7·00	38·9	17·42	127·2
November 1976	20·90	6·60	1·50	8·10	38·8	17·53	128·0
April 1977	20·90	5·60	2·50	8·10	38·8	16·12	117·7
November 1977	23·80	6·50	2·50	9·00	37·8	17·23	125·8
April 1978	23·80	4·40	4·60	9·00	37·8	16·59	121·1
November 1978	25·50	3·70	6·00	9·70	38·0	17·19	125·5
April 1979	25·50	1·70	8·00	9·70	38·0	16·25	118·6
November 1979	29·95	3·40	8·00	11·40	38·1	17·21	125·6
November 1980	33·40	2·50	9·50	12·00	35·9	15·71	114·7
November 1981	36·40	1·60	10·50	12·10	33·2	14·15	103·3
November 1982	40·45	0·60	11·70	12·30	30·4	13·53	98·8
November 1983	43·75	0·30	13·00	13·30	30·4	13·96	101·9
November 1984	46·00	—	13·70	13·70	29·8	13·70	100·0

Notes:

* Does not show the effect of child tax allowances to the standard rate taxpayer. In year prior to April 1979 some recipients of unemployment benefit would also have derived advantage from child tax allowance because of their receipt of earnings in the course of the tax year.

† Based on the movement in the general index of retail prices at November 1984, the latest date available.

Mr. Meacher asked the Secretary of State for Social Services if he can give the latest estimate of the number of recipients of *(a)* supplementary benefit, *(b)* standard housing benefit and *(c)* family income supplement in the Greater Manchester county council area, or the nearest region available; and what is the total adult population in the regions chosen giving comparable information for 1979.

Mr. Whitney: The Greater Manchester county council area is served by 23 of the Department's local offices. Their boundaries are conterminous with the Greater

Manchester county council. The number of recipients of supplementary benefit from these offices were 186,029 in February 1979 and 302,300 in February 1985.

Information is not available in the precise form requested for standard housing benefit. Estimates of the numbers of recipients of rent rebates, rent allowances and rates rebates in the Greater Manchester county council area for the financial years 1979-80 and 1984-85 are:

	1979-80	*1984-85*
Rent rebate	*60,000	*90,000
Rent allowance	*10,000	*20,000
Rates rebate	*160,000	*200,000

* Figures rounded to the nearest 10,000.

Figures for recipients of Family Income Supplement are available only on a regional basis. In 1983 regional boundaries were re-drawn. Figures for 1979 and 1985 are not therefore comparable since the new north western region is much larger than the old north-west (Manchester) region. Figures available — rounded to the nearest thousand — are 5,000 in January 1979 and 35,000 in January 1985.

Figures of adult population are available only for the Greater Manchester metropolitan county area for June 1979 and June 1983 — the latest available. They are 2,016,400 in June 1979 and 2,027,600 in June 1983.

Rev. Martin Smyth asked the Secretary of State for Social Services how many of those entitled to social security benefits in the United Kingdom have opted to have their benefits paid by advance credit transfer rather than by giro at their local post office; what percentage have opted for advance credit transfer; and how this compares with the Department's projected estimate of cost savings from his programme.

Mr. Whitney: Some 1 million beneficiaries in Great Britain have opted to receive payment by automated credit transfer and this represents about 7 per cent. of those currently receiving benefits for which the option is available. The exercises to invite beneficiaries to change their method of payment are not yet complete, but it is clear that the take-up of payment by automated credit transfer is lower than envisaged.

Students

Mr. Gordon Brown asked the Secretary of State for Social Services what consultations have been held by his Department since the announcement of the Social Security Review on the position of students in *(a)* advanced education and *(b)* non-advanced further education.

Mr. Whitney: There was considerable consultation following the announcement of the review of social security last year when members of the public and interested bodies were invited to submit their views, both orally and in writing, on matters relating to social security. These included the position of students as they related to the benefits system.

Cervical Cancer

Mr. Skinner asked the Secretary of State for Social Services how many lasers currently available for the treatment of cervical cancer were purchased with public funds.

Mr. Kenneth Clarke: We do not hold this detailed local information centrally.

Research

Mr. Ashley asked the Secretary of State for Social Services of the money allocated for research by his Department, what proportion and how much was spent on deafness problems in the last year for which figures are available; how much was spent on *(a)* sensory and *(b)* sight; and if he will list the research projects concerned with deafness supported by his Department.

Mr. Newton: In the financial year 1983-84, the latest for which exact expenditure figures are available, the total DHSS research Vote was £19,361,000. Of this, some £64,000, or 0·33 per cent. was spent on research directly related to deafness.

The term "sensory problems" in the question is taken to mean simultaneous impairment of both sight and hearing; £11,600 was spent on research relevant to this problem. In addition, £109,100 was spent on research relevant to sight impairment.

Following are the projects supported by the Department in 1983-84 and still current.

Research Projects on Deafness supported by DHSS in 1983-84 and still current

1. "Development of techniques for the fitting and for the assessment of benefits resulting from the issue of higher-power hearing aids to persons with severe hearing loss". C. G. Rice, Southampton University.
2. "Effects of visual, auditory and tactile cues on lip-reading performance in deaf adults". Dr. G. Fenn, School of Clinical Medicine, Cambridge University.
3. "Evaluation Trials on a Neonatal Auditory Response Cradle" Mr. J. Bennett, Brunel University.

The following current project is concerned with hearing impairment in children, but as it is also concerned with other types of physical disablement, it is not included in the financial total given in the accompanying reply. DHSS support for the project totalled £70,200 in 1983-84: "Child Health Education Study". Professor N. R. Butler, Bristol University.

British Sign Language

Mr. Ashley asked the Secretary of State for Social Services if he will consider funding a national centre for research into the British sign language.

Mr. Newton: A meeting is being arranged to discuss British sign language research with the panel of four principal national organisations representing deaf people and their interests.

Hearing Therapists

Mr. Ashley asked the Secretary of State for Social Services how many hearing therapists have been fully trained; how many are being trained at present; and what are the future plans.

Mr. Newton: 54 hearing therapists have completed their training and 10 are on the present course at the City Literary Institute. The National Health Service Training Authority has asked health authorities to nominate candidates for the next course and interviews are to be held next month.

Mr. Ashley asked the Secretary of State for Social Services what is the present cost of training hearing therapists; and what is the estimated cost for future training.

Mr. Newton: The present cost, which is not expected to increase greatly, is approximately £5,000 for each student.

Mr. Ashley asked the Secretary of State for Social Services if he has any plans to improve and expand the facilities for training hearing therapists; and if he will make a statement.

Mr. Newton: The extent of future training will depend on the demand for hearing therapists by health authorities.

Mr. Ashley asked the Secretary of State for Social Services what is his estimate of the number of deaf people who benefit from the care of hearing therapists; and what is his estimate of the numbers who will benefit in the next few years.

Mr. Newton: Information is not held centrally about the case loads of individual hearing therapists and there are no accurate indications on which to base estimates of numbers who might benefit from their work.

Vitamin E

Rev. Martin Smyth asked the Secretary of State for Social Services what studies have been made by his Department of the beneficial effects of vitamin E when taken as a supplement to the normal diet; and if he is satisfied that adequate levels of vitamin E are contained in the normal diet of a normal British person.

Mr. John Patten: None, since I am advised that vitamin E deficiency does not constitute a health problem in the United Kingdom. I understand that the normal British diet provides adequate amounts of vitamin E.

Nuclear War (Medical Supplies)

Mrs. Renée Short asked the Secretary of State for Social Services what specific progress has been made during the last five years by his Department in establishing methods for stockpiling medical supplies in the event of a nuclear war.

Mr. John Patten: I shall let the hon. Member have a reply as soon as possible.

Homes for the Elderly

Mr. Boyes asked the Secretary of State for Social Services, further to his reply of 16 April, *Official Report*, column *159*, to the hon. Member for Houghton and Washington, if he will list those local authorities who opened homes for the elderly in 1984 stating in each case the number of places available and the cost of the building.

Mr. John Patten: Information is not available in the form requested. The local authorities which showed an increase in their numbers of statutory homes between 31 March 1983 and 31 March 1984 are as follows, together with the increase in the number of statutory homes and places:

Local authorities (England)	*Increase between 31 March 1983 and 31 March 1984*	
	Increase in number of statutory homes	*Increase in number of places in statutory homes*
Durham	1	59
North Yorkshire	1	32
Cheshire	1	40
Lancashire	1	43
Salford	1	40
Trafford	1	50
Sefton	1	33
Hereford and Worcester	2	27
Walsall	2	66
Wolverhampton	1	40
Leicestershire	1	70
Bedfordshire	1	45
Buckinghamshire	1	44
Cambridgeshire	2	66
Bexley	1	32
Hillingdon	1	40
Surrey	1	67
Wiltshire	1	50

Information about the building costs is not held centrally.

Supplementary Benefit

Mrs. Renée Short asked the Secretary of State for Social Services what is the latest available figure for the number of households in receipt of supplementary benefit who are subject to payment of fuel direct, where such payment exceeds the amount allowed for fuel bills in their supplementary benefit, including any special additions which such households are claiming to cover fuel costs; what are the figures for the number of such households who are tenants of *(a)* local authorities, *(b)* housing associations and *(c)* private landlords; what are the figures for the total number of households in receipt of supplementary benefit and who were tenants of *(a)* local authorities, *(b)* housing associations and *(c)* private landlords; and if he will give these figures for Great Britain as a whole, for England, Wales and Scotland.

Mr. Whitney: The information is not available in the form requested.

There is no specific amount for heating or any other item in the supplementary benefit scale rates. It is generally for claimants themselves to decide how to spend their benefit. Heating additions may be given to claimants who need to spend extra on heating but the available information on fuel direct arrangements relates to all such arrangements regardless of whether heating additions are being paid. Table 1 gives the latest available breakdown of fuel direct arrangements, as at December 1982.

TABLE 1

Fuel direct arrangements—December 1982

(thousands)

	Great Britain	*England*	*Scotland*	*Wales*
Electricity	120	82	31	7
Gas	†69	56	10	4
Other fuels	2	2	*	—

* Less than 500.

† Discrepancy due to rounding.

Source: Annual Statistical Inquiry.

Notes:

1. Some claimants have direct payment arrangements in respect of more than one type of fuel so the total number of claimants affected will be less than the total number of arrangements.

2. The figures do not differentiate between direct payment

arrangements which cover both arrears and current consumption of fuel and arrangements which cover current consumption only.

3. Separate figures are not available for different types of tenure.

We estimate that we are now administering about 300,000 fuel direct arrangements, but a more detailed breakdown is not available.

Table 2 gives the latest available figures for householders on supplementary benefit, broken down by tenure type, as at December 1982:

TABLE 2

Number of householders on supplementary benefit—December 1982

(thousands)

	Great Britain	*England*	*Scotland*	*Wales*
All householders	3,188	2,715	291	182
LA tenants	*1,976	1,643	225	109
Private tenants	589	522	39	28
Owner occupiers	*623	550	27	45

* Discrepancy due to rounding.

Source: Quarterly Statistical Inquiry.

Notes:

1. Excludes rent-free and rates-free cases.
2. Number of housing association tenants is not recorded separately from number of other private tenants.

Mrs. Renée Short asked the Secretary of State for Social Services what are the latest available figures for the number of households in receipt of supplementary benefit who are subject to payment of (i) fuel arrears direct, (ii) rent arrears direct and (iii) both fuel arrears and rent arrears direct as tenants of *(a)* local authorities, *(b)* housing associations and *(c)* private landlords; what are the figures for the total number of households in receipt of supplementary benefit and who were tenants of *(a)* local authorities, *(b)* housing associations and *(c)* private landlords at the same date; and if he will give these figures for Great Britain as a whole, for England and Wales and Scotland.

Mr. Whitney: For information on payments of fuel arrears direct I refer the hon. Member to my other reply to her today. For rent arrears direct this information is not available in the form requested. The latest available figures are for December 1982, and relate to the position prior to the full introduction of the housing benefit scheme. These figures do not differentiate between the rent arrears direct and rent direct. Separate information is not available for housing association tenants nor for those cases where both fuel arrears and rent arrears are paid direct.

Rent Direct at December 1982

	Thousands			
	Great Britain	*England*	*Scotland*	*Wales*
LA tenants	158	118	33	7
Private tenants	†14	11	2	*

* less than 500

† discrepancy due to rounding

NHS (Leaflets)

Mrs. Renée Short asked the Secretary of State for Social Services if he will place in the Library copies of the responses which he receives from those hospitals and health centres to whom he plans to send leaflets describing progress in the National Health Service under this administration.

Mr. John Patten: I shall let the hon. Member have a reply as soon as possible.

Computer Bed Bank

Mr. Heddle asked the Secretary of State for Social Services if he will indicate when the West Midlands regional health authority will instigate a pilot scheme incorporating a computer bed bank for hospital waiting lists.

Mr. John Patten: I understand that a project co-ordinator has been appointed by the region and has now started work on the project. I am grateful to my hon. Friend for his suggestions in relation to this project.

Limited List Prescribing

Mrs. Renée Short asked the Secretary of State for Social Services if he intends to seek consultations with representatives of the British Medical Association and the Association of the British Pharmaceutical Industry to discuss the procedure adopted by some general practitioners of prescribing brand named drugs on the banned list under their generic names; and if he will make a statement.

Mr. Kenneth Clarke: I shall let the hon. Member have a reply as soon as possible.

Community Care

Mrs. Renée Short asked the Secretary of State for Social Services what studies he is presently conducting to examine changes in the level of community care resources to meet the increase in demand for social services facilities.

Mr. John Patten: I shall let the hon. Member have a reply as soon as possible.

NHS (Hospital Beds)

Mrs. Renée Short asked the Secretary of State for Social Services what reductions there have been in the number of National Health Service hospital beds in each year since 1979.

Mr. John Patten: The numbers of available beds in National Health Service hospitals from 1979 to 1983, the latest year for which figures are available centrally, are given in the table. It should be noted that the number of in-patient cases treated rose from 5,400,000 in 1979 to 6,019,000 in 1983 and the number of cases treated per available bed rose from 14·9 to 17·5 over this period.

National Health Service Hospitals—England

Year	*Average daily number of available beds*
1979	361,670
1980	355,979
1981	351,669
1982	348,104
1983	343,091

Year	Reduction in available beds between years
1979-80	5,691
1980-81	4,310
1981-82	3,565
1982-83	5,013

EC (Anti-poverty Scheme)

Mr. Boyes asked the Secretary of State for Social Services if groups receiving Manpower Services Commission money will be able to use this as matching national funds in relation to projects under the European Economic Community anti-poverty scheme.

Mr. John Patten: The matching local contributions which applicants for financial assistance from the community under this programme are required to obtain may be derived from any United Kingdom source whether public or private including the Manpower Services Commission, provided that there is no question of duplicate funding for the same activities.

Fairhaven Experimental Nursing Home

Sir Peter Blaker asked the Secretary of State for Social Services what is the cost to public funds per patient per week of running the Fairhaven experimental nursing home in Lancashire, including provision for amortisation of cost of construction; and how the amortisation has been calculated.

Mr. John Patten: The running costs of the Fairhaven experimental nursing home have been calculated by the district health authority as £231 per patient week, at November 1984 cost levels. Total capital costs for purchase and alterations to the property amounting to £655,000 have not been amortised in that figure.

Nurses

Sir Peter Blaker asked the Secretary of State for Social Services what assumptions as to patient to nursing staff ratios in private sector nursing homes he makes in determining the level per patient at which such homes are reimbursed for patients placed in their care on behalf of the State.

Mr. John Patten: It is for district health authorities, which are responsible for the registration and inspection of private nursing homes, to ensure that adequate nurse staffing ratios are maintained in each home according to individual circumstances and to negotiate the terms of any contractual arrangements for the care of National Health Service patients in such homes.

TRANSPORT

Tourist Buses (Westminster)

Mr. Wheeler asked the Secretary of State for Transport when he last discussed the parking of tourist buses in the City of Westminster with officials of that council, the Metropolitan police and the London Visitor and Convention Bureau; and with what result.

Mrs. Chalker: I have had no direct discussions with all bodies together, although meetings have taken place at official level. We are continuing to examine the situation to see what further action can be taken. I shall be meeting with members of Westminster city council shortly to discuss the general issue of coaches in London. The issue will remain on my continuing agenda for discussions with the Metropolitan police.

Transport Licensing Inquiries

Mr. Onslow asked the Secretary of State for Transport what representations he received from the Council on Tribunals in connection with the regulations made under statutory instrument 176 of 1984 concerning transport licensing inquiries; and what account he took of these.

Mrs. Chalker: The council made several comments when consulted on the draft regulations. Most of these were covered in S.I. 176/1984, other than a proposal that it should include basic procedures for hearings. The council has recently asked informally whether we propose to issue guidance notes to persons making representations at public inquiries; I have asked the licensing authorities for their views on that suggestion.

Trains and Buses (Timing)

Sir John Biggs-Davison asked the Secretary of State for Transport if he will give a general direction to the chairman of British Railways and the National Bus Company better to co-ordinate the timing of connecting trains and buses; and if he will make a statement.

Mr. David Mitchell: My right hon. Friend has no plans to give any general directions on the matter to the chairmen concerned but the ending of local bus monopoly and the introduction of passenger-hungry competitive bus services can be expected to lead to bus services better meeting public demand.

Lighthouse Service

Mr. Evennett asked the Secretary of State for Transport whether he has held any consultations with *(a)* Trinity House, *(b)* the Commissioners of Northern Lighthouses or *(c)* the Commissioners of Irish Lights to discuss the reorganisation of the lighthouse service; and if he will make a statement.

Mr. David Mitchell: Because of my right hon. Friend's statutory responsibility for expenditure from the general lighthouse fund my Department has close and frequent discussion with all these bodies on a wide range of matters that affect, or are effected by, the organisation of the services that each provides. There have been no discussions with any of them about reorganisation of the lighthouse service as a whole, but last autumn I had most useful and constructive discussions with Trinity House which led on to the restructuring of their Lighthouse Board. This now includes four outside directors of wide business and technical experience.

Space Saver Car Wheels

Mr. Roger King asked the Secretary of State for Transport whether he is satisfied with the safety aspects of space saver car wheels.

Mrs. Chalker: I refer my hon. Friend the answer which I gave on 10 December 1984, to a question by my hon. Friend the Member for Ashford (Mr. Speed) at column *338*.

Toyota Space Cruiser (Brakes)

Mrs. Peacock asked the Secretary of State for Transport what action he proposes to take in view of recent test findings of serious safety problems with the braking system of the Toyota Space Cruiser, to seek the recall of these vehicles.

Mrs. Chalker: My Department has considered the allegations of braking instability levelled against the Toyota Space Cruiser and is conducting tests on several vehicles. The findings will be presented to the manufacturers in the near future. I shall make a statement on the outcome as soon as possible after that meeting.

Severn Bridge (Tolls)

Mr. Roy Hughes asked the Secretary of State for Transport if he will now publish the report submitted to him in November 1984 following the public inquiry held in Bristol in July 1984 regarding his proposal to increase toll charges on the Severn Bridge.

Mrs. Chalker: I have nothing to add to the reply I gave the hon. Member on 2 April at column *555*.

Buses

Mr. Allen McKay asked the Secretary of State for Transport what progress he is making in drawing up arrangements to protect bus employees' pension rights after the enactment of the Transport Bill.

Mr. David Mitchell: The accrued pension rights of employees of the National Bus Company will continue to be protected by the assets of the two funds involved. We will wish to ensure that these are adequately funded at the time of privatisation.

We are discussing the arrangements for PTE and district council staff transferring to the new public transport companies with local authority representatives. We are seeking to facilitate a range of options for the new companies including the option of staff remaining in the local government superannuation scheme.

M25 (Opening Dates)

Mr. Peter Bruinvels asked the Secretary of State for Transport if he will give the most recent estimates of the likely completion dates and any opening dates for the remaining sections of the M25.

Mrs. Chalker: We expect to have the whole of the M25 open to traffic by the end of 1986. The actual opening dates of the remaining sections will depend on the progress made by individual contractors, which in turn is influenced by weather and ground conditions.

The current contract completion dates for the unfinished sections are as follows:—

M4-M40—end July 1985
Wisley-Leatherhead—August 1985
Leatherhead-Reigate—August 1985
Leatherhead Interchange—Complete but opening depends on contracts either side.
Poyle-M4—mid September 1985
M4 Interchange—mid June 1986
Swanley-Sevenoaks—early July 1986
Bedmond Road-A405—Mid September 1986
Micklefield Green-Bedmond Road—early October 1986
The Bell-South Mimms—end October 1986
A405-The Bell (A6)—beginning November 1986

Road Safety

Mr. Sheerman asked the Secretary of State for Transport if he will make a statement about the Transport Committee's recommendations for improved road safety.

Mrs. Chalker: My right hon. Friend will be responding shortly to this report.

East London River Crossing

Mr. Cartwright asked the Secretary of State for Transport whether he is yet able to announce the date of the public inquiry into the proposed east London river crossing.

Mrs. Chalker: I hope to do so shortly.

BR (Overseas Supplies)

Mr. Freud asked the Secretary of State for Transport whether his consent is required for major purchases by British Rail from overseas suppliers; and if he will make a statement.

Mr. David Mitchell: The British Railways Board is responsible for its own puchasing decisions. We expect it to follow the principles of the Government's public purchasing policy.

SCOTLAND

Royal Commissions

Mr. Eggar asked the Secretary of State for Scotland how many royal warrants establishing Royal Commissions he and his predecessors have signed since 1955; what where the subjects the commissoners investigated; on what dates they were established; who chaired them; and on what dates they reported.

Mr. Younger: The information is as follows:

Subjects Investigated	*Date Established*	*Chairman*	*Date Reported*
University Education in Dundee	3 May 1951	Baron Tedder	April 1952
Scottish Affairs 1952-54	25 July 1952	The Earl of Balfour	July 1954
Local Government in Scotland 1966-69	9 June 1966	The Right Hon. Lord Wheatley	September 1969
Legal Services in Scotland	25 October 1976	The Right Hon. Lord Hughes CBE	May 1980

Job Creation

Dr. Godman asked the Secretary of State for Scotland how many people in the Greenock travel-to-work area between the ages of 40 and 50 years are presently unemployed but engaged in retraining programmes.

Mr. Allan Stewart: The precise information requested is not available, but at 30 March 1985, 11 unemployed people aged between 40 and 50 years were undertaking retraining on programmes run by the Manpower Services Commission in Inverclyde and Renfrew districts. In addition, some long-term unemployed people in temporary jobs funded under the community programme in these areas will be receiving training.

Dr. Godman asked the Secretary of State for Scotland if he has any plans to increase the allocation of community programme places in Inverclyde.

Mr. Allan Stewart: I refer the hon. Member to the reply given by my hon. Friend the Minister of State, Department of Employment to the hon. Member for Dunfermline, East (Mr. Brown) on 25 March.

Dr. Godman asked the Secretary of State for Scotland what steps he has taken to satisfy himself that the training in new technologies available under the youth training scheme in Inverclyde is adequate to meet the demand.

Mr. Allan Stewart: The provision of new technology training through the Youth Training Scheme—YTS—is adjusted each year in relation to the local demands of industry and young people. More than 300 YTS places available to young persons in Inverclyde involve significant elements of training in new technologies. In addition, all YTS trainees receive an introduction to computer literacy and information technology during their training programmes.

Dr. Godman asked the Secretary of State for Scotland how many people in the Greenock travel-to-work area have received the enterprise allowance since its inception; how many are presently in receipt of the allowance; and how many continue trading after 18 months.

Mr. Allan Stewart: I regret that the information is not available in the precise form requested. In the Greenock travel-to-work area, 178 people joined the enterprise allowance scheme from August 1983 until 17 April 1985. A total of 106 people were receiving the allowance at the latter date.

Information on how businesses fare when payment of the allowance ceases is not yet available for the scheme nationally, but experience in the pilot areas suggests that about 70 per cent. of all businesses supported were still trading 18 months after joining the scheme.

Labour Statistics

Dr. Godman asked the Secretary of State for Scotland what percentage of the registered insured population, male and female, are in part-time employment in the Greenock travel-to-work area.

Mr. Allan Stewart: The latest available information on employment is taken from the 1981 census of employment, and relates to the travel-to-work area prior to last year's review. In September 1981, 14·4 per cent. of the registered insured population — employees in employment plus unemployed — were in part-time employment. The corresponding figures for males and females were 2·7 per cent. and 30·9 per cent. respectively.

Dr. Godman asked the Secretary of State for Scotland how many places there are in sheltered employment in the Greenock travel-to-work area; and if there is a waiting list.

Mr. Allan Stewart: On 16 April 1985, there was a total of 38 filled places supported under the sheltered employment programme in the Greenock travel-to-work area. There is no waiting list for the sheltered workshop in the area.

District Licensing Boards

Mr. Rowe asked the Secretary of State for Scotland how many complaints from the licensed trade and from the public were received by district licensing boards in each year from 1970 to 1984.

Mr. Ancram: This information is not available centrally.

Licensed Trade (Licence Extensions)

Mr. Rowe asked the Secretary of State for Scotland how many *(a)* regular extensions and *(b)* special extensions were granted to the licensed trade by category of licence in the period 1970 to 1984 by year.

Mr. Ancram: Following consultation with police and local authority interests the collection of licensing statistics was curtailed in 1980 and discontinued thereafter. The numbers of regular extensions and special permissions granted to the licensed trade in each year up to 1980 are shown in the "Civil Judicial Statistics, Scotland" copies of which are available in the Library. The numbers of regular permissions and special permissions granted since 1981 could not be ascertained without disproportionate cost.

Drunk Driving

Mr. Rowe asked the Secretary of State for Scotland how many successful prosecutions for drunk driving were effected for each year from 1970 to 1984.

Mr. Ancram: The number of charges proved in Scotland from 1970 to 1984 of driving or being in charge of a motor vehicle while unfit through drink or drugs, or while blood alcohol content is above the prescribed limit; and of failing to provide breath, blood or urine specimens, are given in the following table.

Year	*Charges proved*
1970	8,767
1971	10,109
1972	10,480
1973	11,989
1974	12,689
1975	12,168
1976	10,137
1977	9,170
1978	11,086
1979	11,435
1980	12,513
1981	11,244
1982	10,429
1983	11,556
1984*	12,212

* Provisional.

Rating Revaluation

Mr. Craigen asked the Secretary of State for Scotland if he will give a breakdown of the increases in the commercial rating sector resulting from the 1985 revaluation in Scotland, according to the categories shops, offices, hotels and miscellaneous, both for Scotland as a whole and by regional and island authorities.

Mr. Ancram: This information is not available centrally at the present time.

Forestry Commission (Land Sales)

Mr. Strang asked the Secretary of State for Scotland how many acres of Forestry Commission land Her Majesty's Government plan to sell each year for the next five years; and what is the corresponding value of the land to be sold in each case.

Mr. John MacKay: I refer the hon. Member to the reply given by my right hon. Friend to my hon. Friend the Member for Suffolk, Central (Mr. Lord) on 8 November 1984, at columns 6-7. The estimate of receipts from sales over the period is not linked to any fixed acreage of land.

List D Schools

Mr. Wilson asked the Secretary of State for Scotland (1) how many staff in the list D sector are currently undertaking training on courses leading to the Certificate of Social Service or Certificate of Qualification in Social Work;

(2) how many staff in the list D sector have been seconded for training leading to the Certificate of Social Service and Certificate of Qualification in Social Work in each of the past five years; and what is the anticipated number, in each case, for the year 1985-86;

(3) what has been the Scottish Office budget in each of the past five years for the professional training of social work staff employed in the list D sector.

Mr. John MacKay: The information is as follows:

No. of Staff

	CSS	*CQSW*	*Estimated Cost*
1980-81	9	5	£127,000
1981-82	3	3	£135,000
1982-83	5	6	£149,500
1983-84	3	5	£158,000
1984-85	3	3	£162,000

Eleven staff are currently undertaking training courses but no new applications are being accepted for support for secondment for the year 1985-86. Estimates include the costs of training and of staff replacements.

Mr. Wilson asked the Secretary of State for Scotland what has been the total number of referrals to list D schools in each of the past five years; and how many of these were second referrals.

Mr. John MacKay: The information is as follows:

Year Ended 31 March

	1981	*1982*	*1983*	*1984*	*1985*
Admissions	934	957	851	910	791
Re-admissions (including absconders for more than 14 days)	22	28	28	37	43

Building Societies

Lord James Douglas-Hamilton asked the Secretary of State for Scotland what has caused the delay in reaching agreement with the building societies on the arrangements required to enable building societies to accept repaired prefabricated reinforced concrete as being suitable for a loan on their security.

Mr. Ancram: The guarantee scheme arrangements are complex, involving as they do the insurance of PRC houses once repaired by approved methods and builders. Greater difficulties than had been expected arose in reaching agreement amongst the bodies concerned.

FOREIGN AND COMMONWEALTH AFFAIRS

Overseas Aid

Mr. Skinner asked the Secretary of State for Foreign and Commonwealth Affairs what percentage of gross national product was spent on overseas aid in 1980, 1981, 1983 and 1984, respectively.

Mr. Luce: The percentage of gross national product devoted to overseas aid in the years from 1980 to 1984 was as follows:

Year	*per cent.*
1980	0·35
1981	0·43
1982	0·37
1983	0·35
1984	0·33

Food Aid

Mr. Bowen Wells asked the Secretary of State for Foreign and Commonwealth Affairs how many tons of cereals under the plan approved at the Dublin summit of European Economic Community Ministers have been delivered to the following countries: Sudan, Ethiopia, Chad, Mali and Burkina Faso in the months of February and March; and how much is estimated to be delivered in April, May and June.

Mr. Luce: The day-to-day management of the European Community's food aid programme is the responsibility of the European Commission. The Dublin plan also included commitments by member states of the Community. According to information provided at the coordination meeting held on 21 February, overall delivery plans by the Community and member states, were as follows:

Metric tonnes of wheat or wheat equivalent

	February	*March*	*April*	*May*	*June*
Ethiopia	66,000	72,000	68,000	52,000	30,000
Sudan	3,500	2,400	27,000	40,000	10,000
Chad	12,000	21,000	5,000	16,000	*
Mali	18,000	29,000	4,000	14,000	*
Burkina Faso	2,000	—	15,000	—	*

* Not available

These figures do not include all food aid provided by the Community and member states channelled through international organisations locally purchased cereals, or food bought with cash grants to international and voluntary organisations. Some of the deliveries relate to commitments made before the Dublin Council.

Sudan

Mr. Bowen Wells asked the Secretary of State for Foreign and Commonwealth Affairs how many tons of British food aid to Sudan have been shipped and delivered to Port Sudan in the month of March and are due to be delivered in April, May and June.

Mr. Luce: A total of 22,000 tonnes of wheat and almost 10,000 tonnes of wheatflour — equivalent to 13,000 tonnes of wheat—is due to be delivered to Port Sudan in May. This represents the full extent of present British food aid commitments. Our most recent shipment, of 15,000 tonnes, reached Port Sudan in January 1985.

Mr. Bowen Wells asked the Secretary of State for Foreign and Commonwealth Affairs what arrangements have been made to distribute British food aid in Sudan.

Mr. Luce: The shipment due to arrive in May consists of:

(a) 17,000 tonnes of wheat, which will be distributed by agreement with the Government of the Sudan under arrangements to be monitored by the World Food Programme—WFP—on our behalf;

(b) just under 10,000 tonnes of wheatflour which the United Nations High Commissioner for Refugees—UNHCR—will sell to the Sudanese Government for re-sale on agreed conditions within Sudan; the proceeds will be used to finance UNHCR refugee programmes in Sudan;

(c) 5,000 tonnes provided under the International Emergency Food Reserve administered by the World Food Programme—WFP—which will be responsible for distribution.

We are providing £232,000 to the WFP to buy the fuel needed to distribute the food in Sudan. The WFP was responsible for distributing the 15,000 tonnes of wheat which arrived in Sudan in January 1985. A shipment of wheatflour was provided in November 1984 to the UNHCR on a similar basis to that described above.

Industrial Promotion

Dr. Michael Clark asked the Secretary of State for Foreign and Commonwealth Affairs what instructions are issued to the commercial staff in the United Kingdom overseas posts on how particular areas of British industry are to be promoted.

Mr. Rifkind: Commercial staff at Her Majesty's embassies, high commissions and consulates perform their duties according to a standard set of instructions which is constantly under review and amended to take account of changing demands.

Our export promotion services are available equally to all manufacturing and services sectors. Where particularly important export opportunities are identified, the Department of Trade and Industry and the British Overseas Trade Board at home and the diplomatic service posts overseas together work closely with the relevant sectors of industry to exploit them.

Arms Control

Mr. Soames asked the Secretary of State for Foreign and Commonwealth Affairs what progress has been made at the conference on disarmament in discussion of outer space arms control; and if he will make a statement.

Mr. Luce: I am pleased to report that on 29 March the conference on disarmament unanimously agreed to set up an ad hoc committee on outer space. The committee has been mandated in the first instance to identify, through substantive examination, issues relevant to the prevention of an arms race in outer space. It will take into account all existing agreements, existing proposals and future initiatives. We have been actively involved in the establishment of this committee and look forward to playing a full part in its work.

Middle East

Mr. Latham asked the Secretary of State for Foreign and Commonwealth Affairs (1) whether he has received from Her Majesty's ambassador in Damascus the text of the 14 point political programme broadcast on Radio Damascus on 25 March by Mr. Ahmad Al-Yamani, on behalf of the Palestinian National Salvation Front, which calls for increased violence, the overthrow of the Egyptian Government and the negation of the purported agreement between King Hussein and Yasir Arafat; and what implications this has for the implementation of that section of the Venice declaration which calls for the Palestine Liberation Organisation to be associated with the peace process;

(2) what information he has received from Her Majesty's ambassador in Damascus about the formation on 25 March of a Palestinian National Salvation Front comprising the Popular Front for the Liberation of Palestine, the Fatah Provisional Command, headed by Abu Musa, and several other Palestinian guerilla groups; and what advice he has received about their willingness to accept United Nations Security Council Resolutions 242 and 338 and take part in peaceful negotiations.

Mr. Luce: The groups which formed the Palestinian National Salvation Front are reported to have rejected the agreement between King Hussein and the Palestine Liberation Organisation to work for a settlement of the Arab-Israel dispute based on the exchange of territory for peace. We welcomed this agreement as a useful step and

shall continue to encourage constructive moves by the parties directly concerned towards peace negotiations at which the voice of the Palestinians would be heard.

British Protected Persons

Mr. Stanbrook asked the Secretary of State for Foreign and Commonwealth Affairs what is the estimate of the number of British protected persons; where they are located; how many do not possess an additional nationality or citizenship status; and what steps are being taken to bring the status to an end.

Mr. Renton: Not all British protected persons abroad register with our missions, so it is not possible to give a reliable estimate of their number. However, records held by the Foreign and Commonwealth Office suggest that the total figure is well under 10,000, the majority of them resident in eastern and central Africa and in India.

No estimate can be given of how many British protected persons possess an additional nationality or citizenship status, but since 1 January 1983 a person has lost British protected person status automatically on the acquisition of another nationality.

As there are no remaining protectorates or protected states from which the status can be derived, and because it is now lost on the acquisition of another nationality and is transmissible only in certain very limited circumstances where a child would otherwise be stateless, the number of British protected persons will steadily diminish until the status eventually becomes extinct.

Credit Card Companies (VAT)

Mr. Teddy Taylor asked the Secretary of State for Foreign and Commonwealth Affairs if, while not releasing the correspondence to the public, he will make available to hon. Members considering the Value Added Tax (Finance) Order 1985 (S.I., 1985, No. 432), a copy of the letter from the European Economic Community Commission threatening infraction proceedings on the value added tax treatment of credit card companies, before 23 April.

Mr. Rifkind: My right hon. Friend the Chancellor of the Exchequer will make available to members of the Select Committee on Statutory Instruments a summary of the letter in time for their consideration of the matter on 23 April.

Africa (Famine Relief)

Mr. Canavan asked the Secretary of State for Foreign and Commonwealth Affairs whether he will list, in pounds sterling, the total amount of aid given by Her Majesty's Government for famine relief in Africa for each of the years 1982, 1983, 1984 and 1985, including pledges, and the corresponding figures for all Organisation for Economic Co-operation and Development countries.

Mr. Luce: I refer the hon. Member to the reply given to him on 25 March, at column *40*, by my right hon. Friend the Minister for Overseas Development giving details of aid for famine relief in calendar years 1983 and 1984 of some £26 million and £79 million respectively. Such figures are not available for 1982. We announced at the United Nations conference on Africa in Geneva on 11 March that our famine related aid in financial year 1985-86 will be at least £60 million. If more is needed, we will of course add all we can. We do not have corresponding figures for other Organisation for Economic Co-operation and Development countries.

Grants in Aid

Mr. Soames asked the Secretary of State for Foreign and Commonwealth Affairs if he will list the organisations to which his Department makes grants in aid.

Mr. Luce: The international and regional organisations and United Kingdom-based institutions and voluntary agencies in receipt of grants in aid are separately identified in the Supply Estimates for class II overseas aid and other overseas services—Votes 1, 3, 4 and 8 in 1984-85 and Votes 1, 3, 4 and 7 in 1985-86. A copy is available in the House of Commons Library.

Overseas Students (Support)

Mr. Hayward asked the Secretary of State for Foreign and Commonwealth Affairs whether he will make a statement about the Government's plans for overseas student support when the current provision comes to an end in April 1986.

Sir Geoffrey Howe: We believe that our policy of targeted support is very much in the national interest. We have, therefore, made financial provision to continue support for overseas students beyond 1985-86 along the lines of that made under the "Pym package". Given the current financial constraints, the provision has had to be reduced somewhat. Exact details for 1986-87 have yet to be decided. Neverthless, it is intended that the support will continue to be made to the three country-territory schemes for Cyprus, Malaysia and Hong Kong and for certain other dependent territories. Additional support to the Commonwealth scholarship and fellowship plan, the Foreign and Commonwealth Office's scholarships and awards scheme and to the British Council's work for the promotion of British higher education overseas will also continue.

EDUCATION AND SCIENCE

Unborn Children (Protection) Bill

Mr. J. Enoch Powell asked the Secretary of State for Education and Science on what grounds he is advised that the provisions of the Unborn Children (Protection) Bill would prevent investigation of embryos prior to insertion to avoid the insertion of embryos which are carriers of genetic disorders or otherwise abnormal.

Mr. Brooke: As I stated in my answer on 3 April to the hon. Member for Linlithgow (Mr. Dalyell) at columns 616-17, the Unborn Children (Protection) Bill would prevent research on the development of safe thechniques for the investigation of embryos prior to insertion into the womb. It would clearly be unacceptable to insert an embryo which has been subjected to any procedures until the safety of such procedures had been tested and the risk of inducing abnormal development excluded. It is the Medical Research Council's view that further studies with human embryos are necessary to establish both the safety of the embryonic biopsy techniques and the efficiency of

the methods for the detection of abnormalities; and that the embryos used in such studies cannot be ones intended for implantation.

Overseas Students

Mr. Greenway asked the Secretary of State for Education and Science what were the number of overseas students in United Kingdom educational institutions in 1979-80 and each succeeding year; what is the estimated cost of their education; and if he will make a statement.

Mr. Brooke: The numbers of students from abroad in Great Britain since 1979-80 are shown in the table:

	Thousands
1979-80	82·4
1980-81	72·4
1981-82	61·4
1982-83	54·1
1983-84	53·9

It is not possible to estimate readily the cost of their educaton, but students from abroad—other than those who are entitled to pay the home rate of fee—are now expected to pay fees that cover the full cost.

Menieres Disease

Mr. Hannam asked the Secretary of State for Education and Science what funding is given to research into Menieres disease; and how much grant support the Medical Research Council gives to such research.

Mr. Brooke: The Medical Research Council (MRC), which receives its grant-in-aid through the Department, is the main Government agency for the promotion of medical research in the United Kingdom. I understand that Menieres disease is characterised by tinnitus, deafness and intermittent attacks of giddiness. In the financial year 1983-84 MRC's expenditure on research into hearing and balance disorders — including expenditure on projects which could prove relevant to these conditions — was £2,170,000. Out of this total, £160,000 was spent on tinnitus and £1,409,000 on deafness and balance disorders. The council is always willing to consider soundly based research proposals for support through its research grant scheme in competition with other applications.

Research work on and relevant to Menieres disease may also be conducted in universities and medical schools using funds allocated for teaching and research on the advice of the University Grants Committee, but details of such work are not collected centrally. The medical charities may also be funding work in this field.

Teachers (Dispute)

Mrs. Renée Short asked the Secretary of State for Education and Science what requests he has received from directors of local education authorities and from teachers to provide further financing with a view to terminating the present teachers' dispute.

Sir Keith Joseph: I have received about 1,000 letters from teachers, many arguing that additional resources should be made available for teachers' pay. I have also received a letter from the chief education officer of Sheffield local education authority enclosing a copy of a statement by the chairman of the authority's schools sub-committee expressing similar views.

Teachers (West Midlands)

Mrs. Renée Short asked the Secretary of State for Education and Science if he will pay an official visit to meet primary and secondary school teachers in the west midlands.

Sir Keith Joseph: I shall be addressing a meeting of the Birmingham branch of the National Association of Head Teachers on 13 May. I hope also to visit Staffordshire in September, as part of a continuing series of visits to schools and local education authorities. No programme has yet been arranged, but I would expect it to include some discussion with teachers.

Diet

Mr. Skinner asked the Secretary of State for Education and Science what steps he is taking to encourage greater health education on the role of diet in relation to disease.

Mr. Dunn: The Department has recently drawn the attention of the school examining boards to the report of the Committee on Medical Aspects of Food Policy on "Diet and Cardiovascular Disease" and has asked they take its findings into account in their examination syllabuses. In addition, the national criteria for GCSE examinations in home economics, published last month, emphasise dietary goals related to health in relevant syllabuses.

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Secretary of State for Education and Science how many officials of his Department, and from which sections, have attended meetings of the Anglo-Irish Intergovernmental Council; and if he will list the dates and locations of such meetings and the subjects discussed.

Mr. Brooke: Officials attend meetings under the auspices of the Anglo-Irish Intergovernmental Council (AIIC) according to the subject under discussion. It is not the practice of Her Majesty's Government to give information about meetings of officials.

Handicapped Children

Mrs. Renée Short asked the Secretary of State for Education and Science if he will list the number of handicapped children who have been educated in ordinary primary and secondary schools in the West Midlands county in each school year since 1979-80; and what resources have beeen allocated to local education authorities in that area to enable them to put into practice effectively the provisions of the Education Act 1981 since its introduction.

Mr. Dunn: The information is as follows:

Number of Handicapped Pupils in Ordinary Schools in the West Midlands County in January of each year.

Year	*Number*
1981	1,041
1982	1,169
1983	1,566
1984	1,402

Comparable information for 1980 is not available.

Account is taken of the costs of educating children with special educational needs in assessing each authority's grant-related expenditure, which underlies the annual distribution of the rate support grant settlement. It is for individual local education authorities to decide how to use the resources available to them.

Mrs. Renée Short asked the Secretary of State for Education and Science what financing he intends to make available to local education authorities to enable them to improve facilities in teacher training courses for instruction on special needs of handicapped children within ordinary primary and secondary school environments.

Mr. Dunn: My right hon. Friend has made it clear that he expects local authorities to contain within existing provision any additional expenditure which they may incur in implementing criteria for the approval of initial teacher training courses issued in April 1984, including the requirement that students should be introduced to ways of identifying children with special educational needs, helped to appreciate what the ordinary school can and cannot do for such children, and given some knowledge of the specialist help available and how it can be enlisted. Training in special educational needs in ordinary schools has been designated a national priority area under the in-service teacher training grants scheme, introduced in 1983-84. In the financial year 1985-86, £13·4 million in total will be made available to LEAs towards the cost of employing replacement teachers for those released for training in the various priority areas designated under the scheme.

Nursing Education

Mr. Andrew F. Bennett asked the Secretary of State for Education and Science how many children in each county in England and Wales have been in a nursery school or a nursery classs and received nursery education prior to entry into school; what percentage of the age group this represents in each case; and how many have received more than 12 months' nursery education.

Mr. Dunn: The information requested is not collected centrally. I would, however, refer the hon. Member to the reply my right hon. Friend gave on 27 March, at columns 213-16, for information on children receiving nursery education as at January 1984. Information for Wales is the responsibility of my right hon. Friend the Secretary of State for Wales.

Teachers (Pay)

Mr. Ron Davies asked the Secretary of State for Education and Science when he last met the Association of County Councils and the Association of Municipal Authorities to discuss teachers' pay.

Sir Keith Joseph: I last met the Council of Local Education Authorities, which comprises members of the Association of County Councils and the Association of Metropolitan Authorities, on 6 March to discuss the machinery for negotiating teachers' pay in the context of the current pay dispute.

Teachers' Superannuation Scheme

Mr. Cartwright asked the Secretary of State for Education and Science what representations he has received during the past five years about the differing treatment of the dependants of male and female contributors to the teachers' superannuation scheme; and what response he has made.

Mr. Dunn: During the past five years we have received many letters from individual teachers and hon. Members on this subject. In addition the teachers' unions have pressed for equalisation of family benefits, notably within the teachers' superannuation working party on which the Department and employers are also represented. My right hon. Friend has accepted that in principle there should be equality in the treatment of dependants as in all other features of the scheme, but has said that the consequential costs cannot be ignored. To date, neither the teachers nor employers have expressed a willingness to bear any share of the increased contributions that would be required.

Mr. Cartwright asked the Secretary of State for Education and Science if he will estimate the cost of providing equal treatment for the dependants of male and female contributors to the teachers' superannuation scheme.

Mr. Dunn: The Government Actuary has calculated that to provide the dependants of female members who die in future with all those benefits available to the dependants of male members would initially cost some £3·4 million per annum rising on maturity of the family benefits provisions to about £65 million per annum; and that this would increase the contributions required to cover the costs of teachers' superannuation by 0·7 per cent. of salary for all members.

NATIONAL FINANCE

Overseas Investment

Mr. Thurnham asked the Chancellor of the Exchequer, if he will give the latest estimate of British private investment overseas for 1984-85; and if he will make a statement about future trends.

Mr. Peter Rees: The preliminary figure for British private investment overseas in 1984 is £15,159 million. Future levels will depend on a complex of market factors that would make any forecast unreliable.

Tax Allowances

Ms. Short asked the Chancellor of the Exchequer what would be the increase in child benefit which could be obtained for a similar cost to that of the proposed change in married couples' tax allowances.

Mr. Moore: The cost of the proposed changes in personal taxation will depend upon a number of factors, principally the level of the single allowance under the new system, so it is not possible to give a single figure for a corresponding increase in child benefit.

Mr. Andrew Bowden asked the Chancellor of the Exchequer how many people received *(a)* the single person's age allowance and *(b)* the married man's age allowance in 1984-85; and if he will estimate how many people will receive respectively, each allowance in 1985-86.

Mr. Moore: Estimates of the numbers of aged taxpayers receiving age allowances, either in full or in part, are as follows:

	Single people	*Married couples*
1984-85	1,110,000	890,000
1985-86	1,070,000	860,000

These numbers do not include those completely taken out of tax by the existence of age allowance.

Mr. Andrew Bowden asked the Chancellor of the Exchequer (1) how many people ceased to pay income tax in 1984-85 *(a)* when the single person's age allowance rose from £2,360 to £2,490 and *(b)* when the married man's age allowance rose from £3,755 to £3,955;

(2) how many people will cease to pay tax in 1985-86 *(a)* because of the rise in the single person's age allowance from £2,490 to £2,690 and *(b)* because of the rise in the married man's age allowance from £3,955 to £4,255.

Mr. Moore: The following table shows the estimated reduction in the number of aged taxpayers in 1984-85 and 1985-86, compared with the position if age allowances had remained at their levels of 1983-84 and 1984-85 respectively.

	Reductions in aged taxpayers	
	Single people	*Married couples*
1984-85	85,000	70,000
1985-86	125,000	105,000

Exchange Rate

Sir David Price asked the Chancellor of the Exchequer what have been the changes in the exchange rate of the pound sterling to the dollar and in the minimum lending rate since he presented his Budget on 19 March.

Mr. Ian Stewart: I shall let my hon. Friend have a reply as soon as possible.

Credit Card Companies

Mr. Teddy Taylor asked the Chancellor of the Exchequer if he will publish a table showing the basis on which credit card companies have their transactions with traders treated for value added tax purposes in each member state of the EEC and the extent to which these various practices are consistent with the changes proposed for British credit card companies in the recent Budget.

Mr. Hayhoe: The position is understood to be as follows. These transactions are exempt in the other member states with value added taxes; Greece has not yet introduced a value added tax. But Belgium, Germany and France permit card companies to elect to treat their supplies as taxable, an option available to member states under the European Community's sixth directive on value added tax. The change proposed by my right hon. Friend provides for these transactions to be exempt in the United Kingdom. But as the change is intended to raise revenue, the introduction of the option mentioned above is not appropriate.

Mr. Teddy Taylor asked the Chancellor of the Exchequer what information he has on the yield to the revenue in corporation tax, value added tax and other taxes, respectively, in consequence of the activities of credit card companies.

Mr. Hayhoe: I regret this information is not available.

Mr. Teddy Taylor asked the Chancellor of the Exchequer if he is satisfied that the changes proposed in the Budget for the value added tax treatment of credit card transactions are consistent with the sixth directive on value added tax of the Common Market Commission; and if he will make a statement.

Mr. Hayhoe: Yes.

VAT

Mr. Teddy Taylor asked the Chancellor of the Exchequer if he will make a statement on the extent to which Her Majesty's Government are committed to seeking the harmonisation of value added tax levies and rules in consequence of their Common Market obligations.

Mr. Hayhoe: The Government accept as binding those EC obligations relating to value added tax which are currently in force; proposals of the Commission for further harmonisation are considered on their merits.

Government Departments (Expenditure)

Mr. Corbett asked the Chancellor of the Exchequer (1) what is the estimated spending in Government Departments on telephone calls and standing charges in 1985-86; and how this compares with 1980-81;

(2) what are the current on-cost averages for accommodation in central London, outer London and the provinces for every £100 of Civil Service staff salary; and how this compares with 1980-81;

(3) what is the estimated spending by Government Departments on travel and the purchase of cars and lorries in 1985-86; and how this compares with spending in 1980-81;

(4) what is the estimated spending in Government Departments on reprographics in 1985-86; and how this compares with spending in 1980-81;

(5) what is the current estimated cost to public funds of typing a page in a Government Department in *(a)* central London, and *(b)* in outer London; and how this compares with 1980-81.

Mr. Peter Rees: I shall let the hon. Member have a reply as soon as possible.

EC (Budget)

Mr. Ron Davies asked the Chancellor of the Exchequer what progress has been made in adopting a European Economic Community budget for 1985.

Mr. Ian Stewart: I expect to make a statement to the House later this week on the outcome of the 23 April Budget Council.

Pound Sterling

Mr. Gould asked the Chancellor of the Exchequer on how many occasions since the end of 1982 the exchange rate of the pound sterling against those currencies within the exchange rate mechanism of the European monetary system has varied by more than the limits permitted by the exchange rate mechanism.

Mr. Ian Stewart [*pursuant to his reply*, 15 April 1985, c. *36*.]: The following table lists the months in which sterling's monthly average exchange rates against currencies in the EMS exchange rate mechanism have moved outside sterling's notional fluctuation margins since the end of 1982. The margins used are those pertaining at the end of December 1982. Since then, these margins have been changed three times, in March and May 1983 and September 1984.

ERM currencies	*1983*	*1984*	*1985*
Deutschemark	January-December	January; December	January-March
French franc	January-April; August-September	January; October-December	January-March
Lira	January-April	—	January-February
Belgian franc	January-May	March-December	January-March
Dutch guilder	January-December	January-December	January-March
Danish kroner	January-July; October-December	January-December	January-March
Irish punt	January-April; August-September November-December	January-February November-December	January-March

Note: investigation of fluctuations on a daily or more frequent basis would have been excessively costly.

Mortgage Interest

Mr. Gregory asked the Chancellor of the Exchequer, what is his estimate of the cost of extending mortgage interest tax relief to *(a)* £35,000 and *(b)* £40,000 under (i) the present tax arrangements and (ii) if the relief was limited to standard rate of income tax.

Mr. Moore [*pursuant to his reply*, 21 March 1985, c. *603*.]: Assuming no consequential changes in the distribution of mortgages by amount outstanding, the direct revenue costs of the extra relief in a full year at 1985-86 levels of income and interest rates would be approximately as follows:

£ million

Limit qualifying for relief	*Relief allowed: at taxpayers marginal rate*	*at basic rate only*
£35,000	100	80
£40,000	125	100

In the cases where relief was restricted to the basic rate, there would also be a yield of some £280 million, in respect of interest qualifying under the present limit, which would offset the costs shown in the final column.

THE ARTS

European Community

30. **Mr. Tony Banks** asked the Parliamentary Under-Secretary of State answering in respect of the Arts what arrangements are made in the Office of Arts and Libraries to collate comparative statistics on arts expenditure in EEC countries.

Mr. Waldegrave: The Policy Studies Institute has published some international comparisons; its studies have been funded in part by the Office of Arts and Libraries. The Arts Council has also begun to collate comparative statistics, and will publish a series of reference sheets. There are difficult problems of comparing like with like, and the Arts Council is taking part in Council of Europe studies aimed at producing comparable figures.

Hallé Concert Society

Mr. Arnold asked the Parliamentary Under-Secretary of State answering in respect of the Arts when the Minister for the Arts expects to reply to the letter from the hon. Member for Hazel Grove of 11 February concerning the Hallé Concert Society.

Mr. Waldegrave: My right hon. and noble Friend, the Minister for the Arts, has written on Friday 19 April to my hon. Friend in reply to his letter about the Hallé Concert Society.

Philharmonic Hall, Liverpool

Mr. Allan Roberts asked the Parliamentary Under-Secretary of State answering in respect of the Arts if he will make a statement outlining future policy on the Philharmonic Hall, Liverpool.

Mr. Wareing asked the Secretary of State for the Environment when he expects to be able to make an announcement about the future of the Royal Liverpool Philharmonic Hall.

Mr. Waldegrave: As my right hon. and noble Friend the Minister for the Arts made clear in answer to a similar question in another place, the Secretary of State will in due course have to assign the property rights and liabilities of metropolitan county councils to successor bodies by order under clause 95 of the Local Government Bill. Otherwise, property will pass to the appropriate residuary body under clause 60. Should it be necessary to make any incidental, transitional or supplementary provisions, the Secretary of State may by order do so under the provisions of clause 96. In considering such orders, the Secretary of State will give careful consideration to the views of the society and other interested parties.

NORTHERN IRELAND

Alexander and Green

Mr. Tim Smith asked the Secretary of State for Northern Ireland whether Alexander and Green of 299 Park Avenue, New York, his Department's attorney in the case of Department of Economic Development v. Arthur Andersen & Co., brought in the southern district of New York, is to be remunerated on a contingent fee basis.

Dr. Boyson: No.

Industrial Disputes (Statistics)

Sir John Biggs-Davison asked the Secretary of State for Northern Ireland how many working days were lost in Northern Ireland by industrial disputes in 1984; and how this figure compares with those of Great Britain, the Irish Republic, the European Community as a whole and the United States of America.

Dr. Boyson: The number of working days lost during 1984 through industrial disputes in Northern Ireland, Great Britain and the Republic of Ireland is as follows:

	Working days lost
Northern Ireland	51,586
Great Britain	26,512,000
Republic of Ireland	385,161

Note: These figures are provisional and may be subject to amendment.

Equivalent statistics in respect of the European Community as a whole and the United States of America are not readily available. Further information on international comparisons generally is published in the April 1985 issue of the *Employment Gazette*, a copy of which will be available in the Library.

Community Physicians

Rev. Martin Smyth asked the Secretary of State for Northern Ireland what is the target of his Department and the health and social services boards for the provision of community physicians per 100,000 population.

Mr. Chris Patten: I refer the hon. Gentleman to the answer I gave him on 7 February 1985.

Community Medicine (Specialists)

Rev. Martin Smyth asked the Secretary of State for Northern Ireland how many vacancies for specialists in community medicine have existed in each of the health and social services boards in the last three months; how many of these vacancies have been advertised; and how many posts have been filled.

Mr. Chris Patten: The information is as follows:

Health and Social Services Board	*Current number of vacancies*	*Number advertised in past three months*	*Number filled in past three months*
Eastern	*5	—	—
Northern	1	1	—
Southern	1	—	—
Western	2	1	1

* Of these vacancies, three are being filled on a locum basis.

AGRICULTURE, FISHERIES AND FOOD

Pâté de Foie Gras

Mr. Kilroy-Silk asked the Minister of Agriculture, Fisheries and Food if he will take steps to ban the importation of pâté de foie gras.

Mrs. Fenner: No. The method of feeding geese for the production of pâté de foie gras has been examined by both the Council of Europe and the European Parliament, following expert advice. Neither body saw reason to restrict or prohibit it.

Badgers

Mr. Kilroy-Silk asked the Minister of Agriculture, Fisheries and Food what is the location and number of badgers killed in 1982, 1983, 1984 and so far in 1985, respectively, under the anti-bovine tuberculosis campaign.

Mrs. Fenner: The number of badgers take in official investigations are as set out in the table:

	1982	*1983*	**1984*	**1985 to 31 March*
Avon	127	113	82	55
Clywd	0	8	0	0
Cornwall	146	167	375	57
Cumbria	0	14	22	0
Devon	74	201	189	15
Dorset	0	18	120	31
Dyfed	76	79	26	0
Gloucester	352	521	389	53
Somerset	16	3	0	0
Staffordshire	71	54	25	0
Sussex East	14	0	48	0
Wiltshire	129	61	58	21
Totals	1,005	1,239	1,334	232

* Provisional.

The figures for 1982 exclude badgers killed by gassing before the suspension of gassing in June of that year.

Mr. Kilroy-Silk asked the Minister of Agriculture, Fisheries and Food what further plans he has to kill badgers.

Mrs. Fenner: In accordance with current policy my Department will continue to take action against badgers when tuberculous badgers pose a threat to cattle. I will in due course be reviewing that policy in the light of the recommendations made to me by the team which I have appointed to re-examine the problem of badgers and bovine tuberculosis.

Mr. Kilroy-Silk asked the Minister of Agriculture, Fisheries and Food when he expects to receive the report of Professor Dunnet's review team considering the slaughter of badgers.

Mrs. Fenner: I hope that Professor Dunnet's review team will be in a position to report its findings to me and the Secretary of State for Wales by autumn this year.

Oysters

Mr. Viggers asked the Minister of Agriculture, Fisheries and Food if he will list the causes of shell-thickening and other deformities in the Pacific oyster known to his Department.

Mr. MacGregor: Very low levels of tributyl tin can cause deformities and shell malformation in the Pacific oyster. Other factors such as inherited abnormalities, disease and environmental trauma can reduce growth and may lead to malformation of the shell. However, in surveys and experiments carried out in estuaries in England and Wales which considered such factors, no cause other than tributyl tin has been found for this condition in the Pacific oyster.

Mr. Viggers asked the Minister of Agriculture, Fisheries and Food what research his Department has undertaken into the causes of shell thickening and other deformities in the Pacific oyster.

Mr. MacGregor: Some research was carried out in the mid 1970s on the effect of suspended particulate material in the water on shell thickening of the Pacific oyster, but the results were inconclusive. In 1982, measurements were made of tributyl tin concentrations in estuarine waters and in Pacific oyster, and subsequently a comprehensive laboratory and field investigation has been carried out on the effects of TBT on all stages of the life

cycle of this species. Reduced growth and shell malformation was observed in laboratory experiments with concentrations of TBT similar to that found in estuaries where this characteristic deformation of the Pacific oyster occurs. Oysters transferred from clean sites to these contaminated estuaries also developed characteristic thickening; in the reverse transfer, oysters with thickened shells began to grow normally. The results of these experiments have been published in the scientific press.

Mr. Viggers asked the Minister of Agriculture, Fisheries and Food if he will give the figure for the total numbers of people employed in the commercial production or fishing of *(a)* the Pacific oyster and *(b)* the native British oyster.

Mr. MacGregor: Information on levels of employment in the shellfish industry is not collected by my Department.

Tributyl-tin Oxide

Mr. Viggers asked the Minister of Agriculture, Fisheries and Food if he will list the species of shellfish or other marine life which, on the evidence available to his Department, are being adversely affected by the presence of tributyl-tin oxide in the natural environment.

Mr. MacGregor: The function of tributyl tin in marine antifouling paints is to kill all organisms which settle on the painted surface. Therefore, all such organisms in an estuary can be affected in this way, or by the TBT leached out of the paint. The evidence available from laboratory and field experiments indicates beyond reasonable doubt that the Pacific oyster is being adversely affected by concentrations of TBT currently present in some estuarine regions of the natural environment. It also strongly suggests that reproduction of the European flat oyster is adversely affected in these regions. It is extremely difficult to establish how many other species are being similarly affected. There is evidence that populations of some species have declined in recent years in estuaries which are known to contain concentrations of TBT at or about the parts per billion level. It is known that some species of algae and juvenile stages of marine molluscs, crustaceans and fish can be killed by short exposure in a laboratory to TBT concentrations in the parts per billion range; longer exposure to concentrations typical of those found in estuaries in which TBT can be detected is almost certain to be harmful to the sensitive stages of many marine species.

Chemicals (Draize Test)

Mr. Body asked the Minister of Agriculture, Fisheries and Food whether he will list the chemicals used in agriculture which require to be tested by the Draize procedure.

Mrs. Fenner: The pesticides safety precautions scheme specifies that the irritancy of all pesticides be assessed, but does not require a Draize test for eye irritancy in every application for approval; each case is considered on its own merits. Further details may be found in the PSPS Book which is deposited in the library of the House. The PSPS specification also satisfies a general requirement of the European Community that all chemicals sold within the Community be evaluated for dangerous properties, including irritancy.

Rented Farms

Mr. Gould asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for 1955, 1965, 1975 and for the latest available year the ratio of farm rents to net farm income on rented farms.

Mr. MacGregor: I regret that this information is not available.

Pest Control

Mr. Allen McKay asked the Minister of Agriculture, Fisheries and Food if it is to be made mandatory for commercial operators and distributors of pesticides to be trained and certified in public health pest control.

Mrs. Fenner: The Government are taking powers in Part III of the Food and Environment Protection Bill to control the supply and use of pesticides. In our statements of intention on the implementation these powers we have suggested that it should be a requirement for suppliers, distributors and commercial operators to provide evidence to Ministers at intervals that they reach appropriate standards in the suitability of their premises, training or supervision of staff and competence of supervisors. The Government's suggestions on this and other aspects of this legislation will be subject to the views of Parliament and to the comments of all the interests affected, which will be consulted once the Bill is enacted.

Emergency Slaughter

Mr. Phillip Oppenheim asked the Minister of Agriculture, Fisheries and Food if he will take steps to ensure that animals for emergency slaughter are slaughtered at the farm rather than transported to an abattoir.

Mrs. Fenner: This matter is the subject of recommendations by the Farm Animal Welfare Council in its report on the welfare of livestock at the time of slaughter. The Government are considering the council's recommendations.

Imported Animals

Mr. Tony Banks asked the Minister of Agriculture, Fisheries and Food if he will list the species and numbers of animals imported into the United Kingdom during 1984.

Mrs. Fenner: The table shows the information requested:

United Kingdom imports of live animals (chiefly for food) 1984

	Number
Animals of the bovine species (including buffalos)	
Pure bred breeding animals	1,010
Other than pure bred breeding stock—	
Male calves	525
Female calves	1,102
Heifers for breeding or dairy purposes	16
Heifers—fat	9,184

	Number
Other heifers	57,627
Cows for breeding or dairy purposes	1
Other cows	130
Bulls for breeding	—
Other bulls	55
Steers—fat	68,728
Other steers	77,529
Other cattle	1
Sheep	
Pure bred breeding animals	1,321
Other than pure bred for breeding	10,340
Lambs (up to a year old) not for breeding	17,107
Other sheep not for breeding	33,711
Goats	
Pure bred breeding animals	—
Other goats	—
Pigs—Domestic species	
Pure bred breeding animals—	
Sows and boars	13
Other pigs	24
Other than pure bred breeding animals—	
Sows	54
Other pigs	46,659
Poultry	
Of a weight not exceeding 185 grammes	
Turkeys and geese	294,513
Day old chicks	1,571,790
Other than turkeys, geese or chicks	667,967
Of a weight exceeding 185 grammes	
Fowls	319,980
Ducks	—
Geese	—
Turkeys	12,124
Guinea fowls	—
Horses	
Pure bred breeding animals	3,796
For slaughter	—
Other horses	3,346
Asses	—
Mules and hinnies	—
Live animals of a kind mainly used for food	
Domestic rabbits	1,794
Pigeons	9,759
Other	—

Source: United Kingdom Trade Statistics.

Animals (Slaughter)

Mr. Philip Oppenheim asked the Minister of Agriculture, Fisheries and Food what steps are taken to ensure that animals in pain are slaughtered without delay.

Mrs. Fenner: I shall reply to my hon. Friend as soon as possible.

Research and Development

Mr. Steel asked the Minister of Agriculture, Fisheries and Food what representations he has received about the cut in his Department's budget for research and development; and what proportion of these favoured an increase in the research and development budget.

Mr. Jopling [*pursuant to his reply*, 19 April 1985, c. *300*]: I have received a number of representations expressing concern about the possible impact of the revised provisions for expenditure by the Agriculture Departments on research and development. Only one has suggested that expenditure in this area should be increased beyond previous planning levels.

Mr. Steel asked the Minister of Agriculture, Fisheries and Food if his Department's estimates of publicly-funded agricultural research and development given in the debate on 13 March, *Official Report*, column *412*, included the amount spent in the university sector.

Mr. Jopling [*pursuant to his reply*, 19 April 1985, c. *300*]: The figure of £160 million given in the debate included the amount spent in the university sector on contracted research. It did not include approximately £4·4 million in research grants awarded by the Agricultural and Food Research Council and approximately £1·4 million paid under postgraduate training schemes. In addition research is conducted in universities using funds allocated by my right hon. Friend the Secretary of State for Education and Science by way of block grants on the advice of the University Grants Committee.

Mr. Steel asked the Minister of Agriculture, Fisheries and Food if he will make a statement outlining the main objectives of Government-supported agricultural research; and what long-term plans existed for such research.

Mr. Jopling [*pursuant to his reply*, 19 April 1985, c. *300*]: The main objectives of Government-supported agricultural research are to advance scientific knowledge relevant to agriculture (including horticulture) in order to increase the efficiency of the industry, to safeguard and improve the quality of food for the community, to protect the environment and the welfare of farm animals and to prevent adverse social effects. The research programme is subject to regular review and Agriculture Ministers and the Agricultural and Food Research Council will be guided in their determination of future priorities by the advice of the Priorities Board on Research and Development in Agriculture and Food.

Third World Countries

Mr. Steel asked the Minister of Agriculture, Fisheries and Food how much Government-funded research and development into agriculture is of identifiable benefit to Third world countries.

Mr. Jopling [*pursuant to his reply*, 19 April 1985, c. *299*]: Government-funded agricultural research and development is primarily directed to the needs of the United Kingdom industry and the domestic consumer. The research results are, however, available to Third world countries if they are appropriate to their needs. My right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs sponsors and supports a programme of research aimed at gathering new knowledge and evolving new techniques directly related to the needs of developing countries.

Young Farmers

Mr. Nicholas Winterton asked the Minister of Agriculture, Fisheries and Food (1) what European Economic Community aid is available for young farmers and new entrants into agriculture;

(2) when he intends to implement the European Economic Community scheme for aid to young farmers and new entrants into agriculture.

Mrs. Fenner [*pursuant to her reply*, 19 April 1985, c. *300*]: The current EC directive on modernisation of farms, which expires at the end of September, contains provisions for enhanced aid for young farmers which were not implemented in the United Kingdom. Its replacement, the new EC agricultural structures regulation makes provision for installation premiums, enhanced aid and training for young farmers under 40. I hope to circulate a consultation paper setting out the Government's proposals on the implementation of the new structures measures before the end of this month.

DEFENCE

Arms Supplies (Sri Lanka)

Mr. Dubs asked the Secretary of State for Defence if he will make a statement on Government policy concerning arms supplies to Sri Lanka.

Mr. Lee: It has always been, and will remain, the Government's policy to exercise strict control over the sale of arms and paramilitary equipment. Each potential sale if considered on its merits on a case by case basis, and a wide range of factors which include the stability of the region and the likely use to which the equipment would be put, are taken into account in each case before approval is given. Any proposals to sell defence equipment to Sri Lanka are subject to such detailed examination and full account is, of course, taken of the local situation.

Equipment Costs

Mr. Woodall asked the Secretary of State for Defence (1) if he will furnish the costs, at current prices of *(a)* the Challenger main battle tank, fully equipped, *(b)* the S870 self-propelled Howitzer, *(c)* the 81mm mortar and *(d)* 8 tonne vehicles, various types;

(2) if he will furnish the costs at current prices, of *(a)* an airborne very high frequency radio for Air Training Corps use, *(b)* a high frequency radio receiver, *(c)* the Sidewinder air-to-air missile, *(d)* the helicopter-borne anti-tank missile, and *(e)* the battery of tracked Rapier;

(3) if he will furnish the costs, at current prices, of the following small arms *(a)* light support weapons and *(b)* personal weapons and of 81mm mortar round, personal weapon round, and SP70 Howitzer round ammunition, respectively;

(4) if he will furnish the costs, at current prices, of the following projects *(a)* Challenger main battle tank, initial order, *(b)* sonar, action information and fire control systems for patrol submarines, *(c)* Blowpipe air defence missile improvement programme *(d)* weapon handling and launching system for a patrol submarine, *(e)* the JP233 project and *(f)* ALARM missile programme;

(5) if he will furnish the costs, at current prices of *(a)* Hawk advanced trainer aircraft, *(b)* Nimrod aircraft, *(c)* Tornado F2 aircraft, *(d)* Tornado GR1 aircraft, *(e)* Chinook helicopter, *(f)* EH 101 helicopter, *(g)* Lynx helicopters, army version and *(h)* Puma helicopter;

(6) if he will furnish the costs, at current prices, of *(a)* a nuclear-powered fleet submarine, *(b)* a type 22 frigate, *(c)* a Hunt class mine counter-measures vessel, *(d)* a Castle class offshore patrol vessel and *(e)* a Sting Ray lightweight torpedo.

Mr. Lee: As the hon. Member will be aware from an answer given by my right hon. Friend the Minister of State for Defence Procurement on 10 July 1984 at column *451*, commercial confidentiality considerations, including the need to avoid prejudicing contractual negotiations, limit the amount of cost information that can be disclosed. The information in the following table can, however, be supplied. All figures are at 1984-85 outturn prices.

	Unit Production Cost
Challenger MBT (fully equipped)	£1·5 million
Airborne VHF radio for ATC use	£1,150
High frequency radio receiver	£52,000
Helicopter borne anti-tank missile (TOW)	£6,000
Personal weapon round (SA 80 ball round)	22 pence
Nimrod MR Mk 2	£12 million
Chinook helicopter	£9 million
Lynx for the army	£3 million
Puma helicopter	£2·5 million
Nuclear-powered fleet submarine	£200 million
Type 22 frigate	£140 million
Hunt class mine countermeasures vessel	£38 million
Castle class offshore patrol vessel	No such vessel is on order
Total Estimated Programme Cost	
Challenger MBT (initial cost)	Programme costs in the region of £350 million
JP 233	Of the order of £700 million
ALARM	£300 million
Tornado F2 and GR1	£9,743 million
EH 101	£1,380 million
Hawk trainer aircraft	£306 million

Greenham Common

Mr. Strang asked the Secretary of State for Defence why the lights inside the base at Greenham common were extinguished for a period of time on the evening of Wednesday 10 April.

Mr. Stanley: There were a number of failures of different sections of the temporary perimeter lighting system at RAF Greenham common at various times on the night of 10 April. On each occasion it was found that the circuit had been broken by the automatic activation of tripping (circuit breaking) devices designed to avoid overload.

Departmental Staff

Mr. Boyes asked the Secretary of State for Defence if he will make a statement about the increasing number of people who have left his Department for positions in industry between 1980 and 1984; and if he is taking steps to ensure the integrity of his Department's contracting procedure in the light of this outflow.

Mr. Lee: Applications under the business appointments rules for each of the years in question were:

Year	*Number*
1980	141
1981	206
1982	400
1983	541
1984	680

Guidelines for the acceptance of appointments in industry, which are laid down by the Management and Personnel Office, are designed to prevent impropriety occurring in any form, including Ministry of Defence

contracting procedures. The views of the Directors of Defence Contracts are invariably taken into account on any proposed appointments. I am satisfied that these procedures are appropriate to handle any suspicion of impropriety and unfair competition.

Mr. Boyes asked the Secretary of State for Defence what are the conditions imposed on his Department's personnel who leave for positions in industry.

Mr. Lee: The guidelines under which members of my Department, either military or civilian, are required to seek approval for the acceptance of an appointment in industry are laid down centrally by the Management and Personnel Office.

Any individual proposing to accept an appointment with a company in either a contractual or financial relationship with the Ministry of Defence must submit a formal application for permission to do so. For the grade of under-secretary, major general and equivalent and upwards an application is required in respect of any appointment, regardless of its nature.

The Department forms a view as to whether the appointment might be a source of potential criticism on the basis of contractual involvement or as a result of other companies' commercially sensitive information.

The Department may withhold its approval of an application for a period of up to two years.

Major Projects

Mr. Boyes asked the Secretary of State for Defence if he will list in the statement on the defence estimates the cost of major projects under research and the criteria for selection of major projects.

Mr. Lee: I intend, as hitherto, to include in SDE 85 a table showing the estimated programme costs of some of the major equipment projects that entered development in the previous year. For the purpose of this table a major project has been defined as one with an estimated cost in excess of £100 million.

Nuclear Systems (Contracts)

Mr. Boyes asked the Secretary of State for Defence what percentage, in value, of his Department's contracts for nuclear or nuclear-capable systems made during the period 1974 to 1984 were on a cost plus basis.

Mr. Lee: Records are not kept in a form that would enable the question to be answered without disproportionate time and effort. It is our aim to introduce incentive arrangements when pricing contracts placed on a non-competitive basis and in this respect our approach to the pricing of contracts for nuclear or nuclear capable systems is the same as for contracts generally.

RAF Trainer Aircraft

Sir Patrick Wall asked the Secretary of State for Defence, pursuant to the answer of 17 April, *Official Report*, column *210*, if he will indicate the precise means by which and the dates on which each of the relevant companies in tendering for the new Royal Air Force trainer aircraft was notified of *(a)* the 31 January 1985 deadline for offers and *(b)* the 14 March 1985 deadline for subsequent negotiations related to the most attractive bids from Shorts and British Aerospace.

Mr. Lee: They were notified of *(a)* by telex on 18 January and of *(b)* orally, at director level, on 13 March.

NATO Budget

Sir Patrick Wall asked the Secretary of State for Defence what information he has as to the proportion of its individual defence budget which each member country of the North Atlantic Treaty Organisation allocates to the total NATO budget.

Mr. Stanley: It is estimated that about 95 per cent. of the United Kingdom's defence budget is devoted directly or indirectly to Alliance tasks. I regret that comparable figures for other NATO nations are not available.

Departmental Grants

Mr. Soames asked the Secretary of State for Defence if he will list the organisations to which his Department makes grants in aid.

Mr. Lee: I refer my hon. Friend to the full list of grants in aid payable by the Ministry of Defence which appears in Vote 1, section K of the defence Estimates, 1985-86.

Falkland Islands

Mr. Foulkes asked the Secretary of State for Defence (1) what is the current cost of transporting troops to the Falkland Islands; and under what section of the Government's White Paper on expenditure, Cmnd 9428, it is accounted for;

(2) what savings will accrue in the cost of transporting troops to the Falkland Islands from the completion of the runway at Mount Pleasant; and when such savings will begin.

Mr. Stanley: [*pursuant to his reply*, 17 April 1985, c. *211*]: The current cost of the movement of passengers and priority freight by air and sea to the Falkland Islands is, including defence contractors personnel, some £64 million a year. It is not possible to separate the cost of moving military personnel and freight from that of civilian personnel and freight. Such movement expenditure is reflected in table 3.1.1 in the Defence Chapter (3.1) of Cmnd 9428. This cost is currently estimated to fall by at least £25 million over the year beginning next month with the introduction of wide-bodied aircraft to Mount Pleasant airport, which will permit the withdrawal of the passenger ships operating between Ascension Island and the Falkland Islands and a reduction in the number of Hercules airbridge flights to Port Stanley airfield.

Written Answers to Questions

Tuesday 23 April 1985

AGRICULTURE, FISHERIES AND FOOD

Grass Carp

Mr. Mason asked the Minister of Agriculture, Fisheries and Food what regulations are in force to control the introduction and use of Grass Carp; whether Grass Carp (Clenopharyngodon idellus), have been subject to his scientific department's attention before being released into British waters; if he will list the waters in which they have been introduced; and if he will make a statement.

Mr. MacGregor: I shall reply to the hon. Member as soon as possible.

Milk (Outgoers Scheme)

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food (1) what estimate he has made of the amount which will fall to be paid to farmers seeking payments under the outgoers scheme under which agreement is secured that milk will not be produced; how many applications have been received for payments under this scheme; and what acreage and what number of cows he estimates will be affected by the applications likely to be approved;

(2) if any record is maintained by his Department of the use to which farmers put land in respect of which payments have been made under the outgoers scheme relating to cessation of milk production; and if he will make a statement;

(3) if any savings will be made in the expenditure of the common agricultural policy in circumstances where farmers compensated under the outgoers scheme relating to the cessation of milk production use the land in question for the production of beef; and if he will make a statement.

Mr. MacGregor: I shall reply to my hon. Friend as soon as possible.

Intervention Stocks

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what has been the percentage increase or decrease in the intervention stocks of the European Economic Community, both in public and private stores, over the past 12 months in the particular cases of cereals, butter, powdered milk, beef and sugar, respectively.

Mr. MacGregor: I shall reply to my hon. Friend as soon as possible.

Export Rebates

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what was the total sum expended by the European Economic Community in providing export rebates to subsidise the export of cereals, butter, powdered milk, beef and sugar, respectively, in the most recent 12-month period for which figures are available; and by what percentage these totals exceed or were less than the comparable individual totals in the previous 12 months.

Mr. Jopling: I shall reply to my hon. Friend as soon as possible.

Milk Quotas

Mr. Nicholls asked the Minister of Agriculture, Fisheries and Food what evidence he has received of attempts to transfer milk quotas by means of artificial land transactions; and if he will make a statement.

Mr. Jopling: I have seen press reports of such transactions. I believe the incidence is in fact low, but any artificial transition would be open to challenge in the courts and if ruled illegal could result in heavy costs for those involved. I am arranging for transfers of quota to be monitored to ensure that the requirements of Community and United Kingdom legislation are being observed. In particular, checks will be carried out to ensure that where quota has been transferred in connection with a sale or lease of land, and the land is subsequently returned to the original occupier without the quota, there has been a change in the use of the land in the meantime. If there has been no such change, the quota will be transferred back to the holding from which it came. My Department issued guidance as to the circumstances in which quota can properly be transferred between producers in the paper "Mobility of Quota" issued in January. In order to establish that a change in use of the land has occurred a reasonable interval of time must elapse between the two transactions.

TRANSPORT

National Bike Week

Mr. Dormand asked the Secretary of State for Transport what contribution his Department is making towards National Bike Week in May.

Mrs. Chalker: The National Bike Week is an independently sponsored event. We have sent good wishes to the organisers for its success, and will continue to make good progress on cycling schemes in different parts of the country.

Fishing Vessels

Mr. Hoyle asked the Secretary of State for Transport what information he has as to the number of incidents in each of the last 25 years in which fishing vessels suffered damage, either to the vessel itself or to equipment, and where subsequent inquiries suggested that the damage may have resulted from the action of submarines; and if he will make a statement.

Mr. David Mitchell: Information about the type of damage sustained by fishing vessels or their gear is not stored in the Department's casualty statistical data and could be extracted from such detailed records as now exist only with disproportionate staff effort and cost. The statistics published annually by the Department mentioned unusual causes of loss but there is no reference to any fishing vessel loss in this period which resulted from the action of submarines.

Bypasses (Signs)

Mr. Jackson asked the Secretary of State for Transport what has been the outcome of the consultation he has recently undertaken with regard to local services signs for bypassed communities.

Mrs. Chalker: I am pleased to say that our proposals for new signs for local services in bypassed communities were generally welcomed by the organisations consulted. Consequently the new signs, which will have white lettering and symbols on a dark brown background and may also include a brief descriptive phrase to indicate the tourist attractions to the town or village, can now be used at places in England which meet the qulifying criteria. Until such time as the signs are prescribed in the traffic signs regulations and general directions they will require authorisation by my Department.

ENVIRONMENT

Home Improvement

Mr. Heddle asked the Secretary of State for the Environment whether he is yet about to announce the date of issue of a consultation document on the Government's private sector home improvement policy.

Sir George Young: We are planning to publish the consultation document early next month.

Planning Appeals

Mr. Heddle asked the Secretary of State for the Environment, further to the answer to the hon. Member for Mid-Staffordshire on 1 April, *Official Report*, column 516, whether higher priority is given to determining appeals by public inquiry rather than by written representations.

Mr. Macfarlane: No. The number and proportion of planning appeals determined after a public inquiry and by written representations between 1979 and 1984 is as follows:

Year	*Determined by Secretary of State*				*Determined by Inspectors*			
	Inquiries		*Written representations*		*Inquiries incl. informal hearings*		*Written representations*	
		Per cent.		Per cent.		Per cent.		Per cent.
1979	861	9·6	642	7·2	1,739	19·5	5,692	63·7
1980	845	6·4	676	5·1	1,941	14·8	9,668	73·7
1981	919	6·4	867	6·0	1,994	13·8	10,671	73·8
1982	596	4·6	504	3·9	2,127	16·5	9,688	75·0
1983	370	3·3	279	2·5	1,887	16·9	8,629	77·3
1984	253	2·2	227	2·0	1,298	11·4	9,566	84·4

Birmingham Convention Centre

Mr. David Atkinson asked the Secretary of State for the Environment if any public funds or European Economic Community loans and grants have been used for the construction of the Birmingham convention centre.

Sir George Young: The costs incurred to date in preparing feasibility and other technical studies for an international convention centre in Birmingham have been met wholly from Birmingham city council's own resources.

Swans (Lead Shot)

Mr. Mason asked the Secretary of State for the Environment if he will ascertain why shooters' shot does less damage if ingested by swans than anglers split lead shot; whether his group of specialists from the Nature Conservancy Council and the national angling bodies will consider this in their report; and if he will make a statement.

Mr. Waldegrave: Lead gunshot and anglers' split leadshot are equally toxic. However, post-mortem examinations of swans between 1973 and 1981 revealed that gunshot was present in less than 2 per cent. of cases, whereas anglers split leadshot was found in 58 per cent. of swans examined. Research since 1981 indicates similar results. Of 392 post-mortem examinations of swans where lead weights were identifiable to source, only 6 (1·5 per cent.) contained gunshot. I shall be considering very carefully indeed this whole question in the light of the Nature Conservancy Council's advice.

Inner Cities

Mr. Gordon Brown asked the Secretary of State for the Environment how much additional money will be made available to finance his new joint action plan for the inner cities.

Sir George Young: The city action teams will work within the existing policies and resources of the Departments of Environment, Trade and Industry and Employment/Manpower Services Commission, to enhance the effectiveness of Government programmes in the partnership areas. In 1984-85 £270 million was spent in these areas on the urban programme, the main employment and training schemes, and Government support to industry. In 1985-86 the areas will benefit from the expansion of MSC programmes announced in the budget, and from the extension of regional industrial assistance to the Partnership areas of Manchester/Salford and Birmingham. Details of the city action teams and the programmes with which they will be concerned are in the Library of the House.

Economic Summit

Mr. Wood asked the Secretary of State for the Environment what contribution he is making to preparations for discussing environmental questions at the economic summit on 2 to 4 May.

Mr. Patrick Jenkin: Under the title "The Way Forward" I have today published the conclusions of an informal meeting I chaired in London on 17 December 1984 with Environment Ministers of Summit countries.

We considered a wide range of international issues and put forward recommendations for future action. While we recognise the urgent priorities facing each of the nations represented, we also addressed a broader view of emerging environmental issues which are developing on a world scale and which can be expected to post problems over the next decades. With the recent disaster at Bhopal very much in our minds we were particularly concerned with the risks that can attend the transfer of technology or of hazardous chemicals to developing countries. We agreed also that as developed countries we need to intensify co-operation both bilaterally and in the various international bodies of which we are members, notably the OECD, if we are to solve the environmental problems confronting the world.

I am confident that the conclusions of the meeting will be of wide interest to everyone who is concerned with deciding clear priorities for safeguarding our environment. Perhaps the most important single message is the emphasis that we placed on the indivisibility of environmental and economic policies.

"The Way Forward" will be presented to Heads of State or Government as background to their environmental discussions at the Bonn economic summit. A copy has been placed in the Library.

Ordnance Survey

Mr. Tracey asked the Secretary of State for the Environment when the summary report of the independent review of Ordnance Survey trading accounts will be published.

Mr. Waldegrave: In January last year my right hon. Friend the Secretary of State for the Environment announced that the annual trading accounts for the Ordnance Survey, including statements on revenue and expenditure by main product groups, would be published, and the basis of these accounts would be independently reviewed by commercial accountants to ensure that there is no cross subsidisation of Ordnance Survey's commercial activities from its Exchequer Vote. Peat Marwick management consultants were appointed in June 1984 and they reported recently. An executive summary of their report has been placed in the Library today and copies are available from Ordnance Survey.

SCOTLAND

Mr. Ronald Mackenzie

Mr. Gourlay asked the Secretary of State for Scotland on what date the Whitley Council received the appeal of Mr. Ronald Mackenzie against the decision of the Fife health board to terminate his contract of employment; when the Whitley Council appeals procedure will commence; and what is the reason for the delay in dealing with the appeal.

Mr. Younger: The management side secretary of the Scottish appeals committee of the general Whitley council has informed me that notice of the appeal was received on 18 February 1985 and that the submission of the statements of case by the respective sides to the appeal was completed on 25 March 1985. I understand that the statements of case raise the question of whether the appeal is within the competence of the Scottish appeals committee and this question is now the subject of correspondence between the management side secretary and the staff side secretary of the Whitley council concerned. If the question of appealability cannot be resolved between the two secretaries then, following the agreed Whitley procedures, it would be referred to the full council.

Elm Bark Beetle

Dr. David Clark asked the Secretary of State for Scotland what steps he has taken to draw to the attention of the Forestry Commission the presence of the east European elm bark beetle, Scolytus laevis, in southern Scotland and north-east England; what assessment he has made of the threat that this beetle poses to the population of Wych elms which had previously been little affected by Dutch elm disease and what measures he is taking to combat this.

Mr. John MacKay: The Forestry Commission is aware of all the current information on Scolytus laevis which is widespread in northern Britain and has probably been present for many years.

Its potential role as a vector of Dutch elm disease is being investigated by entomologists at the University of Salford. The adult beetles hve been shown to carry the spores of the fungus causing Dutch elm disease to both English and Wych elm trees, but they seem to carry fewer spores than Scolytus scolytus, the larger species of bark beetle which was responsible for the rapid spread of the disease in the 1970s.

Measures are taken under the Dutch Elm Disease (Local Authorities) order 1984 and the Dutch Elm Disease (Restriction on Movement of Elms) Order 1984 to combat the spread of the disease, but there are no known methods of controlling the beetle vectors.

Scottish Tourist Board

Mr. Wilson asked the Secretary of State for Scotland if he will give details on the spending moratorium which has been placed on the Scottish tourist board in relation to tourism projects; and if he will make a statement.

Mr. John MacKay: The moratorium on grant approvals, which was imposed last October as a result of the exceptionally heavy demand for investment assistance from the Scottish tourist board during 1983-84, was lifted earlier this month. The board has now resumed exercise of its power to give selective financial assistance to tourist projects.

Deprived Areas

Mr. Gordon Brown asked the Secretary of State for Scotland what proposals he has for initiatives in inner

cities and areas of deprivation in Scotland similar to the initiative by the Secretary of State for the Environment in the inner cities in England.

Mr. Ancram: In Scotland, the role assigned to the Scottish Development Agency in relation to economic and environmental action in areas of deprivation, together with the breadth of the responsibilities of the Secretary of State, make additional co-ordinating arrangements similar to those introduced in England unnecessary. My right hon. Friend and I however naturally keep in continuous touch with developments in England, in order to benefit from any lessons which may be derived from experience there.

Mr. Gordon Brown asked the Secretary of State for Scotland if he will deposit in the Library all studies on areas of deprivation prepared by his Department from their evaluation of the 1981 census.

Mr. Ancram: The only such report so far available is the paper "Areas of Special Need in Scotland", published by the Scottish Office Central Research Unit in October 1984, copies of which are in the Library. Any further reports will similarly be placed in the Library.

Retail Stores (Rates)

Mr. Donald Stewart asked the Secretary of State for Scotland if he will take steps to initiate a review of the revaluation criteria for retail stores.

Mr. Younger: Local taxation paid by businesses—including retailers—is a subject included in the studies of the local government finance system announced last October, with which my hon. Friend the Minister for Home Affairs and the Environment is closely associated.

PRIME MINISTER

"Better Schools"

Q30. **Mr. Andrew F. Bennett** asked the Prime Minister if she will make a statement about the White Paper, "Better Schools"; and what developments have taken place in this area since the statement of Government policy in 1972.

The Prime Minister: As "Better Schools" shows, since 1972 there have been substantial advances in the school system. For example, the overall pupil to teacher ratio in maintained primary and secondary schools in England and Wales has improved from 21·5 in 1972 to 17·9 in 1984; and school provision for the under-fives now extends to 43 per cent. of three and four-year-olds compared with 21 per cent. in 1972. But "Better Schools" also shows the need for further action to raise the standards attained by pupils. To this end, it sets out policies in four important areas: the curriculum; examinations, assessment and the recording of achievement; the professional effectiveness, training and management of the teaching force; and school government and the contribution of parents. I believe that the Government's policies will be welcomed by all who are genuinely concerned with improving the standards in our schools.

President Belaunde Terry (Press Conference)

Q62. **Mr. Dafyell** asked the Prime Minister, pursuant to her answer of 28 March, *Official Report*, column 293, about the press conference held in Lima by President Belaunde Terry on 2 May 1982, how many and what other reports of this press conference were received by Her Majesty's Government and at what time and what dates.

The Prime Minister: The timings of President Belaunde's press conference and of the despatch and receipt in London of Her Majesty's ambassador's report of it have been explained many times. I have nothing to add to the information I gave the hon. Gentleman in the answer to which he refers.

Gibraltar

Dr. Roger Thomas asked the Prime Minister if she will now set in motion actions to enable the franchise to be given to the people of Gibraltar for European parliamentary elections.

The Prime Minister: There are constitutional and practical difficulties in the way of direct Gibraltarian representation in the European Parliament, notably Gibraltar's status as a dependent territory. The issue has been carefully considered on a number of occasions but this Government, like their predecessors, take the view that Gibraltar's interests are well served by the present arrangements.

Export Promotion Services

Mr. Garrett asked the Prime Minister how much was spent and how many people were employed on export promotion services by each of *(a)* the British Overseas Trade Board, *(b)* commercial attachés in United Kingdom embassies abroad, *(c)* the Export Credits Guarantee Department and *(d)* the Overseas Development Administration, in 1983-84 and 1984-85; what are the projected figures for 1985-86; how the relative priority accorded to these areas of expenditure is determined; and if she will make a statement.

The Prime Minister: Export promotion services, under the guidance of the British Overseas Trade Board, are provided by the Department of Trade and Industry. The information requested is set out in the following table. The Foreign and Commonwealth Office does not incur direct expenditure on export promotion services. The table shows the overseas commercial staff involved in the export promotion programme.

The Export Credits Guarantee Department does not employ staff on export promotion services as such. However the entire Department has the statutory function of encouraging trade with other countries, which it does by giving guarantees of payment to exporters and by supporting the banks in making available finance for exports. The Overseas Development Administration has no export promotion services. However ODA staff work with the Department of Trade and Industry and the diplomatic service overseas posts in assisting United Kingdom firms to derive the maximum benefit from commercial opportunites under the aid programme. No separate expenditure or staff are allocated for this purpose. There is close consultation between my right hon. Friends and their respective Departments (the DTI and FCO) on the level and distribution of diplomatic service commercial staff overseas in relation to DTI manpower and direct expenditure on export promotion.

Net expenditure and staff for export promotion services

	1983-84	*1984-85*	**1985-86*
DTI Vote (BOTB) net expenditure £M	†22·2	27·5	‡27·9
DTI Export promotion manpower	913	818	‖748
FCO overseas commercial staff manpower	1,180	1,159	¶1,132

* Figures for 1983-84 are actuals, figures for 1984-85 are actuals for manpower and budget figures for expenditure, and figures for 1985-86 are budget figures in each case.

† Excludes publicity and publications expenditure which until 1984-85 appeared on the Central Office of Information vote. The figure is therefore not directly comparable with later years.

‡ Includes adjustment for receipts taken in from another heading; the figure comparable to 1984-85 is £27·7M.

‖ The figures are based on an estimate of the time spent by some staff on other work such as trade policy and trade relations. They include regional office staff. Because of the organisational changes in the period there are variations which mean that the figures are not completely comparable.

¶ These figures include all FCO commercial staff overseas including locally engaged staff and all support staff. It is not possible to establish the significant proportion of the time of these staff spent on matters other than export promotion, such as inward investment, trade relations, and economic matters.

Engagements

Mr. Greenway asked the Prime Minister if she will list her official engagements for 23 April.

Mr. Parry asked the Prime Minister if she will list her official engagements for Tuesday 23 April.

Mr. Ron Davies asked the Prime Minister if she will list her official engagements for Tuesday 23 April.

Mr. Pike asked the Prime Minister if she will list her official engagements for Tuesday 23 April.

The Prime Minister: This morning I had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today including one with President Rene of the Seychelles.

Australian Royal Commission

Mr. Foulkes asked the Prime Minister if she has received any requests from individuals and groups not to release documents to the Australian Royal Commission; and if she will make a statement

The Prime Minister: No.

Technology, Growth and Employment Working Group

Mrs. Peacock asked the Prime Minister if she will make a statement on the progress made by the technology, growth and employment working group in considering the environmental matters referred to it by the London economic summit.

The Prime Minister: The technology, growth and employment working group, chaired by my Chief Scientific Adviser, Sir Robin Nicholson, completed its report on the environment as requested by the end of December 1984. This report will be considered in the context of the economic summit to be held in Bonn this May, and I have today placed a copy of the report (Cmnd. 9500) in the Library of the House.

HOME DEPARTMENT

Custody Statistics

Mr. Kilroy-Silk asked the Secretary of State for the Home Department what was the number of *(a)* men, *(b)* women and *(c)* juveniles in custody in police cells on each day in 1985 by location.

Mr. Mellor: The available information is as follows: figures are not separately recorded for juveniles but I am not aware that there were any such cases.

	Adult Males		*Females*		*Males under 21*		*Total*
	Met. Police	*Other Forces*	*Met. Police*	*Other Forces*	*Met. Police*	*Other Forces*	
January							
15/16	—	—	7	—	—	—	7
21/22	—	—	2	3	—	—	5
23/24	—	—	2	1	—	—	3
24/25	—	—	4	1	—	—	5
25/28	34	—	5	3	8	—	50
28/29	61	—	4	8	5	—	78
29/30	43	1	6	—	3	—	53
30/31	25	—	—	—	3	—	28
31/1	44	—	—	—	2	—	46
February							
1/4	70	—	—	—	—	—	70
4/5	93	—	—	—	—	—	93
5/6	93	—	—	—	—	—	93
6/7	101	—	—	—	6	—	107
7/8	70	—	—	—	—	—	70
8/11	104	—	—	—	—	—	104
11/12	78	—	—	—	8	—	86
12/13	69	—	—	—	—	—	69
13/14	55	—	—	—	—	—	55
14/15	47	—	—	—	3	—	50
15/18	134	—	—	—	—	—	134
18/19	227	32	—	—	1	—	260
19/20	174	22	—	1	—	—	197

	Adult Males		Females		Males under 21		Total
	Met. Police	Other Forces	Met. Police	Other Forces	Met. Police	Other Forces	
20/21	114	—	—	—	—	—	114
22/25	24	—	—	—	—	—	24
25/26	38	—	—	—	—	—	38
26/27	19	—	3	—	—	—	22
27/28	9	—	—	—	—	—	9
28/1	21	—	—	—	—	—	21
March							
1/4	5	—	—	—	—	—	5
4/5	16	8	1	—	—	—	25
5/6	6	—	—	—	—	—	6
6/7	1	—	—	—	—	—	1
7/8	8	—	—	—	—	—	8
8/11	8	4	—	—	8	—	20
11/12	11	—	4	—	14	—	29
12/13	1	5	—	—	—	—	6
13/14	—	5	—	—	—	1	6
14/15	6	—	—	1	3	—	10
15/18	18	—	2	—	—	—	20
18/19	19	—	—	—	8	—	27
19/20	20	—	—	—	—	—	20
20/21	22	—	5	—	3	—	30
21/22	37	—	2	—	—	—	39
22/25	21	—	—	—	—	—	21
25/26	27	2	4	1	1	—	35
26/27	22	2	—	1	7	—	32
27/28	12	—	—	1	4	—	17
28/29	2	—	—	—	—	—	2
29/1	12	—	—	—	—	—	12
April							
1/2	24	—	—	—	—	—	24
2/3	38	—	—	—	5	—	43
3/4	—	—	3	6	—	—	9
8/9	23	—	4	4	2	—	33
9/10	8	—	—	—	2	—	10
10/11	5	—	—	—	—	—	5
12/14	8	—	—	—	—	—	8
14/15	26	—	—	—	7	—	33
15/16	43	—	—	—	3	—	46

Brixton Prison

Mr. Dubs asked the Secretary of State for the Home Department how many prisoners in Brixton have attempted to commit suicide in each of the last six years; how many attempts succeeded; and how many other deaths there were apart from those due to natural causes.

Mr. Mellor: Inquest verdicts, other than natural causes were as follows:

Year	Suicide	Open Verdict
1979	4	0
1980	5	0
1981	3	0
1982	1	1
1983	4	2
1984	5	1
1985	0	0

Inquest verdicts on one death in 1984 and two in 1985 are still awaited. However we have no reason to believe that these were not due to natural causes.

There were nine incidents of non-fatal self injury with apparent suicidal intent in 1983. Figures for other years are not available.

Police Patrol Vehicles

Mr. Iain Mills asked the Secretary of State for the Home Department what information he has as to the annual cost of equipping police motorway patrol cars.

Mr. Giles Shaw: A total annual figure is not held centrally. The annual cost of equipping a single police motorway patrol vehicle is estimated to be between £850 and £2,200, including modification, installation and maintenance costs, depending on the type of vehicle and its intended use.

Mr. Iain Mills asked the Secretary of State for the Home Department (1) if he will now make a statement on the progress of work by his Department on the design of a new car pod system of equipping police cars;

(2) what estimate he has made of the likely savings from equipping police cars with the car pod system.

Mr. Giles Shaw: Work on the development of a "carpod" or container which could be mounted on the roof of a vehicle and hold all its communications and electrical equipment has been under way for several years, but a prototype which meets the operational requirements cost-effectively has yet to be produced. Further work will be undertaken as resources permit. The use of a carpod should reduce the cost of equipping a police vehicle, but any such saving would be at least partially offset by the cost of the carpod itself as well as any consequent reduction in the petrol and speed efficiency of the vehicle.

Demonstrations

Mrs. Renée Short asked the Secretary of State for the Home Department if he will have discussions with chief

constables concerning methods of protecting persons peacefully taking part in demonstrations from violent assault by gangs.

Mr. Giles Shaw: It is already the usual practice for the police to discuss with the organisers of a demonstration the plans for the event. If the organisers fear that an otherwise peaceful demonstration is likely to be violently disrupted, they can raise this with the police so that appropriate precautions can be taken.

Prisons (Mailbags)

Mr. Tom Cox asked the Secretary of State for the Home Department what was the number of men employed on mail-bag work in prisons in England and Wales on 31 March.

Mr. Brittan: The most recent information relates to 30 November 1984, when 1,728 men were employed on mailbag production in prisons in England and Wales.

Greenham Common (Incident)

Mr. Strang asked the Secretary of State for the Home Department if he will call for a report from the Thames valley police authority on the incident which took place at Greenham Common on Wednesday 10 April; and what was the number of people involved, the number injured and the number arrested.

Mr. Giles Shaw: The chief constable of Thames valley informs me that at 11.30 pm on 10 April two women were injured by two assailants outside RAF Greenham Common. No one has been arrested in connection with the incident but police inquiries are continuing.

Alcoholic Beverages

Mr. Speller asked the Secretary of State for the Home Department what is the current limit on the level of minimum sale of units of alcoholic beverages before an off-licence is not required; if he has any plans to seek to increase this minimum limit; and if he will make a statement.

Mr. Brittan: I assume that my hon. Friend's question relates to the application of the Licensing Act 1964 to the sale of alcohol by retail, and to the minimum quantities of alcohol that may be sold without a justices' licence. Under section 4(4) of the Alcoholic Liquor Duties Act 1979, selling by retail means the sale at any one time to any one person of quantities not exceeding:

in the case of spirits, wine or made-wine, 9 litres or 1 case, and in the case of beer or cider, 21 litres or 2 cases.

There are at present no plans to increase these limits.

Mr. Speller asked the Secretary of State for the Home Department what steps Her Majesty's Government take to monitor the activities of wholesalers of alcoholic beverages; and if he will make a statement.

Mr. Brittan: No records are kept on the activities of wholesalers of alcoholic liquor.

Winson Green Prison

Sir Reginald Eyre asked the Secretary of State for the Home Department what improved arrangements will be made at Winson Green prison, Birmingham, for solicitors to conduct private interviews with prisoners awaiting trial.

Mr. Mellor [*pursuant to his reply*, 28 March 1985, c. *281*]: My noble Friend the Under-Secretary of State has written to my hon. Friend today. I will arrange to place a copy of his reply in the Library.

TRADE AND INDUSTRY

Imports

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for footwear, clothing and the principal divisions of the textile industry the ratio of imports to home demand in 1975 and at the latest available date for the EEC and non-EEC countries, together with the relevant import figures.

Mr. Channon: The information is given in the table:

Standard industrial classification heading	*EC countries*				*Non-EC countries*			
	Import penetration (Per cent.)		*Imports (£ million)*		*Import penetration (Per cent.)*		*Imports (£ million)*	
	1975	*12 months ended June 1984*	*1975*	*12 months ended June 1984*	*1975*	*12 months ended June 1984*	*1975*	*12 months ended June 1984*
431 Wool and Worsted	7	19	40	232	6	10	35	121
432 Cotton and Silk	14	36	126	669	27	31	235	587
433 Continuous filament yarn	12	47	12	66	6	9	5	12
434 Flax, hemp and ramie	15	43	4	24	3	15	1	8
435 Jute and polypropylene	1	4	1	4	18	24	12	23
436 Hosiery and other knitted goods	5	11	39	181	13	22	108	364
438 Carpets	7	21	28	168	6	9	26	75
439 Miscellaneous textiles	6	17	15	91	11	15	25	80
451 Footwear	12	24	62	314	12	23	65	287
453 Clothing	5	11	94	419	16	23	281	843

Productivity

Mr. Arnold asked the Secretary of State for Trade and Industry what weight he gives to international comparisons in relative rates of productivity in determining the competitiveness of United Kingdom industry.

Mr. Channon: International competitiveness depends on many factors such as productivity, labour costs, the price of raw materials, profit margins and exchange rate movements, as well as such non-price elements as delivery

performance and after-sales service. All of these are important in determining the extent to which British producers can compete in world markets.

Mr. Arnold asked the Secretary of State for Trade and Industry if he will list in the *Official Report* the most recent figures for relative rates of productivity in Organisation for Economic Co-operation and Development countries.

Mr. Channon: The information is as follows:

Changes in output per manhour in manufacturing industry in selected OECD countries

	Change between	
	1980 and 1983	*1983 and January-September 1984*
	per cent.	*per cent.*
United Kingdom	+17	+3
United States of America	+10	+4
Canada	+6	+10
France	+14	+6
Federal Republic of Germany	+8	+3
Italy	+8	+5
Japan	+20	+7

Source: IMF.

Chemicals

Dr. Michael Clark asked the Secretary of State for Trade and Industry if he will make a statement on the implications of the declining export surplus of United Kingdom chemicals; and if he will allocate more Government resources to United Kingdom export promotion agencies in respect of this sector of industry.

Mr. Trippier: From 1981 to 1983 there were successive small reductions in the substantial trade surplus of the United Kingdom chemical industry at current prices but this trend was reversed in 1984. The Department's export promotion services, under the guidance of the British Overseas Trade Board, are open equally to all manufacturing and services sectors. Where particular important export opportunities are identified, the Department and diplomatic service posts overseas work with the industry to help exploit them. The current programme for export of specialised chemicals to Latin America is a recent example.

Investment Statistics

Mr. Gould asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing for *(a)* the world and *(b)* the European Economic Community the amount of inward and outward investment in banking, insurance and so on for each year since 1972.

Mr. Trippier: The available information is published in "Business Monitor MA4", table 3.3 in respect of outward investment and table 4.3 in respect of inward investment. The editions for 1975, 1980 and 1982 are relevant.

Figures for banking, insurance and so on are included under "other activities".

Clothing (Imports)

Mr. Alexander asked the Secretary of State for Trade and Industry what was the value of articles of apparel and clothing accessories imported from Italy, Romania, Taiwan, Hong Kong and South Korea, respectively, in 1983 and 1984.

Mr. Channon: The information is as follows:

UK imports of apparel and clothing accessories

	Value £ million (cif)	
	1983	*1984**
Italy	183	237
Romania	12	13
Taiwan	52	59
Hong Kong	354	468
South Korea	114	146

SOURCE: SITC R2 Division 84 (Articles of apparel and clothing accessories) in Table II of the UK Overseas Trade Statistics.

Note: *provisional figures.

Double Glazing

Mr. Alexander asked the Secretary of State for Trade and Industry what proposals he has to make the double glazing provisions of BS 6262 mandatory; and if he will make a statement.

Mr. Fletcher: The Department is not satisfied the BS 6262 is adequate in all respects. This view is shared by the Department of Environment, which is responsible for the Building Regulations, and the Royal Society for the Prevention of Accidents. For example, the standard does not require safety glass to be used in large low level areas vulnerable to breakage by children. Officials from this Department and the Department of Environment are participating in the current review of the Standard in order to tighten up on these aspects.

Once an acceptable standard is available, consideration will be given to the steps that are necessary to make sure that it is observed as widely as possible. As far as replacement glass and glazing sold to the public is concerned, it is likely that approval of the standard for the purposes of the general safety duty proposed in the White Paper on the Safety of Goods (Cmnd. 9302) will be sufficient. Approval under such a duty will, we believe, prove more flexible than regulations which tend to inhibit innovation.

Whatever steps are taken, there will be no dramatic fall in the number of accidents. Any reduction will be gradual uptil the glazing in the present housing stock is replaced.

Estate Agents Act 1979

Mr. Gould asked the Secretary of State for Trade and Industry (1) what is the average length of time taken by investigations leading to banning orders under the Estate Agents Act 1979;

(2) how many banning orders have been made under the Estate Agents Act 1979 in each year since the Act came into effect.

Mr. Fletcher: These are matters for the Director General of Fair Trading. I have been in touch with him and he will write to the hon. Member shortly.

Mr. Gould asked the Secretary of State for Trade and Industry if he is satisfied with the operation of the Estate Agents Act 1979.

Mr. Fletcher: Yes, but I will continue to keep a close watch on the working of the Act.

Mr. Gould asked the Secretary of State for Trade and Industry if he will now implement sections 16 and 17 of the Estate Agents Act 1979; and if he will make a statement.

Mr. Fletcher: No. I do not consider that there is any urgent need to implement these sections, but I will continue to keep the situation under review.

Works of Art (Export Licences)

Mr. Evennett asked the Secretary of State for Trade and Industry how many export licences for works of art were granted in each of the last five years.

Mr. Channon: The number of licences issued in each of the last five years is as follows:

	Number
1980	3,691
1981	4,054
1982	4,055
1983	4,866
1984	6,298

Consumer Durables (Exports)

Mr. Garrett asked the Secretary of State for Trade and Industry if he will make available additional resources for the promotion of exports of consumer durable goods.

Mr. Channon: My Department's export promotion services, under the guidance of the British Overseas Trade Board, are open equally to all manufacturing and services sectors. Where particularly important export opportunities are identified the Department, and the diplomatic service posts overseas, work with the industry to help exploit them. The task force for security equipment in France and Spain is a recent example.

EC (Clothing Imports)

Mr. Hunter asked the Secretary of State for Trade and Industry what was the Romanian quota for exporting ladies' dresses, European Economic Community category 26, to each European Economic Community country in each year since 1979.

Mr. Channon: Romanian quotas for ladies' dresses (MFA category 26) to each member state in each year since 1979 are as follows (in '000s of pieces):

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*
Benelux	310	312	314	315	315	315	315
France	70	79	87	95	105	107	109
West Germany	48	70	95	107	120	122	124
Italy	47	53	60	67	68	70	72
Denmark	5	7	10	11	11	11	11
Republic of Ireland	2	3	3	4	4	4	4
Greece	—	—	11	12	12	12	12
United Kingdom	102	111	121	130	140	142	144

Mr. Hunter asked the Secretary of State for Trade and Industry what was the Romanian quota for exporting ladies' blouses, European Economic Community category 7, to each European Economic Community country in each year since 1979.

Mr. Channon: Romanian quotas for ladies' blouses (MFA category 7) to each member state in each year since 1979 are as follows (in '000s of pieces):

	1979	*1980*	*1981*	*1982*	*1983*	*1984*	*1985*
Benelux	3	3	4	5	20	21	22
France	373	375	376	377	397	399	401
West Germany	112	113	114	116	143	144	145
Italy	8	10	13	15	48	50	51
Denmark	17	18	18	18	23	23	23
Republic of Ireland	—	—	—	—	—	—	—
Greece	—	—	5	6	7	7	7
United Kingdom	7	8	10	12	42	43	45

Mr. Hunter asked the Secretary of State for Trade and Industry what was the United Kingdom quota for importing ladies' blouses, European Economic Community category 7, from Hong Kong, South Korea, Taiwan, India and the Philippines in each year since 1979.

Mr. Channon: The United Kingdom quotas for ladies' blouses (MFA category 7) from Hong Kong, South Korea, Taiwan, India and the Philippines in each year since 1979 are as follows (in '000s of pieces):

	Hong Kong	*South Korea*	*Taiwan*	*India*	*Philippines*
1979	7,708	3,172	269	11,246	489
1980	7,773	3,190	277	11,307	495
1981	7,836	3,208	285	11,366	501
1982	7,896	3,225	293	11,423	508
1983	7,312	2,950	271	11,584	580
1984	7,336	2,958	274	11,632	588
1985	7,358	2,968	277	11,679	596

Mr. Hunter asked the Secretary of State for Trade and Industry what was the United Kingdom quota for

importing ladies' dresses, European Economic Community category 26, from Hong Kong, South Korea, Taiwan, India and the Philippines in each year since 1979.

Mr. Channon: The United Kingdom's quotas for ladies' dresses (MFA category 26) from Hong Kong, South Korea, Taiwan, India and the Philippines in each year since 1979 are as follows (in '000s of pieces):

	Hong Kong	*South Korea*	*Taiwan*	*India*	*Philippines*
1979	2,761	—	67	1,807	222
1980	2,802	—	82	1,833	234
1981	2,846	—	98	1,862	245
1982	2,888	430	113	1,890	256
1983	2,903	438	121	1,983	300
1984	2,919	446	129	2,014	309
1985	2,937	455	137	2,048	317

Mr. Hunter asked the Secretary of State for Trade and Industry what information he has as to the value of articles of apparel and clothing accessories imported into the European Economic Community from Romania, Taiwan, Hong Kong, South Korea, India and the Philippines in each year since 1979.

Mr. Channon: Data for 1984 are not yet readily available. The data for the other years are in the table:

*European Community imports of articles of apparel and clothing accessories**

US $ million

Imports from	*Romania*	*Taiwan*	*Hong Kong*	*South Korea*	*India*	*Philippines*
1979	292	329	1,769	820	344	136
1980	286	400	2,076	973	430	157
1981	236	433	1,895	1,106	419	158
1982	260	379	1,709	981	364	144
1983	239	353	1,549	872	273	121

* Standard International Trade Classification, Division 84.
Source: OECD.

Mr. Hunter asked the Secretary of State for Trade and Industry what was the value of articles of apparel and clothing accessories imported into the United Kingdom from Romania, Taiwan, Hong Kong, South Korea, India and the Philippines in each year since 1979.

Mr. Channon: The information is as follows:

United Kingdom imports of apparel and clothing accessories
Value £ million (cif)

	1979	*1980*	*1981*	*1982*	*1983*	**1984*
Romania	11	9	10	12	12	13
Taiwan	30	31	46	49	52	59
Hong Kong	308	320	357	354	354	468
South Korea	95	89	146	131	114	146
India	43	42	47	45	43	69
Philippines	14	14	16	20	17	21

* Provisional.
Source: SITC/R2 Division 84 (Articles of apparel and clothing accessories) in Table II of the United Kingdom Overseas Trade Statistics.

Clothing Manufactures

Mr. Hunter asked the Secretary of State for Trade and Industry what information he has to the number of ladies' blouses, European Economic Community category 7, manufactured in the United Kingdom in each year since 1979.

Mr. Channon: United Kingdom production of ladies' blouses (MFA category 7) in each year since 1979 is as follows:

	Thousands of pieces
1979	30,221
1980	26,149
1981	24,313
1982	25,506
1983	26,483
1984	27,678

Mr. Hunter asked the Secretary of State for Trade and Industry what information he has as to the number of ladies' dresses European Economic Community category 26, manufactured in the United Kingdom in each year since 1979.

Mr. Channon: United Kingdom production of ladies' dresses (MFA category 26) in each year since 1979 is as follows:

	Thousands of pieces
1979	44,014
1980	43,616
1981	39,405
1982	35,845
1983	34,671
1984	35,361

Romania

Mr. Hunter asked the Secretary of State for Trade and Industry (1) what was the total value of United Kingdom exports to Romania in each year since 1979;

(2) what was the total value of Romanian exports to the United Kingdom in each year since 1979.

Mr. Channon: The information is as follows:

United Kingdon trade with Romania 1979-84

£ million

	Imports cif	*Exports fob*
1979	66	70
1980	65	99
1981	47	150
1982	51	115
1983	59	82
1984*	226	72

* Provisional.
Source: United Kingdom Overseas Trade Statistics.

Mr. Hunter asked the Secretary of State for Trade and Industry what information he has as to which United Kingdom companies, or multi-national companies with United Kingdom bases, export currently to Romania.

Mr. Channon: Many leading United Kingdom companies, including subsidiaries of multinationals, export currently to Romania. The main sectors include aircraft parts, chemicals, power-generating machinery, scientific instruments, textile yarns and clothing. A representative cross-section of exporting companies (Shell, Rank Xerox, Ingersoll-Rand, Brittain Engineering, National Smokeless Fuels, Deeside International Trade) was present at the Anglo-Romanian joint commission held

in London last week and several other leading exporting companies had individual meetings with the Romanian delegation.

Matthew Brown plc

Mr. Nicholas Winterton asked the Secretary of State for Trade and Industry what representations he has received concerning the proposed takeover of Matthew Brown plc by Scottish and Newcastle Breweries.

Mr. Butcher [*pursuant to the reply*, 22 April 1985, c. *336*]: In accordance with usual practice, details of representations regarding mergers are confidential. I am therefore unable to release any information about them.

NORTHERN IRELAND

Peat Industry

Sir John Biggs-Davison asked the Secretary of State for Northern Ireland if he will make a statement about the peat industry in the Province.

Dr. Boyson: I regard the peat industry as having the potential to make an increasing contribution to the economy of the Province. The Local Enterprise Development Unit, has identified it as a sector for growth and has recently held a major exhibition to draw attention to the opportunities which exist for developing this natural resource. LEDU has in the past two years assisted over 20 projects involving the extraction and processing of peat and will continue to provide assistance to those with viable proposals to establish or expand such operations.

Benefits (Automatic Credit Transfer)

Rev. Martin Smyth asked the Secretary of State for Northern Ireland what has been the impact of the Government's plan to encourage payment of social security benefits by automatic credit transfer rather than through local post offices in Northern Ireland; how many of those entitled to such payments in Northern Ireland have opted for automatic credit transfer; and what percentage this represents.

Mr. Chris Patten: Since the introduction of the facility to pay retirement pensions, widows benefits and child benefit by automated credit transfer, 20,283 beneficiaries have opted for payment by this method; this represents 4·7 per cent. of those entitled to such payments.

EMPLOYMENT

Young Persons

Mr. Kilroy-Silk asked the Secretary of State for Employment whether the staff in the local offices of his Department in Knowsley are advising young people to leave home to find work.

Mr. Peter Morrison: Where a suitable specific job opportunity exists beyond daily travelling distance, jobcentre staff in offices serving the Knowsley area may advise a young person to consider the possibility of a move away from home to take it. This accords with practice throughout the employment service.

Labour Statistics

Dr. David Clark asked the Secretary of State for Employment what percentage of economically active women between the ages of 16 and 60 years are in work *(a)* full-time and *(b)* part-time for each region of the United Kingdom.

Mr. Alan Clark: The latest available information is from the 1983 Labour Force Survey, as follows:

	Percentage of economically active women aged 16-59 years		
	In full-time employment	*In part-time employment*	**All in employment*
United Kingdom	51·0	37·2	88·9
North	47·1	40·0	87·5
Yorkshire & Humberside	46·8	40·9	88·5
East Midlands	51·0	38·2	89·8
East Anglia	46·7	42·6	89·7
South East	54·5	35·5	90·8
South West	48·5	41·1	90·5
West Midlands	48·7	37·4	86·9
North West	49·5	37·1	87·4
Wales	50·3	35·9	87·4
Scotland	51·9	34·3	86·9
Northern Ireland	55·9	30·1	86·3

* Includes those with hours of work not stated.

Leicester

Mr. Peter Bruinvels asked the Secretary of State for Employment how many people are available for work in the Leicester travel-to-work area at the latest date for which figures are available; and how this compares with the figures for the same geographical area one, two and three years previously.

Mr. Alan Clark: The following information is in the Library. The number of unemployed claimants in the Leicester travel-to-work area in March 1985 was 27,897 and in March 1984 27,410. Figures for the same geographical area for March 1983 and March 1982 are not available.

Community Programme

Mr. Nicholas Winterton asked the Secretary of State for Employment if he has any plans to review the decision that persons not in receipt of state benefits should have a low priority for participation in the community programme.

Mr. Peter Morrison: I keep under close review the characteristics of those entering and participating in the community programme but I have no plans to change the present eligibility criteria.

Mr. Nicholas Winterton asked the Secretary of State for Employment what information he has concerning the numbers of individuals who would otherwise be entitled to participate in the community programme, but who are prevented from doing so because they are not in receipt of state benefits.

Mr. Peter Morrison: I refer my hon. Friend to my reply to the hon. Member for Huddersfield (Mr. Sheerman) on 9 November 1984 at columns 27-28.

Mr. Nicholas Winterton asked the Secretary of State for Employment if he will give a breakdown by region of

the numbers of individuals currently taking part in the community programme who were formerly in receipt of supplementary benefit; and in each case what percentage of the total regional participants in the programme this figure represents.

Mr. Peter Morrison: I regret that the information is not available in the precise form requested. Information on the percentage of entrants in each region who were previously in receipt of unemployment or supplementary benefit is set out in the table:

Region	*Percentage of entrants in receipt of benefit in last 12 months to 29 March 1985 Per cent.*
London	87·9
South East	88·4
South West	92·9
Midlands	92·2
Wales	93·6
North West	91·4
Scotland	91·4
Northern	89·9
Y/H	91·0
Great Britain	91·0

Mr. Nicholas Winterton asked the Secretary of State for Employment if he will give a breakdown by region of the numbers of males and females currently taking part in the community programme.

Mr. Peter Morrison: I regret that the information is not available in the precise form requested. Information on the percentages of males and females entering the programme in each region is set out in the table:

Percentage of males and females entering the programme in the last 12 months to 29 March 1985

Region	*Males Per cent.*	*Females Per cent.*
London	69·4	30·6
South East	74·0	26·0
South West	78·9	31·1
Midlands	78·6	21·4
Wales	83·3	16·7
North West	77·8	22·2
Scotland	79·3	20·7
Northern	77·4	22·6
Y/H	77·1	22·9
Great Britain	77·4	22·6

Youth Training

Mr. Stuart Holland asked the Secretary of State for Employment how many youth training scheme mode B schemes are supported entirely or in part by local authorities.

Mr. Peter Morrison: The Manpower Services Commission's census of youth training schemes, conducted in October 1983, showed 485 schemes were run by local authorities. In addition, there will have been other schemes which received varying degrees of support from local authorities.

Mr. Stuart Holland asked the Secretary of State for Employment how many youth training scheme mode A scheme places are currently filled by ex-offenders.

Mr. Peter Morrison: This information is not available.

Mr. Stuart Holland asked the Secretary of State for Employment how many spare youth training scheme mode A places are open to ex-offenders.

Mr. Peter Morrison: The youth training scheme is open equally to all eligible young people and the Manpower Services Commission does not reserve unfilled places for any particular group of youngsters.

Mr. Hancock asked the Secretary of State for Employment how many youth training scheme places have *(a)* been filled and *(b)* remain vacant in Hampshire and in the Portsmouth, South area, at the latest convenient date.

Mr. Peter Morrison: At the end of March 1985, 6,200 youth training scheme places were filled in Hampshire, of which 1,116 were in the Portsmouth local authority district. At the same date a further 3,659 places in Hampshire, including 506 in Portsmouth had been approved but were not filled. Not all these places may, however, have been available for occupation.

Special Employment and Training

Mr. Hancock asked the Secretary of State for Employment what was the total number of people benefiting from special employment and training measures at the latest available date in the constituency of Portsmouth, South or in the geographical areas which correspond most closely with that constituency; and what is the average cost per person supported under each measure.

Mr. Alan Clark: Some 4,300, although because of the various bases on which local information is collated, an unknown proportion will be in areas outside the hon. Member's constituency. The costs set out as follows are national averages based on the latest information and estimates and where appropriate include assumptions about periods of participation on schemes and the number of supervisors employed. They do not take into account savings in the payments of benefits or flow-backs to the Exchequer from tax and national insurance. The cost in any particular area for a particular scheme may vary from the national average.

Measure	*Estimated Average Gross cost per person supported under the Measures £*
Community Industry	2,370
Community Programme	4,290
Enterprise Allowance Scheme	1,964
Job Release Schemes	3,250
Job Splitting Scheme	750
Young Workers Scheme	560
Youth Training Scheme	2,370

SOCIAL SERVICES

Human Embryos

Mr. J. Enoch Powell asked the Secretary of State for Social Services if he will list the establishments in which he is aware of human embryos being currently possessed for purposes which would be outside the terms of the

authority defined in the Unborn Children (Protection) Bill, specifying, in each case, the nature of any projects involved.

Mr. Kenneth Clarke: We do not have sufficient detailed information to enable us to speculate on the effects of the Bill as precisely as the question asks.

If the Bill is enacted, it will be for those who may be affected to consider whether their present or intended activities will still be lawful.

Benefits

Mrs. Beckett asked the Secretary of State for Social Services if he will publish the following figures as at the November 1984 benefit upratings *(a)* the tax-free income per week available from the married man's tax allowance and child benefit for a married couple with two children under 11 years of age, *(b)* the supplementary benefit requirements figure for a married man with two children aged between four and six years, *(c)* the prescribed amount for family income supplement for a married man with two children, in the manner of his answer to the hon. Member for Loughborough (Mr. Dorrell) on 2 December 1983, *Official Report*, columns *649-50*.

Mr. Whitney: I assume the hon. Member has in mind the reply to the hon. Member for Loughborough (Mr. Dorrell) on 2 December 1983, at columns *657-58*.

The information is as follows:

(a) £74·37* (including child benefit of £6·85 for each child).
(b) £66·85†.
(c) £100·00.

Notes:

* The tax allowance element has been calculated as 1/52 of the married man's tax allowance of £3,155.

† Supplementary benefit requirements (excluding housing costs) are the ordinary scale rates of £64·75 and, assuming one child to be under five, a heating addition of £2·10.

Mr. Gordon Brown asked the Secretary of State for Social Services if he will estimate the savings in a full financial year if housing benefit claims were only met up to *(a)* 80 per cent., *(b)* 85 per cent., *(c)* 90 per cent. and *(d)* 95 per cent. of housing costs.

Mr. Whitney: I regret that this information could be obtained only at disproportionate cost.

Mr. Gordon Brown asked the Secretary of State for Social Services when he now expects to announce the annual uprating in child benefit.

Mr. Whitney: An announcement about the rate of child benefit will be made at the usual time in June.

Mr. Gordon Brown asked the Secretary of State for Social Services how many persons in receipt of unemployment benefit have been *(a)* unemployed for six months or less and *(b)* unemployed for six months to one year.

Mr. Whitney: At November 1983 (the latest date for which figures are available) there were 589,700 persons in receipt of unemployment benefit who had been unemployed for six months or less, and 297,900 who had been unemployed for six months to one year.

Mr. Gordon Brown asked the Secretary of State for Social Services how many persons in receipt of unemployment benefit receive supplementary benefit; what is the total cost of supplementary benefit paid to them; and what is the average payment.

Mr. Whitney: The number of unemployed claimants receiving both unemployment and supplementary benefit at December 1983, the latest date for which figures are available, was 207,000, and their average weekly rate of supplementary benefit was £15·66. The total cost of their supplementary benefit in the 1983-84 financial year was £200 million.

Mr. Gordon Brown asked the Secretary of State for Social Services if he will list the costs of meeting mortgage payments for claimants of supplementary benefit who are *(a)* unemployed claimants and *(b)* other claimants in a full financial year; and how many persons benefit.

Mr. Whitney: Information is not available in the precise form requested. Figures are held only for the combined figure of mortgage interest and ground rent. The estimated amount of money added into the assessment for mortgage interest and ground rent, together with the number of claimants for 1982, which are the latest figures available, is as follows:

	Number of claimants	*£ million*
Total number of supplementary beneficiaries in receipt of mortgage interest	235,000	170
Number of those who are unemployed	140,000	123
Other claimants	95,000	47

Mr. Gordon Brown asked the Secretary of State for Social Services how much has been paid so far in 1985 under single payment regulation 28 for help with fuel bills in exceptionally severe weather; and how many households have benefited.

Mr. Whitney: Local social security offices are keeping a tally of the number and cost of supplementary benefit lump sum payments made towards extra fuel used in the recent exceptionally severe weather. They will be asked to make a return when the period during which claims should be made is over. The cost of obtaining an interim return would be disproportionately high.

Mr. Gordon Brown asked the Secretary of State for Social Services what was the cost of *(a)* the death grant and *(b)* the maternity grant in the latest full year for which statistics are available; and how many households benefited.

Mr. Whitney: The estimated cost (excluding the cost of administration) in 1984-85 of the death grant and maternity grant is £17 million and £18 million respectively. There were some 600,000 successful claims for death grant and 700,000 for maternity grant in 1984-85.

Mr. Gordon Brown asked the Secretary of State for Social Services what was the cost of *(a)* additional help with funeral costs and *(b)* help with maternity benefits for supplementary benefit claimants and low income families in the latest full year for which statistics are available; and how many households benefited.

Mr. Whitney: Information from the "Annual Statistical Enquiry" carried out in December 1982 is as follows :

	*Number of payments	Total expenditure £
Supplementary benefit		
Single payments for funeral expenses	13,000	2·6 million
Single payments for maternity needs	101,000	5·4 million

* These figures relate to the number of payments made. Figures are not available as to the number of individual households which benefited. Figures from the Annual Statistical Enquiry relate to single payments made during the 12 months preceding the date of the enquiry to persons still in receipt of supplementary benefit at the time of the enquiry, and do not, therefore, record all the single payments made during the year.

Help under the Supplementary Benefit (Single Payments) Regulation is only available to low income families if they are in receipt of supplementary benefit, or would be eligible for supplementary benefit if they made a claim.

Mr. Gordon Brown asked the Secretary of State for Social Services if he will estimate the cost of raising child benefit from November by *(a)* 6 per cent. *(b)* 3 per cent. and *(c)* 2 per cent. for the financial years 1985-86 and 1986-87.

Mr. Whitney: For the financial year 1985-86 it would cost £70 million, £35 million and £26 million respectively to raise child benefit by 6 per cent., 3 per cent. and 2 per cent. from November 1985. The corresponding costs for the full 1986-87 financial year would be £196 million, £98 million and £74 million respectively.

Cohabitation Rules

Mr. Skinner asked the Secretary of State for Social Services if he will now introduce legislation abolishing the cohabitation rules of his Department, and if he will make a statement.

Mr. Whitney: The term "cohabitation" was replaced in social security legislation by the last Labour Government by the term "living together as husband and wife". We have no plans to abolish the "living together as husband and wife" rules. Successive Governments have all taken the view that such rules are necessary to avoid the unfairness of unmarried couples being entitled to benefits denied to married couples.

Health Authorities (Budgets)

Mr. Barron asked the Secretary of State for Social Services if he will publish the populations covered, numbers of staff and authorised budgets for all district health authorities.

Mr. John Patten: We do not collect detailed district information in this form centrally. The hon. Member may care to contact the chairman of the regional health authorities in which he is interested in order to obtain it.

Homeless Men (Resettlement)

Mr. Kilroy-Silk asked the Secretary of State for Social Services what evidence he has that voluntary organisations on Merseyside dealing with homeless men have succeeded in resettling the men.

Mr. Whitney: The process of regional consultation just beginning on the closure of Fazakerly resettlement unit will look at organisations willing to provide alternative resettlement facilities on Merseyside and will ensure that any organisation recommended for funding has the experience and expertise to do the job.

Fazakerley Re-establishment and Resettlement Units

Mr. Kilroy-Silk asked the Secretary of State for Social Services if he will make an official visit to the Fazakerley re-establishment and resettlement units.

Mr. Newton: I am grateful to the hon. Member for the invitation previously extended to me informally. I will look for an opportunity to visit the unit later in the year.

Mr. Kilroy-Silk asked the Secretary of State for Social Services what use he intends to make of the expertise and experience in dealing with homeless men gained by the staff of Fazakerley resettlement unit when the unit is closed.

Mr. Whitney: Administrative staff employed in the social security regional organisation volunteer for a limited period to perform resettlement unit duties and when the unit is closed they will return to other social security work where their expertise and experience will be useful. Alternative job possibilities are being explored for staff who are employed in grades particular to resettlement units.

Mr. Kilroy-Silk asked the Secretary of State for Social Services what proposals he has to replace the training available to the long-term unemployed provided at Fazakerley re-establishment centre.

Mr. Whitney: The decision to close re-establishment centres was taken in the light of the greatly increased provision for the long-term unemployed now made by the Manpower Services Commission.

Before the closure of Fazakerley re-establishment centre a detailed assessment of the relevant local MSC provision will be undertaken.

Cervical Cancer

Mrs. Renée Short asked the Secretary of State for Social Services on the basis of what factors the decision was taken by his Department to abolish the national recall scheme for cancer screening for women in 1981.

Mr. Kenneth Clarke: The major factor behind the decision to abolish the national recall scheme for cervical cancer screening (based at the National Health Service central register) was the low level of effectiveness of that scheme. The Committee on Gynaecological Cytology made some well founded criticisms of the scheme to that affect.

Mrs. Renée Short asked the Secretary of State for Social Services if he will list the number of patients who have died from cervical cancer in each single year since 1979; and what proportion of those were in the west midlands region.

Mr. Kenneth Clarke: The number of deaths from malignant neoplasm of cervix uteri (ICD (9th rev) 1980) in England and Wales and in the west midlands region for 1979 to 1984 inclusive, and the percentages these latter figures represent of all such deaths in England and Wales, are shown in the table.

The estimated population of females aged 25 years and over in the west midlands region is approximately 10 per cent. of the corresponding population of England and Wales for the period concerned.

Number of Deaths from Malignant Neoplasm of Cervix Uteri (a) England and Wales (b) West Midlands Region and percentages, 1979 to 1984

Year	Number (a) England and Wales	(b) West Midlands Region	Percentage (b) As a percentage of (a)
1979	2,087	185	8·86
1980	2,068	204	9·86
1981	2,017	200	9·92
1982	1,932	189	9·78
1983	1,959	191	9·75
1984	1,899	213	11·22

Health Expenditure (West Midlands)

Mrs. Renée Short asked the Secretary of State for Social Services what proportion of the £4 billion which the National Health Service spent on family medical services since 1979 was devoted to the west midlands region.

Mr. Kenneth Clarke: The annual financial accounts of health authorities in England show total expenditure on general medical services in the period 1 April 1978 to 31 March 1984 as £3·86 billion. Expenditure by authorities in the west midlands region was 10·67 per cent. of that total.

Children (Residential Care)

Mrs. Renée Short asked the Secretary of State for Social Services if he will list the costs which have been incurred by social services departments in the west midlands region in each year since 1979 for placing children in care into residential care in comparison with foster care costs during the same period.

Mr. John Patten: Information for financial years up to 1983-84, which is the latest available, is given in the following table:

Local authority gross current expenditure on children in care (£ million in cash)

	1978-79	1979-80	1980-81	1981-82	1982-83	1983-84
Residential care						
Hereford and Worcester	1·766	2·255	2·634	2·824	2·819	3·027
Shropshire	0·717	0·912	1·071	1·163	1·208	1·279
Staffordshire	2·840	3·404	3·508	3·541	3·238	3·142
Warwickshire	1·168	1·432	1·515	1·366	1·330	1·297
Birmingham	8·995	10·802	12·277	11·197	10·487	9·975
Coventry	1·654	2·361	2·708	3·004	2·878	2·895
Dudley	0·680	0·791	0·896	0·896	0·895	0·902
Sandwell	1·204	1·453	1·459	1·547	1·293	1·401
Solihull	0·412	0·500	0·704	0·784	0·904	0·919
Walsall	1·198	1·559	1·887	2·161	2·087	1·838
Wolverhampton	0·828	1·141	1·724	2·001	1·918	2·014
Total	21·462	26·610	30·383	30·484	29·057	28·689
Boarded out						
Hereford and Worcester	0·326	0·370	0·402	0·480	0·535	0·726
Shropshire	0·223	0·247	0·340	0·393	0·483	0·546
Staffordshire	0·378	0·468	0·576	0·731	0·838	0·928
Warwickshire	0·349	0·421	0·589	0·777	0·871	0·983
Birmingham	0·751	0·961	1·278	1·490	1·706	1·953
Coventry	0·374	0·434	0·587	0·798	0·863	0·939
Dudley	0·132	0·171	0·240	0·332	0·362	0·426
Sandwell	0·134	0·173	0·349	0·367	0·460	0·638
Solihull	0·062	0·082	0·120	0·139	0·268	0·392
Walsall	0·151	0·211	0·263	0·377	0·427	0·467
Wolverhampton	0·159	0·194	0·242	0·380	0·449	0·509
Total	3·039	3·732	4·986	6·264	7·262	8·507

Note: Some part of the residential care expenditure may relate to children who are not in local authority care, but the available information does not separately identify this.

Medical Defence Union

Mrs. Renée Short asked the Secretary of State for Social Services when he next plans to meet representatives of the Medical Defence Union to discuss improvements to the present procedures involved in asking National Health Service patients to attend for follow-up checks.

Mr. Kenneth Clarke: We have no plans to do so.

Doctors (Visits)

Mr. Skinner asked the Secretary of State for Social Services if he will consider recommencing the practice of doctors visiting housebound and elderly patients on a monthly basis; and if he will make a statement.

Mr. John Patten: The frequency and extent of domiciliary visiting by a general medical practitioner is a matter for his clinical judgment and has always been so.

NHS (Female Employees)

Mr. Skinner asked the Secretary of State for Social Services what is the percentage of women in the total work force of the National Health Service ancillary services at the latest available date.

Mr. John Patten: At 30 September 1983 74 per cent. of the total number of National Health Service ancillary staff in England were women.

Kidney Dialysis

Mr. Michael McNair-Wilson asked the Secretary of State for Social Services what consideration has been given to issuing an instruction to health authorities to ensure that there are common standards of availability of kidney dialysis; and if he will estimate the current shortfall in this treatment against known need.

Mr. John Patten: In January 1984 my right hon. Friend announced his intention to set targets to ensure that a minimum standard of renal service provision would be achieved in all regions, and each regional health authority has now agreed that new renal patients will be accepted for treatment at an annual rate of not less than 40 per million total population by 1987.

Kidney Donor Cards

Mr. Michael McNair-Wilson asked the Secretary of State for Social Services how many donor cards issued by his Department are known to have been filled in and to be in circulation.

Mr. John Patten: Over 12½ million new donor cards were issued by the Department during the 12 month period following the launch of the campaign to promote the scheme in February 1984. It is impossible to estimate precisely how many of these cards have been signed and are now being carried by people willing to donate their organs.

Community Health Councils

Sir John Farr asked the Secretary of State for Social Services if, in view of the present dependence of community health councils on the regional health authority for both the appointment of their secretaries and the approval and funding of their annual budgets, he will give community health councils some degree of independence by establishing another method for their funding and staffing.

Mr. Kenneth Clarke: I see no need for this.

Sir John Farr asked the Secretary of State for Social Services if, in view of the fact that community health councils are funded by and have their staff appointed by the regional health authorities, he is satisfied that community health councils are in a position to give independent advice to him on proposed hospital closures or reductions in services.

Mr. Kenneth Clarke: Yes.

Sir John Farr asked the Secretary of State for Social Services on how many occasions in each of the last three available years he has been provided with the views of a community health council in relation to a proposed hospital closure or reduction in services; and on how many occasions of that total the community health council recommendation has been opposed to that of the regional health authority.

Mr. Kenneth Clarke: Proposals for hospital closure or change of use are normally only referred to us after formal consultation if they are opposed by a community health council but supported by the regional health authority. The number of referrals for each of the last three years is as follows:

	Number
1982	3
1983	24
1984	30

No proposal proceeds if the regional health authority refuses to endorse it. There is no general requirement for proposals to be referred to Ministers where the CHC, RHA and district health authority are in agreement. We therefore have no information about cases where RHA and CHC both supported or both opposed a proposal or where the regional health authority alone opposed it.

We do not hold centrally detailed information about representations made by CHCs on alterations to services not involving hospital closure or change of use.

Mr. Pawsey asked the Secretary of State for Social Services if he will estimate the cost of community health councils for the year 1985-86; and how that cost compares with each of the past five years.

Mr. Kenneth Clarke: We have made no estimate centrally of the cost of community health councils in 1985-86. The annual accounts of health authorities show the following amounts as their total expenditure on community health councils in the most recent five years for which figures are available:

	£ '000s
1979-80	4,031
1980-81	4,934
1981-82	5,368
1982-83	5,787
1983-84	6,099

Fraud (Investigations)

Mr. Ashdown asked the Secretary of State for Social Services (1) if he will name and describe the instructions referred to as 'FIG' in his Department's S manual; and if he will place a copy of these FIG instructions in the Library;

(2) if he will list, name and describe the instructions under which staff of his Department work to investigate cases of suspected fraud by social security claimants.

Mr. Whitney: The instructions and guidance on the investigation of suspected fraud by social security claimants are set out in the fraud investigator's guide. It contains details of departmental policy on fraud and operational instructions and guidance for investigators.

It is not in the public interest to publish the contents of the guide.

Mr. Ashdown asked the Secretary of State for Social Services (1) if he will give the number of investigations made in the last year by staff of his Department into cases of actual or suspected fraud by social security claimants; if he will estimate what proportion of the files and records

of these investigations contain or contained a photograph of the suspected person; and if he will describe how such photographs were obtained by staff of his Department;

(2) if he will describe the nature and extent of files and other records used by staff of his Department in the investigation of actual or suspected fraud by social security claimants; and if he will list the typical items of personal data held in such files and records in respect of the suspected person or other persons.

Mr. Whitney: A file is normally set up when it is decided that a fraud investigation is appropriate. In the period between 8 May 1984 and 12 March 1985 261,302 such files were raised. Typically, the files will contain the name, address, date of birth and national insurance number of the claimants and any other information relevant to the suspected fraud. Claimants are not photographed in connection with these investigations.

Cervical Smear Tests

Mr. Merchant asked the Secretary of State for Social Services how many women in 1984 had cervical smear tests under the National Health Service.

Mr. Kenneth Clarke: In 1983, the latest year for which information is available, the number of National Health Service cervical cytology tests performed in England was 3,045,839. The number of tests may not correspond exactly to the number of women tested but we do not hold centrally information the number of women screened.

Wessex Health Region (Expenditure)

Sir David Price asked the Secretary of State for Social Services what has been the expenditure of the Wessex health region for each year from 1979 to 1984 on current and capital accounts, expressed both in current cash terms and at fixed prices.

Mr. Kenneth Clarke: The information requested is given in the following table:

£ million

	Current expenditure		*Capital expenditure*	
Year		*At 1983-84 prices**		*At 1983-84 prices**
1978-79	223·6	380·8	19·6	33·3
1979-80	271·2	395·3	22·7	33·1
1980-81	349·4	429·3	33·7	41·5
1981-82	389·0	434·7	37·7	42·1
1982-83	418·4	437·5	41·7	43·7
1983-84	449·1	449·1	49·2	49·2

* Using Gross Domestic Product deflator.

Cyclosporin

Mr. Carter-Jones asked the Secretary of State for Social Services (1) what is the annual cost to the National Health Service of treating a transplant heart patient with cyclosporin; what is the average number of years for which such treatment is required; and if he will make a statement;

(2) what is the annual cost to the National Health Service of treating a transplant pancreas patient with cyclosporin; what is the average number of years for which such treatment is required; and if he will make a statement;

(3) what is the annual cost to the National Health Service of treating a transplant liver patient with cyclosporin; what is the average number of years for which such treatment is required; and if he will make a statement;

(4) what is the annual cost to the National Health Service of treating a kidney transplant patient with cyclosporin; what is the average number of years for which such treatment is required; and if he will make a statement.

Mr. Kenneth Clarke: The average duration of treatment with cyclosporin of patients who have received an organ transplant, and the precise annual costs of such treatment, will be dependent on the individual clinical management of the patients concerned. We do not collect and record the detailed relevant information centrally. However, the costs of immunosuppressant treatment have tended to decline over recent years as a result of dosage reductions designed to minimise undesirable side effects. We now estimate that, where cyclosporin is used as the main immunosuppressive agent, the annual costs of treating an adult are in the region of £2,000, reckoned from a date six months after an organ transplant operation has been performed. The costs of immunosuppression are unlikely to vary significantly according to which organ has been transplanted.

Mr. Carter-Jones asked the Secretary of State for Social Services what alternatives to the use of cyclosporin as a prophylaxis in the treatment of grafts and transplants have been assessed by the National Health Service and with what results.

Mr. Kenneth Clarke: Conventional treatment for the prevention of graft rejection is with azathioprine and steroids, and trials are now being undertaken both in this country and elsewhere to assess the best way of using these drugs in combination with cyclosporin so as to maximise the benefit to patients, minimise side effects and reduce costs. Research is being conducted into the development of new immunosuppressive drugs, but we are not aware of any that are yet beyond the experimental stage. Because of high research costs and the relatively small demand for immunosuppressants, it is likely that the benefits of any new developments will be from an improvement in effectiveness and a reduction in side effects rather than from lower costs.

Mr. Carter-Jones asked the Secretary of State for Social Services whether he has received any representations from medical or other authoritative persons about the cost to the National Health Service of the drug cyclosporin; and if he will make a statement.

Mr. Kenneth Clarke: We received representations about the costs of cyclosporin in 1983 from the chairman of the British Transplantation Society and last year from the chairman of the Wessex regional health authority. In our discussions with the drug's manufacturer, Sandoz Products Limited, the company cited continuing high production costs as preventing the possibility of a price reduction but agreed not to increase the price during 1984. We do not control the initial pricing of drugs when launched but subsequent price changes are governed by the extent of the manufacturer's allowed profitability on sales of medicines to the National Health Service under the pharmaceutical price regulation scheme.

Mr. Carter-Jones asked the Secretary of State for Social Services what is the cost per unit dose of cyclosporin.

Mr. Kenneth Clarke: The list price of cyclosporin is as follows:

Strength mg/ml	*Type*	*Quantity*	*Price £*
50	1 ml ampoule	10	16·24
50	5 ml ampoule	10	77·15
100	Oral solution 50 ml	1	105·00

Prices on contract to hospitals will be somewhat less.

Drug Prices

Mr. Carter-Jones asked the Secretary of State for Social Services (1) if he will list his powers *(a)* for negotiating drug prices, and *(b)* where such prices are excessive, to exercise unilateral price reduction; and if he will make a statement;

(2) if he will seek to renegotiate the price charged to the National Health Service for the drug cyclosporin for use as prophylaxis in the treatment of grafts and transplants.

Mr. Kenneth Clarke: We exercise control over the price of National Health Services medicines through the non-statutory pharmaceutical price regulation scheme. This operates on the basis that since the Health Departments are effectively monopoly buyers of almost all prescribed medicines sold in the United Kingdom the price of individual products in a company's range is not for practical purposes significant if the overall costs and profits of the company are reasonable. We therefore set a target rate of return for sales of the whole product range of each company. It follows that if the price of cyclosporin is reduced the price of other medicines which the company supplies to the National Health Service might increase provided overall profit did not exceed the amount allowed.

Under section 57 of the National Health Service Act 1977 the Secretary of State may by order provide for controlling maximum prices for medical supplies, including medicines. It has not so far been found necessary to use these powers.

Mr. Carter-Jones asked the Secretary of State for Social Services what is the most expensive drug prescribed under the National Health Service.

Mr. Kenneth Clarke: According to records held at the Prescription Pricing Authority the most expensive drug currently dispensed against NHS prescriptions in England is Methotrexate injection, for which the price of a 200 ml vial is £369·15.

Mortality Rates

Dr. David Clark asked the Secretary of State for Social Services if he will publish in the *Official Report* the mortality rates per thousand people in each year since 1979 for the United Kingdom, Great Britain, the northern region, Tyne and Wear, South Tyneside and South Shields, respectively.

Mr. John Patten: The available figures are shown in the table. South Shields is part of the metropolitan district of South Tyneside, and rates cannot be provided for sub-divisions of such districts. Mortality rates are not yet available for 1984.

Death rates per thousand people for the United Kingdom, Great Britain, the North Region, Tyne and Wear, and South Tyneside, 1979 to 1983

	1979	*1980*	*1981*	*1982*	*1983*
United Kingdom	12·0	11·7	11·7	11·8	11·7
Great Britain	12·0	11·8	11·7	11·8	11·7
North Region	12·7	12·6	12·3	12·3	12·3
Tyne and Wear	12·8	13·0	12·4	12·7	12·6
South Tyneside	12·8	13·5	12·8	13·3	13·3

Population Statistics

Mr. Peter Bruinvels asked the Secretary of State for Social Services if he will estimate from "Census 1981" data, the total number of people within the wards constituting (i) the Leicester travel-to-work area, (ii) the Leicester East constituency and (iii) the city of Leicester; and how the figures compare with those from the previous census.

Mr. John Patten: The total number of persons present on census night in 1971 and 1981 were as follows:

	1971	*1981*
i. Leicester travel-to-work area (1981 boundaries)	509,424	526,428
ii. Leicester East Constituency (1983 boundaries)	86,700	89,739
iii. Leicester County District (1981 boundaries)	284,208	280,324

Nurses (Pay)

Mr. Hanley asked the Secretary of State for Social Services what was the hourly rate of pay for *(a)* a junior ward sister and *(b)* a senior ward sister in 1981 within the National Health Service; what were the successive percentage increases in 1982, 1983, and 1984; and what is the current hourly rate for 1985.

Mr. Kenneth Clarke: Following is the information requested for the period 1981 to 1984, based on the minimum and maximum points of the nursing sister II (ward sister) pay scale. In addition to basic pay, ward sisters are eligible for additional payments, mainly for working unsocial hours or overtime. The table therefore includes an estimated hourly rate for total earnings for full-time staff. Pay rates for 1985 will be determined in the light of the recommendations of the review body for nursing staff, midwives, health visitors and professions allied to medicine.

Ward Sisters-hourly rate of pay*

	Basic Pay		*Estimated earnings*		*†Percentage increase*
	Min £	*Max £*	*Min £*	*Max £*	
1981	2·88	3·69	3·30	4·23	—
‡1982	3·23	4·14	3·70	4·74	12·3
1984	3·49	4·48	4·00	5·13	8·0

Notes:

* Based on 37½ hour week

† Percentages may not exactly match pay rate increases due to rounding

‡ Two-year settlement effective from 23 August 1982 to 31 March 1984.

Contraceptives

Mr. Nicholas Winterton asked the Secretary of State for Social Services what steps are taken by his Department to ensure that contraceptive drugs or devices are not prescribed to children in care without the permission of their legal guardian.

Mr. Kenneth Clarke: It is for local authorities to seek such permissions as are necessary from the parent or legal guardian in respect of the upbringing of children in their care. This will differ according to the legal provisions under which the child has been placed in their care. Local authorities were informed on 21 December 1984, following the judgements of the Court of Appeal in the Gillick case, that our Department's guidance to doctors and other professionals on contraceptive and abortion advice and services to young people under 16 had been suspended.

Mr. Nicholas Winterton asked the Secretary of State for Social Services whether any funds have been made available to non-governmental organisations to enable them to intervene in the case before the House of Lords concerning the prescription of contraceptive drugs and devices to children under the age of 16 years.

Mr. Kenneth Clarke: No.

Children's Legal Centre

Mr. Nicholas Winterton asked the Secretary of State for Social Services on what date the latest payment of grant was made to the Children's Legal Centre; and what sum was involved.

Mr. Kenneth Clarke: The latest instalment of the grant paid to the Children's Legal Centre amounted to £7,500 and was paid on 5 February 1985.

Camberwell Reception Centre

Mr. Stuart Holland asked the Secretary of State for Social Services (1) what financial resources his Department intends to schedule to meet the special needs of single homeless men, following the closure of the Camberwell reception centre;

(2) whether his Department anticipates that local boroughs will be able to accept financial responsibility for those displaced by the closure of the Camberwell reception centre;

(3) what response his Department is making to the detailed proposals made by four London boroughs for alternatives to the closure of the Camberwell reception centre.

Mr. Whitney: The programme for the replacement of the Camberwell resettlement unit announced in November 1981 included the provision of 985 new hostel bedspaces jointly financed by this Department and the Department of the Environment. The Department of the Environment through the Housing Corporation will provide the capital for 785 bedspaces, the balance being funded by this Department. The revenue funding will come from charges to residents, hostel deficit grant from the Department of the Environment and direct grants from this Department. The eventual annual revenue cost of the direct grants from this Department will be £1·418 million at 1985-86 prices.

Part of the Camberwell replacement programme is the provision of hostels with direct access bedspaces. The financial involvement of the four London boroughs will be limited to this area. Negotiations with these boroughs about the financial arrangements are continuing.

Mrs. Julia Hall

Mr. Hancock asked the Secretary of State for Social Services why it has taken two months to reply to a letter of 26 February from the hon. Member for Portsmouth, South concerning the case of Mrs. Julia Hall.

Mr. John Patten: Following receipt of the hon. Member's letter of 28 February I called for reports on the case of Mrs. Julia Hall, who died in August 1982, from the local health authorities. Having received these reports I studied them in detail in order to satisfy myself that the health authorities had answered all the points raised about Mrs. Hall's treatment. I then wrote to the hon. Member on 18 April.

National Insurance Contributions

Mr. Neil Hamilton asked the Secretary of State for Social Services if he will give the total revenue collected in each of the last five years in respect of *(a)* class 1 primary national insurance contributions, *(b)* class 1 secondary national insurance contributions, *(c)* class 2 national insurance contributions and *(d)* class 4 national insurance contributions; and if he will give the total number of employees and the self-employed paying contributions in each of those years.

Mr. Whitney: For the five years ending 31 March 1984 the figures are:

Year	*Total revenue collected (£000)*				*Number of contributors (£000's)*		
	Class 1		*Class 2*	*Class 4*	*Employees*	*Self employed*	*Part employed and part self employed*
	Primary	*Secondary*					
1979-80	3,951,989	6,207,006	139,800	104,800	24,193	1,376	232
1980-81	4,837,982	7,426,942	158,600	118,200	23,323	1,395	203
1981-82	5,842,102	7,857,505	196,000	126,600	22,338	1,241	183
1982-83	7,146,332	8,738,004	247,294	153,100	*	*	*
1983-84	8,189,123	8,938,600	297,500	175,000	*	*	*

* Due to industrial action at Newcastle computer centre figures not yet available.

Loan Facilities

Mr. Gordon Brown asked the Secretary of State for Social Services what loan facilities are made available by his Department under present regulations; whether interest is charged; and if he has any plans to replace weekly additions and single payments with loans.

Mr. Whitney: Payments made under the Supplementary Benefit (Urgent Cases) Regulations are, in prescribed circumstances, recoverable. Details are published in Part 8 of the S manual, a copy of which is in the Library.

Single payments made under Supplementary Benefits (Single Payments) Regulation 21A—where a claimant is required to pay rent in advance on taking up a private tenancy—are recoverable from future housing benefit payments.

No interest is charged on any payments made under these regulations.

We are currently looking at provision for special expenses in the context of our review of social security, on which we expect to announce our conclusions shortly.

Family Income Supplement

Mr. Gordon Brown asked the Secretary of State for Social Services what discussions have taken place with employers' organisations over the future of family income supplement.

Mr. Whitney: Family income supplement was one of the benefits which was considered in the social security review. There was opportunity for employers to comment both in writing and orally, and all views have been carefully considered. The Government's conclusions will be published shortly.

Mr. Gordon Brown asked the Secretary of State for Social Services how many people are in receipt of family income supplement; and of these how many have incomes of *(a)* less than £90 a week and *(b)* less than £100 a week.

Mr. Whitney: The latest figures showing a breakdown of family incomes assessed for family income supplement purposes relate to the end of October 1984. At this date, 204,000 families were receiving FIS, 170,000 families had assessable income of less than £90 a week and 193,000 families assessable income of less than £100 a week.

Mr. Gordon Brown asked the Secretary of State for Social Services how much money would be saved by excluding from family income supplement *(a)* families with an income above £100 a week and *(b)* families with an income above £120 a week; and in each case how many families and how many children would be affected.

Mr. Whitney: The following estimates relate to awards made in the period November 1984-November 1985.

	Estimated savings £ million	*No. of families*	*No. of children*
(a) families excluded with assessable incomes above £100 weekly	6·0	20,000	75,000
(b) families excluded with assessable incomes above £120 weekly	0·5	2,000	10,000

Mr. Gordon Brown asked the Secretary of State for Social Services what is the average payment of family income supplement.

Mr. Whitney: The average payment of family income supplement at the end of January 1985, the latest date at which this figure is available, was £11·90.

Community Care

Mrs. Renée Short asked the Secretary of State for Social Services what studies he is presently conducting to examine changes in the level of community care resources to meet the increase in demand for social services facilities.

Mr. John Patten [*pursuant to his reply*, 22 April 1985, c. *356*]: It is for individual local authorities, taking account of local circumstances and their own priorities, to assess what changes in social services facilities are needed to meet changing demands. The Audit Commission is helping that process with its studies on various aspects of the personal social services, and as announced in my right hon. and learned Friend's reply to my hon. Friend the Member for Crawley (Mr. Soames) on 25 February columns *75-6* the Department's new social services inspectorate aims to secure the most effective use of professional and other resources by identifying good practice and spreading knowledge about it. In addition the Department's research programme has over some years included a number of research projects directed at examining various aspects of community care provision.

NATIONAL FINANCE

Interest Payments

Sir William Clark asked the Chancellor of the Exchequer if he will break down the gross interest charged for the year 1985-86 in the sum of £17 billion, differentiating between index-linked stocks and others.

Mr. Peter Rees: The forecast of public sector gross debt interest payments in 1985-86 was revised up from £17 billion in Cmnd. 9428 to £18½ billion in the 1985-86 FSBR (table 6·5). Table 2·15 of Cmnd. 9428 showed an estimate of £1·2 billion for the servicing of indexed securities: this estimate remains unchanged.

Company Cars

Mr. Ashdown asked the Chancellor of the Exchequer, for each of the last five years for which figures are available, what are the total amounts by which the revenue generated by the taxation of company cars as benefits in

kind fell short of the revenue which would have been generated had such cars been taxed on the basis of the full benefit enjoyed by their users.

Mr. Moore: I regret that information is not available on which to base a reliable estimate of the change in yield if the benefit from the private use of company cars were to be taxed on the basis described.

Estimates of the yields since 1977-78 arising from the taxation of this benefit (including car fuel benefit from 1983-84) were given in my reply of 1 April, at columns 507-8, to the hon. Member for Leicester, East. (Mr. Bruinvels).

Educational Charities (VAT)

Mr. Deakins asked the Chancellor of the Exchequer how much value added tax was repaid to educational charities in the year ended 30 September 1984.

Mr. Hayhoe: There is no provision for repayments of value added tax to educational charities as such.

Philippines (Reciprocal Tax Arrangements)

Mr. Pendry asked the Chancellor of the Exchequer if he has any plans to negotiate reciprocal tax arrangements with the Phillipines Government in order to alleviate the current double taxation of Filipino workers living in Britain.

Mr. Moore: The United Kingdom already has a comprehensive double taxation convention with the Republic of the Philippines for the relief of double taxation on income and capital gains. The convention, which has been published as a schedule to Statutory Instrument No. 184 of 1978, contains the usual provisions for relief in respect of earnings from employment.

I am not aware of any problems of double taxation of income of Filipino workers living in Britain; but if the hon. Member has specific cases in mind, I should of course be pleased to look into them.

Multi-fibre Arrangement

Mr. Gould asked the Chancellor of the Exchequer how many convictions of importers were obtained in each year from 1982 and what penalties were imposed, in respect of the fraudulent importation of textile and clothing goods in circumvention of the quotas agreed under the multi-fibre arrangement.

Mr. Hayhoe: Companies and individuals convicted each year from 1982 for the fraudulent or attempted fraudulent importation of textile and clothing goods in circumvention of the quotas agreed under the multi-fibre arrangement and the fines and costs ordered to be paid by the courts are as follows:

	Number convicted	*Court fines and costs* £
1982	16	104,500
1983	3	2,550
1984	4	77,500
1985 to date	2	109,330

In addition to a monetary penalty, one person was also sentenced to six months imprisonment suspended for two years.

EC (Finance)

Mr. Teddy Taylor asked the Chancellor of the Exchequer (1) if the agreement made at the Fontainebleau Council of Ministers placed any restriction on the timing of the approval by the Parliaments of member states of the increase in own resources as a precondition to the payment of the £600 million rebate for 1984; and if the position has altered in any respect following the decisions of subsequent meetings of the Council of Ministers;

(2) what estimate he has made of the amount by which Britain's net contribution to the European Economic Community in future years under the Fontainebleau arrangements will be increased or decreased if the proposal by the European Economic Community Commission dated 21 February to exclude from allocated expenditure a number of items in addition to the exclusion of development aid is adopted; and if he will make a statement;

(3) what estimate he has made of the amount of the United Kingdom rebate under the Fontainebleau formula which will be delayed until the next year in consequence of the proposal by the European Economic Community Commission dated 21 February to base the United Kingdom's abatement on a provisional or preliminary calculation; and if he will make a statement;

(4) if he will list in the *Official Report* the various items of expenditure by the European Economic Community which the Commission proposes in its communication dated 21 February should be excluded from allocated expenditure in addition to development aid in reaction to the calculation of the United Kingdom's abatement under the Fontainebleau arrangements; and if it is the intention of Her Majesty's Government that a detailed and comprehensive list of such items should be determined before the final own resources decision is approved by the Council of Ministers;

(5) what estimates he has made as to how the net payment to be made by the United Kingdom to the European Economic Community for 1985 and the years immediately following on the basis of a value added tax contribution of 1·4 per cent. will compare with the actual net payment made by the United Kingdom in 1984 and the years immediately before on the basis of a 1 per cent. value added tax payment; and if he will make a statement.

Mr. Ian Stewart: I shall let my hon. Friend have a reply as soon as possible.

Customs and Excise (Control Visits)

Mr. Neil Hamilton asked the Chancellor of the Exchequer what is the total number of Customs and Excise staff by grade currently involved in control visits.

Mr. Hayhoe: In the 1984-85 financial year Customs and Excise employed an average of 3,900 staff on control visiting work, 1,800 at higher executive officer and 2,100 at executive officer level.

Government Departments (Expenditure)

Mr. Corbett asked the Chancellor of the Exchequer what is the estimated spending in Government Departments on telephone calls and standing charges in 1985-86; and how this compares with 1980-81.

Mr. Peter Rees [*pursuant to his reply*, 22 April 1985, c. *373-74*]: Detailed information is not available centrally

for the financial year 1985-86. The estimated spending in 1984-85 was £241·6 million compared with £154·8 million in 1980-81.

Mr. Corbett asked the Chancellor of the Exchequer what is the estimated spending by Government Departments on travel and the purchase of cars and lorries in 1985-86; and how this compares with spending in 1980-81.

Mr. Peter Rees [*pursuant to his reply*, 22 April 1985, c. *374*]: The information is not available in the form requested. Government Department's expenditure on travel and subsistence was £412 million in 1983-84 and £357 million in 1980-81. Government Departments' expenditure on the purchase of vehicles was £61 million in 1983-84 and £38 million in 1980-81.

Mr. Corbett asked the Chancellor of the Exchequer what is the estimated spending in Government Departments on reprographics in 1985-86; and how this compares with spending in 1980-81.

Mr. Peter Rees [*pursuant to his reply*, 22 April 1985, c. *374*]: This information is not held centrally and could be obtained only at disproportionate cost.

Mr. Corbett asked the Chancellor of the Exchequer what is the current estimated cost to public funds of typing a page in a Government Department in *(a)* central London, and *(b)* in outer London; and how this compares with 1980-81.

Mr. Peter Rees [*pursuant to his reply*, 22 April 1985, c. *374*]: No up-to-date figures are available centrally.

Accommodation Costs

Mr. Corbett asked the Chancellor of the Exchequer what are the current on-cost averages for accommodation in central London, outer London and the provinces for every £100 of Civil Service staff salary; and how this compares with 1980-81.

Mr. Peter Rees [*pursuant to his reply*, 22 April 1985, c. *374*]: The table shows the average percentage on-cost for accommodation based on Civil Service staff salaries for the financial year 1984-85 compared with 1980-81.

Area	*1980-81 Percentage*	*1984-85 Percentage*
Central London	51	42
Outer London	24	29
Provinces	19	18½

FOREIGN AND COMMONWEALTH AFFAIRS

South Africa

Mr. Caborn asked the Secretary of State for Foreign and Commonwealth Affairs what evidence he has that black South Africans are overwhelmingly against a policy of economic sanctions against the South African Government.

Mr. Rifkind: We know from extensive contacts in South Africa that black opinon on this subject is sharply divided. Some prominent black leaders have declared that they are opposed to economic sanctions as a means of bringing about change in South Africa. A survey conducted by the University of Natal in May 1984 indicated that 75 per cent. of black workers favour continuing overseas trade links.

Figures from such polls have to be treated with some caution in the circumstances prevailing in South Africa, but the general conclusion seems valid.

Nicaragua

Mr. Deakins asked the Secretary of State for Foreign and Commonwealth Affairs what assessment Her Majesty's Government have made of the effect on the fairness of the elections in Nicaragua of the campaign by the Contra insurgents to disrupt polling.

Mr. Renton: We received no reports that the Contra insurgents disrupted polling. However, as my hon. Friend the Member for Edinburgh, Pentlands (Mr. Rifkind) told the hon. Member on 16 April, physical harrassment by the Sandinistas led the main opposition parties to withdraw from the elections. In those circumstances, there was no possibility of a genuinely free and fair contest.

European Commission of Human Rights

Mr. Andrew F. Bennett asked the Secretary of State for Foreign and Commonwealth Affairs what is his policy towards proposals for reform of the procedures of the European Commission of Human Rights aimed at reducing delays in processing cases; and if he will make a statement.

Mr. Renton: We support practical proposals for improving the procedures of the European Commission of Human Rights. On 19 March I signed the eighth protocol to the European Convention on Human Rights. After signature by all the members of the Council of Europe, this will have the effect of reducing delays.

Mr. Andrew F. Bennett asked the Secretary of State for Foreign and Commonwealth Affairs what is the average period of time taken to dispose of cases at the European Commission of Human Rights in which the United Kingdom Government are a defendant; and what information he has as to how this compares with cases involving other Governments.

Mr. Renton: The information requested is not readily available. We are making inquiries and I shall write to the hon. Member.

Embassies and High Commissions (Staff)

Mr. Peter Bruinvels asked the Secretary of State for Foreign and Commonwealth Affairs what is his policy regarding the staffing of United Kingdom embassies and high commissions with locally engaged staff; for which categories of job such staff are engaged; what criteria he applied in deciding these categories; and if he will make a statement.

Mr. Renton: We employ locally engaged staff in positions where the continuity of service they provide and/or their detailed knowledge of the local scene will be of value to the mission and in junior support positions which cannot be sensibly filled by United Kingdom based officers.

Locally engaged officers can fill jobs in any section of our missions, but are principally employed on commercial, information, consular and administration work.

The allocation of jobs in our missions between United Kingdom based and locally engaged officers is reviewed during the course of Diplomatic Service inspections, or if the need arises at other times, by the Foreign and Commonwealth Office.

Soviet Jews

Mr. Mason asked the Secretary of State for Foreign and Commonwealth Affairs what representations he has made in recent times to the Soviet Union to recognise the requests of Soviet Jews who wish to emigrate to Israel; what information he has regarding Jewish emigration figures from the Union of Soviet Socialist Republics in 1984 and 1985 to the most recent week; and if he will make a statement.

Mr. Rifkind: My right hon. Friend the Prime Minister, and my right hon. and learned Friend, both raised the plight of Soviet Jewry with Mr. Gorbachev last December and made clear our concern at the drastic cutback in the permitted level of Jewish emigration since 1979. According to our records, around 900 Jews were allowed to leave the Soviet Union in 1984; the figure for the first quarter of 1985 was 247. We shall continue to press this matter and the wider problems of Soviet Jewry with the Soviet authorities on every suitable occasion.

Chilean Ambassador

Mr. Foulkes asked the Secretary of State for Foreign and Commonwealth Affairs who will be the new Chilean ambassador to the United Kingdom; and when it is expected that he will take up his appointment.

Mr. Renton: The Chilean ambassador, Professor Orrego, has formally notified us that he will leave his post on 15 July. We have not yet received a request for agreement for a successor.

EDUCATION AND SCIENCE

Open University

11. **Mr. Wareing** asked the Secretary of State for Education and Science if he will list the factors which he takes into account in determining the level of grant for the Open University.

Sir Keith Joseph: An important factor is the need to contain public expenditure. Other factors are the university's prevailing level of grant, Government allowances for inflation, and the advice received from the Open University visiting committee on the effect of grant levels on the university's programme of work.

39. **Mr. Maclennan** asked the Secretary of State for Education and Science when he last met the vice chancellor of the Open University; and what subjects were discussed.

Sir Keith Joseph: I last met the vice-chancellor together with officers and members of the university's council, on 3 December 1984; we discussed the effect of the reductions in grant on the university's programme.

Universities (Grants)

14. **Mr. Stan Thorne** asked the Secretary of State for Education and Science what will be the percentage change in grants in real terms for the universities between 1980-81 and 1986-87.

Mr. Brooke: Comparing levels of university grant between years is complicated because of the many changes in funding arrangements that have taken place. Adjusting recurrent grant only for additions made to compensate universities for changes in the level of the home tuition fee shows a decrease in real terms of about 11 per cent. between the financial years 1980-81 and 1986-87.

Student Grants

15. **Mr. Pike** asked the Secretary of State for Education and Science when he expects to issue his consultative document on the review of student grants.

Mr. Brooke: As my right hon. Friend announced on 24 January 1985, a consultative paper will be issued as soon as practicable.

26. **Mr. Kennedy** asked the Secretary of State for Education and Science what representations he has received about the current levels of student grants; and if he will make a statement.

Mr. Brooke: My right hon. Friend has received 2,350 representations about the level of grant for 1984-85 and 2,460 representations about the level of grant for 1985-86.

Ethnic Minority Pupils

16. **Mr. Dubs** asked the Secretary of State for Education and Science if he will make a statement on the implications of chapter 8, "The Education of Ethnic Minority Pupils", of the White Paper, "Better Schools".

Mr. Dunn: Chapter 8 "Better Schools" develops the Government's response to the report of the Swann committee. The measures outlined there are designed to tackle the obstacles to achievement experienced by all pupils and to meet the special needs of ethnic minority pupils.

Mrs. Renée Short asked the Secretary of State for Education and Science why he took the decision to rule out the possibility of increased grants for areas with a high proportion of ethnic minority pupils as recommended in the Swann report; and why he is not willing to make special arrangements for ethnic minority students by allowing them mandatory grants for study which precedes higher education.

Mr. Dunn: It is open to local education authorities to seek grant aid under section 11 of the Local Government Act 1966 or the urban programme to support new initiatives designed to meet the educational needs of ethnic minority children. In the case of section 11, provided what an authority proposes is designed to meet the special needs of Commonwealth origin pupils, and is consistent with the Home Office's administrative guidelines, funding is made available.

Under the provisions of the Education Act 1962 mandatory awards can be made available for first degree and comparable level courses only. The Government are conducting a thorough review of the student support

system. Pending that review, and bearing in mind the considerable public expenditure implications of a change, it would be inappropriate to alter the legislation to accord more favourable treatment to one particular group of students.

Mrs. Renée Short asked the Secretary of State for Education and Science what specific assistance he proposes to give to local education authorities to enable them to provide specialised educational facilities for pupils of ethnic minority groups who are underachieving at school.

Mr. Dunn: Local education authorities already have the means at their disposal to respond to ethnic minority needs. The presence of ethnic minorities is one factor taken into account in calculating the additional educational needs indicator of grant related expenditure which underlies the annual distribution of rate support grant to local authorities. In addition, the Home Office supports under section 11 of the Local Government Act 1966 some £75 million of local authority expenditure on additional educational posts deployed to meet the special needs of Commonwealth origin children; £4·5 million is devoted in the urban programme to educational projects of benefit to the ethnic minorities; and in 1985-86 a further £1 million of expenditure is being supported by education support grants on innovative projects designed to improve the performance of ethnic minority children and to promote harmonious race relations in schools.

Mrs. Renée Short asked the Secretary of State for Education and Science if he will invite representatives of the Commission for Racial Equality to discuss their study relating to findings in the Birmingham area about high rates of suspensions imposed on ethnic minority school pupils.

Mr. Dunn: Officials of the Department are in touch with the Commission about this study, which was based on figures for the period 1974 to 1980 (since when the local education authority has reviewed its suspension arrangements).

"Better Schools"

18. **Mr. Baldry** asked the Secretary of State for Education and Science what response he has received so far to his White Paper "Better Schools".

28. **Mr. Yeo** asked the Secretary of State for Education and Science what representations he has received on the White Paper, "Better Schools".

Sir Keith Joseph: Almost all of the correspondence received so far shows broad support for the Government's objectives. I look forward to discussing the White Paper in more detail with our partners in the education service.

30. **Mr. Gerald Howarth** asked the Secretary of State for Education and Science what response he has received from local education authorities to his White Paper, "Better Schools".

Sir Keith Joseph: I look forward to discussing the White Paper with the local authority associations in the near future.

34. **Mr. Ray Powell** asked the Secretary of State for Education and Science how much additional expenditure will be necessary to implement the proposals contained in the White Paper, "Better Schools".

Sir Keith Joseph: I refer the hon. Member to the reply I gave to the hon. Member for Stoke-on-Trent, Central (Mr. Fisher) on 1 April at column *423*.

44. **Mr. Madel** asked the Secretary of State for Education and Science whether he plans to discuss the White Paper, "Better Schools," with the National Union of Teachers and the National Association of Schoolmasters — Union of Women Teachers; and if he will make a statement.

Sir Keith Joseph: I have invited the main teachers' organisations to discuss the White Paper "Better Schools" with me, and look forward to hearing their views.

Teachers (Pay)

20. **Mr. Eggar** asked the Secretary of State for Education and Science if he will make a statement on progress in the discussions about the linking of the assessment of teachers' performance with pay increments.

Sir Keith Joseph: The teachers' panel rejected the link proposed by the employers at a meeting of the Burnham joint working party on salary structure on 5 December 1984. The teachers' panel have since refused to take part in further discussions in that forum but, following on from the meeting I had with the National Union of Teachers on 21 January, officials from the Department had a useful exploratory meeting last week with representatives of the teacher unions to discuss the principle and potential uses of performance appraisal.

27. **Mr. Nellist** asked the Secretary of State for Education and Science if he will make a statement on the current teachers' pay claim.

29. **Mr. Barnett** asked the Secretary of State for Education and Science if he will make a statement on teachers' pay.

40. **Mr. Andrew MacKay** asked the Secretary of State for Education and Science if he will make a further statement on the teachers' pay dispute.

Sir Keith Joseph: I refer the hon. Members to the answer I gave earlier today to my hon. Friend the Member for Billericay (Mr. Proctor), the hon. Member for Cambridgeshire, North-East (Mr. Freud), my hon. Friend the Member for Christchurch (Mr. Adley), and the hon. Members for Colne Valley (Mr. Wainwright) and Manchester, Blackley (Mr. Eastham).

32. **Mrs. Rumbold** asked the Secretary of State for Education and Science if he will call together the unions and employers under his chairmanship to seek to resolve the current teachers' pay dispute.

Sir Keith Joseph: No. The machinery for determining school teachers' pay is the Burnham primary and secondary committee, which has an independent chairman. As my hon. Friend may know, the management panel wrote to the teachers' panel on 22 April proposing an early meeting of the full Committee preceded by informal talks.

35. **Mr. Flannery** asked the Secretary of State for Education and Science if he has received any further representations from any of the teachers' unions regarding their present salary demand.

Sir Keith Joseph: Since 19 March I have received just one letter on this subject from the associations at national level as well as numerous letters from individual teachers and local union representatives.

36. **Mr. Stern** asked the Secretary of State for Education and Science if he has any plans to introduce legislation to change to a two-tier system for teachers' pay, a minimum agreed nationally, topped up with locally agreed supplements.

Sir Keith Joseph: In accordance with the Remuneration of Teachers Act 1965, the Burnham Primary and Secondary Committee transmits recommendations on teachers' pay to the holder of my office who must, by order, direct that teachers shall be paid accordingly, but employers have a measure of discretion in deciding which scale shall apply to the individual teacher. I have no plans to change the present system.

43. **Mr. Peter Bruinvels** asked the Secretary of State for Education and Science what recent representations he has received alleging a party political campaign within the current teachers' dispute.

Sir Keith Joseph: I have received no such representations although I have seen reports that the two largest teacher unions intend to bias their disruptive action against Conservative-controlled authorities. Such an approach will not cause the Government to shift its position.

Heriot-Watt University

21. **Mr. Willie W. Hamilton** asked the Secretary of State for Education and Science if he will make a further statement on the future of the pharmacy teaching facility at the Heriot-Watt university.

Mr. Brooke: As I said in reply to a question from the hon. Member for Roxburgh and Berwickshire (Mr. Kirkwood) on 22 January at column *377*, my right hon. Friend understands that the University Grants Committee has given careful consideration to the points put forward by the university and the Pharmaceutical Society of Great Britain at a meeting held in December 1984, but has concluded that no new arguments were put forward that would justify their altering their previous decision.

Education Expenditure

22. **Mr. Nicholas Baker** asked the Secretary of State for Education and Science if he has any plans to alter the balance of education expenditure as between buildings and equipment on the one hand and teachers' salaries on the other.

Sir Keith Joseph: No. The Government's plans for current expenditure (including teachers' salaries) and for capital expenditure on education remain as set out in Cmnd. 9428. At local level, it is for local education authorities to use the resources available to them, bearing in mind their statutory responsibilities and local priorities.

School Sizes

23. **Mr. Terlezki** asked the Secretary of State for Education and Science if he will introduce legislation to give statutory effect to his proposals on the minimum size of schools contained in his recent White Paper.

Mr. Dunn: No. The proposals in "Better Schools" are intended to provide the basis for discussion with my right hon. friend's partners in the education service about the principles which should guide local education authorities and the governors of voluntary schools in their rationalisation of school provision as pupil numbers fall; following this discussion my right hon. Friend will issue general guidance, to be acted upon in the light of the local factors involved.

Engineering and Technology

24. **Mr. Kirkwood** asked the Secretary of State for Education and Science if he is yet in a position to announce which institutions will benefit from the new programme to increase engineering and technology places in higher education announced in the Budget statement.

Mr. Brooke: I refer the hon. Member to the reply I gave earlier today to my hon. Friend the Member for Meriden (Mr. Mills).

Schools (Self-managing Status)

25. **Mr. Marlow** asked the Secretary of State for Education and Science if he will introduce legislation to confer upon schools in the maintained sector self-managing status along the lines of schools in the independent sector within a system of per capita assessment block grants.

Mr. Dunn: Chapter 9 of the White Paper "Better Schools" conveys the Government's intention to legislate to increase financial delegation from LEAs to the governing bodies of maintained schools. Our proposals will increase the scope for cost-conscious and sound financial management in both schools and LEAs. But LEAs remain responsible for the disbursement of their resources as a whole.

School Libraries

31. **Sir John Biggs-Davison** asked the Secretary of State for Education and Science if he will issue guidance to local education authorities about the contents of books in school libraries.

Mr. Dunn: We look to schools and to local education authorities to behave responsibly on this matter, but have no plans to issue detailed guidance on it.

Student Unions

33. **Mr. Forth** asked the Secretary of State for Education and Science what progress he has made towards making certain aspects of the support for student unions voluntary; and if he will make a statement.

Mr. Brooke: My right hon. Friend hopes shortly to consider the outcome of the informal consultations with higher education interests undertaken by his officials, and the further action he intends to take.

GCSE (Distinction and Merit Certificates)

37. **Mr. Portillo** asked the Secretary of State for Education and Science when he expects to announce the subject requirements at GCSE for his new distinction and merit certificates.

Mr. Dunn: My right hon. Friend hopes to make an announcement before the summer recess. The Department of Education and Science and the Welsh Office published proposals last December, and comments have been invited by the end of April.

Education Achievement

38. **Mr. Soames** asked the Secretary of State for Education and Science if he will seek to involve further the ordinary classroom teacher in the development of his policies towards higher standards of achievement.

Sir Keith Joseph: Teachers are involved in the development of policies for higher standards through their contribution to LEA policy, through subject associations, and through their influence on their national organisations. But the key contribution is their work in the classroom: the White Paper "Better Schools" makes it clear that best practice in LEAs and schools will form the basis for broad agreement about national objectives for the curriculum and for improvements in the effectiveness of education.

Nursery Education

41. **Mr. Foster** asked the Secretary of State for Education and Science if he will make a statement on nursery education in the light of the White Paper, "Better Schools."

Mr. Dunn: Chapter 4 of the White Paper "Better Schools" states the Government's position on education of the under-fives. In particular, the Government's aim will be that its plans for LEAs' expenditure should allow provision attributable to under fives to continue in real terms within broadly the same totals as at present; within these totals there is scope for local flexibility and improvements in both quality and cost-effectiveness.

Unemployed Persons (Open University Courses)

42. **Mr. Dixon** asked the Secretary of State for Education and Science if he will make a statement on the Open University's provision of courses for the unemployed.

Sir Keith Joseph: All of the university's courses are open to the unemployed. The Government provide an earmarked fund — £600,000 in 1985 — to assist unemployed Open University students with their fees. It is also providing special funding for the development by the university of learning materials of particular relevance to the unemployed.

Apley Park School, Shropshire

45. **Mr. Cockeram** asked the Secretary of State for Education and Science if he will now announce his decision on the future of Apley Park school, near Bridgnorth, Shropshire.

Mr. Dunn: My right hon. Friend is not yet able to announce his decision on these proposals. He will do so as soon as he has completed his detailed consideration of the issues involved, including the arguments advanced by Shropshire county council in support of their proposals and the views of those who have exercised their statutory right to object.

Foreign Language Teaching

46. **Mr. Holt** asked the Secretary of State for Education and Science what plans he has to discuss with the teaching profession improvements in foreign language education.

Mr. Dunn: My right hon. Friend discussed foreign language education with members of the Joint Council of Language Associations at their conference last month. The White Paper "Better Schools" set out our views on the provision of foreign languages in schools and our intention to develop these in a policy statement later this year. As I have replied today to a question from my hon. Friend the Member for Bedfordshire, South-West (Mr. Madel), we are looking forward to discussing "Better Schools" with the teacher unions.

Medical Science

47. **Mr. Strang** asked the Secretary of State for Education and Science what discussions he has had with the chairman of the Medical Research Council about the effects cuts in the council's budget will have on medical science in Britain.

Mr. Brooke: My right hon. Friend met the chairman and secretary of the Medical Research Council (MRC) on 23 July 1984 but has had no further discussions on this matter since then. The grant-in-aid to the MRC in 1985-86, announced in January, is £122·3 million. This represents an increase of £2·1 million over previously published plans for the year.

Higher Education

Mr. Lawler asked the Secretary of State for Education and Science what information he has as to the number of extra higher education places in the Bradford area in information technology-related subjects as a result of the Government's information technology initiative of 1982; and how much funding is being made available over the next three years to pay for more students in higher education in the area to study engineering and technology.

Sir Keith Joseph: Under the IT Initiative which I announced in December 1982, Bradford university was allocated one additional teaching post, and 13 additional postgraduate studentships a year, in the department of computer science.

On 3 April 1985 I announced at columns *618-20* that Bradford university was being invited, under the first phase of the engineering and technology initiative, to provide additional places for intakes of 30 undergraduate and 20 postgraduate electrical engineering students each year. The university will receive some £730,000 over the three years 1985-86—1987-88 for this purpose.

Teachers (Dispute)

Mr. Greenway asked the Secretary of State for Education and Science if he will estimate the number of pupil days disrupted by the current teachers' strikes; and if he will make a statement.

Sir Keith Joseph: Comprehensive information about the extent and effects of recent industrial action is not available centrally. The proportion of pupils who have been directly affected by strikes at any one time is

relatively small. The selective strikes called by the two largest teacher unions have affected something of the order of 5 per cent. of the 8·3 million pupils in England and Wales. However, the cumulative effect of strikes and other forms of disruptive action is to damage the education of a very large number of pupils throughout the country. The Government deplore the fact that some teachers are willing to prosecute their pay claim in this way.

Bursaries

Mrs. Renée Short asked the Secretary of State for Education and Science if he will list the numbers of bursaries which have been allocated to individual students in each academic year since 1978-79 for postgraduate study in the faculties of mechanical and electrical engineering.

Mr. Brooke: The numbers of research studentships and advanced course studentships in mechanical and electrical engineering made by the Science and Engineering Research Council each year since 1978-79 are as follows:

	Mechanical Engineering	*Electrical Engineering*
1978-79	71	46
1979-80	163	70
1980-81	33	18
1981-82	54	12
1982-83	60	12
1983-84	64	7
1984-85	72	12
1985-86	98	16

School Sizes

Mr. Evennett asked the Secretary of State for Education and Science what guidelines his Department currently issues to local education authorities concerning the minimum and maximum size of schools.

Mr. Dunn: Current guidance is set out in circular 2/81, a copy of which I am sending to my hon. Friend. The circular urges local education authorities to seize the educational and financial benefits of taking surplus school places out of use and draws attention to the sizes of schools below which disproportionate resourcing is required if appropriate educational opportunities are to be maintained. The proposals in chapter 10 of the White Paper "Better Schools" are intended to provide the basis for discussions with my right hon. Friend's partners in the education service about whether new guidance should be issued. The Department does not produce guidelines on maximum school sizes.

Universities (Jarratt Committee Report)

Mrs. Renée Short asked the Secretary of State for Education and Science what financing was allocated by his Department for the purpose of the report of the Jarratt committee on university efficiency; and what is his response to the recommendations which were issued in the report.

Mr. Brooke: The total contribution of this Department to the cost of the work of the Committee appointed by the Committee of Vice-Chancellors and Principals under the chairmanship of Sir Alex Jarratt and of the associated efficiency studies in individual universities is expected when all accounts have been paid to be about £350,000. The committee has produced recommendations which merit serious and early consideration by those to whom they are addressed. My right hon. Friend will be considering with the CVCP and the University Grants Committee how the report can best be pursued.

Teachers

Mr. Freud asked the Secretary of State for Education and Science whether he will list in the *Official Report* those units or institutions providing teacher training on a denominational basis, stating the denomination, and the percentage change in intake since 1979, and indicating any proposals for closure of the courses.

Mr. Dunn: The information requested for England is as follows:

Institution	*Denomination*	*Per cent. change in intake 1979-84*
Bishop Grosseteste College Lincoln	C of E	+66
Chester College	C of E	−26
Christ Church College Canterbury	C of E	+18
King Alfred's College Winchester	C of E	+20
La Sainte Union College of Higher Education Southampton	RC	+3
Liverpool Institute of Higher Education	Federation of former RC and C of E Colleges	+31
Newman College Birmingham	RC	−44
Ripon and York St. John College of Higher Education, York	C of E	−23
Roehampton Institute of Higher Education	Federation of former C of E, RC, Methodist and non-denominational Colleges	−22
College of St. Mark and St. John Plymouth	C of E	−33
St. Martin's College Lancaster	C of E	+7
St. Mary's College Twickenham	RC	−7
College of St. Paul and St. Mary, Cheltenham	C of E	−24
Trinity and All Saints' College, Leeds	RC	+33
Westhill College Birmingham	Free Church	+42
Westminster College, Oxford	Methodist	−3

The National Advisory Body for Public Sector Higher Education has been asked by my right hon. Friend to advise on the distribution between public sector institutions in England of intakes to initial teacher training for the period 1986-89. I cannot anticipate what advice the National Advisory body will submit in respect of individual institutions.

Mr. Freud asked the Secretary of State for Education and Science (1) what progress is being made on moves to equalise the entitlement to pensions of teachers' widows and widowers; and if he will make a statement;

(2) what representations he has received concerning the entitlement to pensions and family benefits of male and female teachers, respectively; and if he will make a statement;

(3) what is his estimate of the cost of equalising the entitlement to pension and family benefits of men and

women teachers *(a)* expressed as a total sum and *(b)* expressed in relation to teachers' contributions to the superannuation fund.

Mr. Dunn: I refer the hon. Member to my replies on 22 April to the hon. Member for Woolwich (Mr. Cartwright) at column *371*.

Mr. Freud asked the Secretary of State for Education and Science whether he will list in the *Official Report* for the latest year for which figures are available *(a)* the number of teachers' widowers affected by the present rules on teacher's pension entitlement and *(b)* the average and total amount paid in pension to teachers' widows.

Mr. Dunn: The number of teachers' widowers affected by the present rules on pension entitlement is not known. In the financial year 1984-85 the total paid in pension to teachers' widows was £12,837,306. The average widow's pension, calculated on the basis of 9,590 pensions paid in March 1985, was £1,433·50 per annum.

Children (Illegal Sexual Relationships)

Mr. Nicholas Winterton asked the Secretary of State for Education and Science what steps are taken by his Department to ensure that none of the material available in schools encourages children under the age of 16 years to take part in illegal sexual relationships.

Mr. Dunn: The choice of materials for use in schools is the responsibility of local education authorities and schools themselves. However, Ministers hold the firm view that sex education should be sound and appropriate, and we would regard with great concern any instance of the availability in schools of materials of the sort my hon. Friend describes.

Assisted Places Scheme

Mr. Freud asked the Secretary of State for Education and Science whether he will list in the *Official Report (a)* the number of parents of assisted places pupils and *(b)* the percentage of all such parents in each income category in respect of the income schedule for the assisted places scheme.

Mr. Dunn: The information requested is, in respect of the school year 1984-85, as follows:

Relevant income	*Number of pupils*	*Percentage of total*
Up to £6,046	6,581	38·0
£6,047 to £6,390	569	3·3
£6,391 to £6,910	841	4·9
£6,911 to £7,950	1,723	10·0
£7,951 to £9,550	2,798	16·2
£9,551 to £11,630	2,690	15·5
£11,631 and more:		
(a) assisted	1,371	7·9
(b) currently ineligible for assistance	742	4·2

DEFENCE

Ethiopia (Military Personnel)

Mr. Wilkinson asked the Secretary of State for Defence whether he has had any discussions with the Ethiopian Government about the training of Ethiopian military personnel in the United Kingdom in the future.

Mr. Lee: No.

Mr. Wilkinson asked the Secretary of State for Defence how many Ethiopian military personnel underwent training in the United Kingdom during 1984.

Mr. Lee: None; but one Ethiopian civilian, our ambassador's driver, was given training in close protection in that year.

Mr. Wilkinson asked the Secretary of State for Defence if there are any Ethiopian military personnel receiving training in the United Kingdom at the present time.

Mr. Lee: There are currently no Ethiopian military personnel receiving training in United Kingdom military establishments.

Royal Dockyards

Mr. Hancock asked the Secretary of State for Defence (1) if there are any plans to transfer work currently done in establishments in Portsmouth to the dockyards at Devonport and Rosyth, following the implementation of his proposals for commercial management at Devonport and Rosyth;

(2) if he will give an assurance that the announcement made concerning the dockyards at Devonport and Rosyth will have no effect on the Portsmouth naval base;

(3) if any personnel will be transferred from Portsmouth to Devonport or Rosyth because of his Department's proposals for commercial management.

Mr. Lee: No.decisions on future arrangements for the royal dockyards at Devonport and Rosyth will be taken until the end of the period of consultation. It is therefore too early to say what the precise implications of any decisions might be on other areas of fleet support. However, whatever decision is taken for Devonport and Rosyth, it is envisaged that Portsmouth fleet operating and maintenance base will continue in its present role; the need for transfers from Portsmouth is not foreseen. It would, of course, be open to employees at Portsmouth to apply to be considered for transfer into the dockyards, with a view to transferring to any new arrangements.

Portsmouth

Mr. Hancock asked the Secretary of State for Defence if there are any plans to alter the current proposals for arrangements for pay personnel and records in the Portsmouth naval base and the service establishments in the surrounding area.

Mr. Lee: No.

Polaris

Mr. Barron asked the Secretary of State for Defence if he has any plans to convert Polaris submarines for some other use.

Mr. Lee: No.

Trident

Mr. Barron asked the Secretary of State for Defence what studies he has made over the past two years regarding alternatives to Trident.

Mr. Lee: I refer the hon. Member to the answer that my right hon. Friend the Minister of State for Defence

Procurement gave to my hon. Friend the Member for Welwyn Hatfield (Mr. Murphy) on 7 February 1985, at column *678*.

Arms Control Unit

Mr. Barron asked the Secretary of State for Defence if the arms control unit of his Department will publicly report its findings.

Mr. Stanley: The work of the defence arms control unit represents advice to Ministers which will be regarded as confidential in the normal way. The Government's arms control policies, on which the Foreign and Commonwealth Office retains the lead responsibility, will continue to be set out in Government documents and ministerial statements as appropriate, including, as necessary, in the Statement on the Defence Estimates.

Written Answers to Questions

Wednesday 24 April 1985

FOREIGN AND COMMONWEALTH AFFAIRS

Zimbabwe

2. **Mr. Nicholas Baker** asked the Secretary of State for Foreign and Commonwealth Affairs if he has received representations about the repatriation to the United Kingdom of money and other assets owned by individuals formerly resident in Zimbabwe; and if he will raise this matter in his next meeting with the Prime Minister of Zimbabwe.

Mr. Rifkind: Yes. We take every opportunity to impress upon the Zimbabwe authorities the hardship which their controls can cause and the need to exercise flexibility wherever possible. Both my right hon. Friend the Prime Minister and my right hon. and learned Friend have discussed this matter with Mr. Mugabe in recent months.

54. **Mr. Gerald Howarth** asked the Secretary of State for Foreign and Commonwealth Affairs how many British subjects are currently in detention in Zimbabwe; and if he will make a statement.

Mr. Rifkind: We known of seven mono-British citizens detained in Zimbabwe. One is held under the Zimbabwean Emergency Powers Act; the remaining six have been convicted on various criminal charges. Our consular staff in Zimbabwe do all they properly can to help the detainees and, unless specifically requested not to, make prison visits.

South Africa

4. **Mr. Clay** asked the Secretary of State for Foreign and Commonwealth Affairs if he will take action to close all the loopholes in the United Nations mandatory arms embargo in South Africa.

Mr. Rifkind: We believe that the United Nations arms embargo is effective. We are not aware that any further measures are required to strengthen it.

18. **Mr. Cabom** asked the Secretary of State for Foreign and Commonwealth Affairs what is the policy of Her Majesty's Government towards the call by the Commonwealth Secretary General of 22 February for sanctions against South Africa.

Mr. Rifkind: We do not believe that wider economic sanctions would achieve the changes we want to see. If they were effective they would hurt the black community and South Africa's neighbours, including Commonwealth countries. Trade and investment links are an important means of encouraging change.

29. **Mr. Wallace** asked the Secretary of State for Foreign and Commonwealth Affairs whether Her Majesty's Government propose to take any action in the United Nations in the light of recent events in South Africa.

Sir Geoffrey Howe: We condemned the recent action by the South African police at Uitenhage and have repeatedly made our views about such violence known to the South African Government. We also supported the adoption of Security Council resolution 560 which expressed in strong terms the views of the international community on apartheid and on recent events in South Africa.

Iran—Iraq War

5. **Mr. Merlyn Rees** asked the Secretary of State for Foreign and Commonwealth Affairs whether he intends, in view of the escalation of the war between Iraq and Iran, to urge his European Economic Community partners to impose an arms embargo on these countries; and if he will make a statement.

Mr. Luce: The United Kingdom is impartial in the Gulf conflict and supplies no items of defence equipment which might significantly enhance the capability of either side to prolong or exacerbate the conflict. We do not believe an arms embargo would be an effective method of ending this conflict, although we would welcome it if our European Community allies followed our very restrictive policy on supply to both sides.

50. **Mr. Denis Howell** asked the Secretary of State for Foreign and Commonwealth Affairs what information he has as to the total number of military and civilian casualties in the capital cities of Iraq and Iran; and whether there has been any progress towards a peace settlement.

Mr. Luce: We have no precise information regarding casualties in the capital cities of Iraq and Iran, although we have noted the resumption of attacks on civilian targets in the Gulf conflict with great concern. We have participated in demarches in both Tehran and Baghdad with our European Community partners, calling on both sides to respond to appeals by the United Nations Secretary-General to stop these attacks.

68. **Mr. Madel** asked the Secretary of State for Foreign and Commonwealth Affairs whether he is considering any further initiatives to end the Iraq-Iran war; and if he will make a statement.

Mr. Luce: We wish to see the earliest possible end to the tragic and wasteful conflict in the Gulf, and we are prepared to support any realistic initiatives, especially those through the good offices of the United Nations Secretary-General.

Lebanon

9. **Mr. Oakes** asked the Secretary of State for Foreign and Commonwealth Affairs what approaches have been made by Her Majesty's Government to the Syrian Government to obtain the release of British and other foreign citizens kidnapped in Lebanon, and to obtain assurances that such acts will not be repeated.

Mr. Luce: Her Majesty's ambassador at Damascus has on several occasions sought the help of the Syrian authorities in these deplorable kidnapping cases and the Syrian Government have undertaken to work for the early release of the victims. We were relieved to learn of the release of Mr. Nash and Mr. Levick and we are doing all we can to help Mr. Collett regain his freedom.

28. **Mr. Roy Hughes** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent events in the Lebanon.

Mr. Luce: We deeply regret continuing acts of violence in different parts of Lebanon, notably in the south. We welcome recent progress towards Israeli withdrawal from Lebanese territory, and Israeli statements that all Israeli forces will soon be withdrawn from Lebanon. We look for the early completion of this full withdrawal.

40. **Mr. Corbett** asked the Secretary of State for Foreign and Commonwealth Affairs what is the latest advice being given by Her Majesty's Government to British subjects, including diplomats, in Lebanon and specifically in west Beirut; and what measures he has taken to afford them protection.

Sir Geoffrey Howe: British nationals have been advised to leave West Beirut and where possible to defer visits to Lebanon for the time being. Appropriate measures are being taken to protect embassy staff and buildings in Beirut.

British Broadcasting Corporation

10. **Mr. Kirkwood** asked the Secretary of State for Foreign and Commonwealth Affairs what plans he has to develop the external services of the British Broadcasting Corporation; and if he will make a statement.

Mr. Renton: We are fully conscious of the need to support the external services. The external services' funding for the current financial year, at approximately £91 million—with relay stations, over £100 million—is about 7 per cent. higher in real terms than last year. Significant progress has been made in implementing our capital expenditure programme of some £100 million agreed in 1981 to improve the BBC's audibility overseas, which remains a high priority.

Pakistan

12. **Sir John Biggs-Davison** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about relations with Pakistan.

Mr. Renton: We maintain good relations with Pakistan.

EC (Mediterranean Programmes)

17. **Mrs. Clwyd** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications for the United Kingdom of the revised terms for the integrated Mediterranean programmes.

Mr. Rifkind: The total additional amount agreed by the European Council for integrated Mediterranean programmes was 1·6 billion ecu—about £950 million. As a result of the Fontainebleau settlement, the United Kingdom's financing share will be some 7 per cent.—less than the £10 million per annum.

El Salvador

19. **Mr. Eastham** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent elections in El Salvador and its implications for United Kingdom relations with that country.

Mr. Renton: The National Assembly and municipal elections in El Salvador are a further demonstration of the consolidation of democracy in that country. We continue to support the efforts of the Salvadorean Government to secure democratic progress and stability, both in El Salvador and in central America as a whole.

44. **Mr. Greenway** asked the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the prospects for democratic stability in El Salvador in the light of the recent elections.

Mr. Renton: I have nothing to add to the answer I gave the hon. Member for Manchester, Blackley (Mr. Eastham) earlier today.

58. **Mr. Meadowcroft** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent elections in El Salvador.

Mr. Tim Renton: I refer the hon. Member to the answer I gave earlier today to the hon. Member for Manchester, Blackley.

77. **Mr. Iain Mills** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations between the United Kingdom and El Salvador in the light of recent political developments in that country.

Mr. Renton: I refer my hon. Friend to the answer I gave earlier today to the hon. Member for Manchester, Blackley (Mr. Eastham).

Star Wars Policy

22. **Mr. Flannery** asked the Secretary of State for Foreign and Commonwealth Affairs if he has received many representations regarding his comments on the star wars policy of the American Administration.

Sir Geoffrey Howe: I have received a number of comments about the United States strategic defence initiative, particularly following my speech on 15 March about "Defence and Security in the Nuclear Age". Most of these have been in support of our policy.

Lebanon (Syrian Withdrawal)

24. **Mr. Mikardo** asked the Secretary of State for Foreign and Commonwealth Affairs whether the Syrian Government have given a date for their withdrawal from Lebanon.

Mr. Luce: We are not aware of any Syrian announcement on this subject.

Ballistic Missiles (Soviet Research)

25. **Mr. Patrick Thompson** asked the Secretary of State for Foreign and Commonwealth Affairs what steps his Department is taking to publicise the extent of Soviet research into defences against ballistic missiles.

Mr. Luce: As my right hon. Friend the Prime Minister has made clear, Soviet programmes in this field are indeed extensive and long-established. My right hon. and learned Friend referred to them in his speech on 15 March. We

broadly endorse the assessment which appears in the 1985 edition of *Soviet Military Power* published by the United States Department of Defence.

39. **Mr. Chope** asked the Secretary of State for Foreign and Commonwealth Affairs what information his Department now possesses on the subject of Soviet research into defences against ballistic missiles.

Mr. Luce: I refer the hon. Member to the answer I gave earlier to my hon. Friend the Member for Norwich, North (Mr. Thompson).

Sri Lanka

26. **Mr. Andrew MacKay** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations between the United Kingdom and Sri Lanka in the light of the Prime Minister's recent visit.

Mr. Renton: The good relations we enjoy with the Government of Sri Lanka were further strengthened by the visit of my right hon. Friend the Prime Minister from 11 to 13 April.

New Zealand (Anglo-American Agreements)

27. **Mr. Terry Lewis** asked the Secretary of State for Foreign and Commonwealth Affairs if there has been any change in New Zealand's access to information under existing Anglo-American agreements.

Mr. Renton: It is not our practice to confirm or deny the existence of arrangements of this sort.

President Dos Santos

30. **Dr. Marek** asked the Secretary of State for Foreign and Commonwealth Affairs if, during his recent visit to southern Africa, he met President Dos Santos of Angola; and if he will make a statement.

Mr. Rifkind: My right hon. and learned Friend visited Zimbabwe, Zambia and Kenya in January. He did not meet President Dos Santos of Angola.

Falkland Islands

31. **Mr. Maxton** asked the Secretary of State for Foreign and Commonwealth Affairs what recent communications he has had with Argentina concerning the Falkland Islands.

Mr. Renton: Whilst we are not prepared to discuss the sovereignty of the Falkland Islands, we have since the Falklands conflict taken a number of initiatives to achieve more normal bilateral relations with Argentina. For example, we have made plain to the Argentines our readiness to accept a suitably prepared visit by next of kin of Argentine service men buried there.

President Gemayel

32. **Mr. Home Robertson** asked the Secretary of State for Foreign and Commonwealth Affairs when he next intends to seek a meeting with President Gemayel of the Lebanon.

Mr. Luce: My right hon. and learned Friend was received by his Excellency the President of Lebanon on 28 October 1984 in his palace near Beirut. He has no plans to seek a further audience at present.

EC (Ministerial Meetings)

33. **Dr. Mawhinney** asked the Secretary of State for Foreign and Commonwealth Affairs what recent meetings he has had with his opposite numbers in other European Economic Community countries; and what was discussed.

Sir Geoffrey Howe: I met other European Community Foreign Ministers at the European Council on 29-30 March, which my right hon. Friend, the Prime Minister, reported to the House on 2 April, [Vol. 76, c. 26-31]. I had previously attended the Foreign Affairs Council from 17 to 19 March, as my hon. Friend the Member for Edinburgh, Pentlands (Mr. Rifkind) reported to the House on 25 March, [Vol. 76, c. 1063-72]. I also held bilateral discussions on Community and other international issues with the Belgian Foreign Minister at Chequers and Chevening on 2-3 March.

Soviet Foreign Minister (UK Visit)

34. **Mr. Dickens** asked the Secretary of State for Foreign and Commonwealth Affairs if a date has yet been fixed for the planned visit of the Soviet Foreign Minister to the United Kingdom.

Sir Geoffrey Howe: No. Dates are however being discussed by the two Governments.

Disarmament Talks (Geneva)

35. **Mr. Strang** asked the Secretary of State for Foreign and Commonwealth Affairs whether, at the recent Western European Union meeting in Bonn, he discussed with his colleagues the United States-Union of Soviet Socialist Republics nuclear disarmament talks in Geneva; and if he will make a statement.

Sir Geoffrey Howe: Yes, as the communiqué of our meeting made clear, we exchanged views on a range of subjects including all aspects of the United States-Union of Soviet Socialist Republics talks in Geneva. We also discussed arms control and disarmament, European defence questions, East-West relations and European armaments co-operation, as well as examining problems of WEU institutional reform. Copies of the communiqué have been placed in the Library.

36. **Mr. Hirst** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the progress of the disarmament negotiations currently taking place in Geneva.

Mr. Luce: I refer the hon. Member to the reply I gave to the hon. Member for Liverpool, West Derby (Mr. Wareing) on 18 April, [Vol. 77, c. 252.]

EC European Council

37. **Mr. Deakins** asked the Secretary of State for Foreign and Commonwealth Affairs if the European Council has now agreed to extend the scope of majority voting in its meetings.

Mr. Rifkind: The Council has not agreed to any changes in the present scope for majority voting.

Iran

38. **Mr. Galley** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's relations with Iran.

Mr. Luce: It is not our policy to comment on the internal affairs of other nations.

International Debt Crisis

41. **Mr. Hoyle** asked the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held by European Economic Community Foreign Ministers concerning the debt crisis.

Mr. Rifkind: My right hon. and learned Friend meets Foreign Ministers of European Community and other countries regularly. International debt issues are frequently discussed.

Middle East

42. **Mr. Marlow** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's policy with regard to the middle east.

Mr. Luce: We remain committed to the search for a peaceful settlement of he Arab-Israel dispute. We support King Hussein's efforts to arrive at a common Arab position, and Pesident Mubarak's further suggestions in that direction. We seek the restoration of the unity, stability and prosperity of Lebanon and a peaceful solution to the Gulf conflict. We are ready to support constructive moves by the parties directly involved.

47. **Mr. Walters** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a further statement on progress towards a middle east peace settlement.

Mr. Luce: I would refer the hon. Member to the answer I gave earlier to my hon. Friend the Member for Northampton, North (Mr. Marlow).

Malaysia

43. **Mr Hayes** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Malaysia in the light of the Prime Minister's visit to that country.

Mr. Luce: I would refer my hon. Friend to the reply I gave to hon. Member for Liverpool, Riverside (Mr. Parry) on 16 April. [Vol. 77, c. *132*.].

EC (Council of Ministers)

45. **Mr. Campbell-Savours** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the European Commission proposals for 1985 made to the last meeting of the Council of Ministers.

Mr. Rifkind : I refer the hon. Member to the reply I gave to my hon. Friend the Member for Mid-Worcestershire (Mr. Forth) on 27 March. [Vol. 76, c. *209*.]

Indonesia

46. **Mr. William Powell** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on Anglo-Indonesian relations in the light of the Prime Minister's recent visit to Indonesia.

Mr. Luce: The United Kingdom enjoys good relations with Indonesia which have been further strengthened by my right hon. Friend the Prime Minister's visit from 9-11 April and by the full range of discussions she had with President Suharto and senior Indonesian Ministers.

Iraq

48. **Mr. Coleman** asked the Secretary of State for Foreign and Commonwealth Affairs what diplomatic and other measures Her Majesty's Government intend to take against Iraq in the light of continual use of chemical weapons in the Gulf war.

Mr. Luce: As we have made clear many times in the past, most recently in a statement issued by the Foreign and Commonwealth Office on 29 March 1985, a copy of which is in the Library of the House, we rigorously condemn the use of chemical weapons wherever it occurs. We will continue to work strenuously at the Geneva conference on disarmament for a total ban on such weapons which would include the prevention of civil chemicals being directed to military use.

Nigeria

49. **Mr. Stanbrook** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on British relations with Nigeria.

Mr. Rifkind: We greatly value our relations with Nigeria, and will continue to work for the restoration of their traditional warmth and friendliness.

Islamic Fundamentalism

51. **Mr. Robert C. Brown** asked the Secretary of State for Foreign and Commonwealth Affairs if he will have discussions with his European Economic Community counterparts to discuss measures to counter Islamic fundamentalism in the middle east.

Mr. Luce: We keep in close touch with our partners in the European Community on all aspects of the continuing conflicts in the Middle East. Our policy is to support constructive moves towards negotiated solutions of the problems of the area.

Mr. Richard Perle

52. **Mr. George Robertson** asked the Secretary of State for Foreign and Commonwealth Affairs when he next expects to meet Mr. Richard Perle, the United States Assistant Secretary of State for Defence.

Mr. Luce: My right hon. and learned Friend has at present no plans to do so.

EC (Policies)

53. **Mr. Knox** asked the Secretary of State for Foreign and Commonwealth Affairs what further proposals he intends to place before his European Community partners for the development of Community policies.

Sir Geoffrey Howe: We put forward a number of proposals in the ad hoc Committee on Institutional Affairs and the separate committee on a People's Europe whose reports, in the latter case the first half only, have been placed in the Library of the House. We shall now be discussing these proposals with other member Governments. We shall be seeking effective follow-up of

our initiative to remove the regulatory burden on small businesses. We shall continue to press for progress towards the completion of the common market for goods and services.

UN Arms Embargo

55. **Mr. Wareing** asked the Secretary of State for Foreign and Commonwealth Affairs if he will strengthen the United Nations mandatory arms embargo by supporting an extension of the embargo by the Security Council to include oil and petroleum products.

Mr. Rifkind: I refer the hon. Member to the answer I gave earlier to the hon. Member for Sunderland, North (Mr. Clay).

EC (Enlargement)

56. **Dr. M. S. Miller** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the safeguards which will be introduced to protect the interests of the south Mediterranean countries whose exports to the European Economic Community will be directly affected by the recent enlargement of the Community.

Mr. Rifkind: The Community recognises the real concern of its Mediterranean partners over the maintenance of their preferential trade access to European Community market following enlargement. The Foreign Affairs Council of 30 March adopted a statement reaffirming the Community's intention to endeavour to maintain traditional trade patterns with its Mediterranean partners and to work for mutually satisfactory solutions. I have arranged for a copy of the statement to be placed in the Library of the House.

Latin America

57. **Mr. Jim Callaghan** asked the Secretary of State for Foreign and Commonwealth Affairs what importance he attaches to human rights in determining the development of relations with countries in Latin America.

Mr. Renton: Concern for human rights plays an important part in determining our relations with countries in all parts of the world, including those of Latin America.

EC (Funds)

59. **Mr. Park** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the intergovernmental agreement of EEC Foreign Ministers designed to meet the shortfall in funds for 1985.

Mr. Rifkind: At its meeting on 21 March, the Foreign Affairs Council agreed, subject to the approval of national parliaments, to fund the Community's irreducible financial obligations in 1985 through an intergovernmental agreement. The Budget Council on 23 April agreed on the amount of finance involved. My hon. Friend the Economic Secretary will be reporting the outcome of the Council to the House.

Uganda

60. **Mr. Peter Bruinvels** asked the Secretary of State for Foreign and Commonwealth Affairs when he last met the high commissioner for Uganda; and what subjects were discussed.

Mr. Rifkind: My right hon. and learned Friend last met the high commissioner for Uganda, together with the Ugandan Minister of State for Foreign Affairs, on 7 February. They discussed a number of issues in our bilateral relations including human rights, Uganda's economy and British military training assistance.

Singapore

61. **Mr. Grylls** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on relations with Singapore in the light of the Prime Minister's visit to that country.

Mr. Luce: The United Kingdom's relations with Singapore are excellent. There are no bilateral problems of significance. During her recent visit to Singapore, my right hon. Friend the Prime Minister had wide-ranging talks with Mr. Lee Kuan Yew and energetically promoted British commercial and industrial interests.

Strategic Defence Initiative

62. **Mr. Cartwright** asked the Secretary of State for Foreign and Commonwealth Affairs what representations he has made in recent weeks to the United States Administration concerning its strategic defence initiative.

Sir Geoffrey Howe: We remain in close and constant contact with the United States Administration, as well as with our other allies, about the strategic defence initiative research programme.

EC (Venice Declaration)

63. **Mr. Pike** asked the Secretary of State for Foreign and Commonwealth Affairs what measures he and his European Economic Community colleagues are considering to build upon the European Economic community Venice declaration on the Middle East to help progress toward a settlement in that region.

Mr. Luce: At the European Council in Brussels on 29-30 March, the Ten reaffirmed their desire to see urgent efforts made to establish peace and stability in the Middle East and their willingness to assist efforts to that end. With our partners in the Ten we shall continue to do all we can to encourage a negotiated solution on the basis of our well-known balanced approach, but the primary responsibility for progress must remain with the parties directly concerned.

EC (Budgetary Achievements)

64. **Mr. Sedgemore** asked the Secretary of State for Foreign and Commonwealth Affairs what is his assessment of the budgetary achievements of the European Economic Community in the past year.

Sir Geoffrey Howe: In the last year, the Community has made progress in two important respects on the budget front. First, it has agreed on a lasting solution to the United Kingdom's budget problem and accepted in principle that any member State sustaining a similar inequitable budgetary burden may benefit from a correction. Secondly, it has agreed that the rigorous rules which govern budgetary policy in Member States shall also apply to Community spending, in particular by fixing each year a maximum level of expenditure for all Community

policies and ensuring that agricultural expenditure will increase by less than the rate of growth of the own resources base.

EC Proposals (Parliamentary Approval)

65. **Mr. MacKenzie** asked the Secretary of State for Foreign and Commonwealth Affairs when he expects to submit for parliamentary approval *(a)* the European Economic Community intergovernmental agreement, *(b)* the increase in the value-added tax ceiling and *(c)* the accession treaties of Spain and Portugal.

Mr. Rifkind: It is not yet possible to give firm dates for the submission to Parliament of the intergovernmental agreement, the new own resources decision and the accession treaties.

Arab Terrorism (Lebanon)

66. **Mr. Terlezki** asked the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to protect British citizens, including diplomats, from kidnapping or other terrorist outrages by Arab terrorists in Lebanon.

Sir Geoffrey Howe: I refer my hon. Friend to the reply I gave earlier today to the hon. Member for Birmingham, Erdington (Mr. Corbett).

El Salvador (Officer Training)

67. **Mr. Haynes** asked the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in the selection of officers from El Salvador for training in the United Kingdom.

Mr. Renton: I have nothing to add to the reply I gave to the Hon. Member for Liverpool, Broadgreen (Mr. Fields) on 15 February. [Vol 73, c. *302*.]

British Vice-Consul (Vigo)

69. **Mr. McQuarrie** asked the Secretary of State for Foreign and Commonwealth Affairs what representations he has received advocating the retention of the office of Her Majesty's Government's vice-consul in Vigo, Spain.

Mr. Renton: The Foreign and Commonwealth Office has received five representations advocating the retention of the British consulate in Vigo.

Israel (EC Exports)

70. **Mr. Latham** asked the Secretary of State for Foreign and Commonwealth Affairs what discussions the Minister of State, the hon. Member for Edinburgh, Pentlands (Mr. Rifkind) has held in the European Community Council of Ministers regarding the effect on Israel's export of citrus and other fruits and vegetables to the European Community after the accession of Spain and Portugal; and with what results.

Mr. Rifkind: I would refer my hon. Friend to the reply I gave earlier today to the hon. Member for East Kilbride. (Dr. Miller).

EC (Reforms)

71. **Mr. Sean Hughes** asked the Secretary of State for Foreign and Commonwealth Affairs, what reforms have been considered by European Economic Community Ministers in recent months.

Mr. Rifkind: The Council has reached agreement on the implementation of the budgetary reforms agreed at Fontainbleau. The European Council has made progress towards a common market for goods and services a major priority and has set a target date for completion of 1992. Institutional reforms have been considered by the ad hoc Committee on Institutional Affairs whose report is available in the Library of the House and will be the subject of intergovernmental discussions in the coming months.

Anti-ballistic Missile Treaty

72. **Mr. Boyes** asked the Secretary of State for Foreign and Commonwealth Affairs what is Her Majesty's Government's policy on the implementation of the 1972 anti-ballistic missile treaty.

Mr. Luce: Although not party to this bilateral United States — Soviet treaty, we regard it as an important element in the current strategic situation. The treaty contains mechanisms by which any suspected violations can be pursued.

Israel (Lebanon Policy)

73. **Mr. Adley** asked the Secretary of State for Foreign and Commonwealth Affairs what restraints Her Majesty's Government are placing on the Israeli Government in the light of their iron fist policy in Lebanon.

Mr. Luce: We have made it clear that we deeply deplore the appalling violence in south Lebanon, which underlines the need for the early and complete withdrawal of all Israeli forces from Lebanese territory. In direct response to the Israeli invasion of Lebanon in 1982, which we condemned, we imposed restrictions on arms sales to Israel.

Namibia

74. **Mr. Robert Hughes** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a progress report on discussions with the Contact Group of Five and South Africa on implementation of United Nations resolution 435 for the independence of Namibia.

Mr. Rifkind: We remain in close touch with our Contact Group partners over developments in the current negotiations towards a Namibia settlement. We also take every opportunity to urge the South Africans to be flexible and realistic in their approach to these negotiations in order to bring about early implementation of Security Council resolution 435.

79. **Mr. Willie W. Hamilton** asked the Secretary of State for Foreign and Commonwealth Affairs what recent progress has been made towards independence for Namibia; and if he will make a statement.

Mr. Rifkind: Discussions are continuing between the United States, Angola and South Africa, aimed at finding a formula for Cuban troop withdrawal from Angola which

will meet the security concerns of all the parties and pave the way for internationally recognised independence for Namibia, in accordance with the terms of Security Council resolution 435.

South Africa (Treason Trial)

75. **Mr. Corbyn** asked the Secretary of State for Foreign and Commonwealth Affairs whether he has sought the permission of the South African Government to send observers to the treason trial of members of the United Democratic Front.

Mr. Rifkind: We do not require permission to attend a public trial. As I explained in a written answer to the hon. Member for Sheffield, Attercliffe (Mr. Duffy) on 20 February 1985, we expect to send an observer [Vol. 73, c. *466*.]

Central America

76. **Mr. Temple-Morris** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the situation in central America.

Mr. Renton: I have nothing further to add to the reply my hon. Friend the Member for Pentlands Edinburgh, (Mr. Rifkind) gave to the hon. Member on 20 March.—[Vol. 75, c. *525*.]

Malta (Sunken Wartime Vessels)

78. **Mr. Litherland** asked the Secretary of State for Foreign and Commonwealth Affairs if any recent discussions have taken place between the Foreign Office and Malta regarding the raising of sunken wartime vessels in the vicinity of Grand harbour.

Mr. Renton: There have for some time been exchanges with the Maltese Government on the question of the possible clearance of certain wrecks and unexploded ordnance from these waters. These exchanges are continuing.

EC (Spain and Portugal)

80. **Mr. Fatchett** asked the Secretary of State for Foreign and Commonwealth Affairs what effect the accession of Spain and Portugal will have on decisions taken by the Council of Ministers by qualified majority.

Mr. Rifkind: Spain and Portugal will participate in any voting in the Council in accordance with the rules laid down in the treaties. The accession treaty, which will be laid before the House, will set out the number of votes on the basis of the relative sizes of the acceding states. The intention is that article 148 of the treaty will be amended to give eight votes to Spain and five to Portugal, raising the number of votes in the Council from 63 to 76. The qualified majority will go from 45 to 54.

Arms Talks

81. **Mr. Neil Hamilton** asked the Secretary of State for Foreign and Commonwealth Affairs what was the Soviet reaction to the latest proposals put by the British Government at the Geneva negotiations on chemical weapons.

Mr. Luce: The detailed proposals I introduced on 12 March 1985, the latest in a series of United Kingdom working papers on the non-diversion of industrial chemicals into secret military stockpiles, have aroused considerable interest in the Socialist group at the Geneva chemical weapons negotiations. Its considered reactions are awaited.

Kuwait (Ministerial Visit)

82. **Mr. John Browne** asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement upon the recent visit of the Minister of State, the hon. Member for Shoreham (Mr. Luce), to Kuwait.

Mr. Luce: Between 31 March and 2 April, I visited Kuwait as part of a Gulf tour which also included Qatar. I had a very useful round of discussions with Kuwaiti Ministers, including the Crown Prince and Prime Minister, Sheikh Sa'ad. I was able to review the satisfactory state of our bilateral relations and exchange views on major international issues, including the Iran-Iraq conflict, and Lebanon and the Arab-Israel dispute.

Chile

Mr. Stan Thorne asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on United Kingdom relations with Chile.

Mr. Renton: We maintain normal diplomatic relations with Chile, but regularly make known our concern about human rights violations. Following the Chilean earthquake on 3 March, we have given £250,000 of disaster relief through non-governmental organisations to help those made homeless.

East Germany (Ministerial Visit)

Mr. John Mark Taylor asked the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his visit to East Germany.

Sir Geoffrey Howe: I visited East Berlin and the German Democratic Republic from 8 to 10 April. I had talks with senior GDR Government figures, and met a wide cross-section of GDR society. I discussed East-West relations and arms control with Mr. Erich Honecker and the Foreign Minister. I made clear the West's sincere determination to achieve greater security for all at a lower level of weapons, through balanced and verifiable agreements. I indicated the strength of our concern for human rights, including the freedom to travel. We also discussed the prospects for an increase in bilateral trade.

EC (Subsidised Food and Wine)

Mr. Teddy Taylor asked the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to withhold approval of any proposals in the Council of Ministers to increase the resources of the Common Market until that organisation agrees to refrain from the policy of selling food and wine to the Soviet Union at subsidised prices.

Mr. Rifkind: The Council of Ministers agreed in March a draft new own resources text which incorporates in Community legislation the agreement reached by Heads of Government at Fontainebleau last year. Parliamentary approval will be sought in due course for the introduction of new own resources in this way.

The Soviet Union, like any other third country, is free to buy agricultural exports from the Community at world prices. We remain opposed to any specially favourable arrangements for the Soviet Union.

TRADE AND INDUSTRY

South Africa

83. **Mr. John Carlisle** asked the Secretary of State for Trade and Industry what is his policy towards encouraging British companies towards further investment in South Africa.

Mr. Channon: The Government believe that decisions on investment in South Africa, as in other countries, are best left to the commercial judgements of the companies concerned.

Cars (Mileage Clocks)

Mr. Roger King asked the Secretary of State for Trade and Industry whether he will introduce legislation to make it an illegal practice to zero car mileage clocks.

Mr. Fletcher: I have no plans at present to do so.

Trade Statistics

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry whether he will publish in the *Official Report* a table showing the increase in the average value of imports and exports of manufactures since 1980 compared with the increase in unit values.

Mr. Channon: The information is as follows:

Manufactures (SITC Rev2 5-8)

	Percentage change 1980-1984
Exports	
Unit Value Index	+35
Average Value Index	+32
Imports	
Unit Value Index	+37
Average Value Index	+31

Mr. Austin Mitchell asked the Secretary of State for Trade and Industry to what factors he attributes the smaller increase in the unit value of imports of semi-manufactures less chemicals since 1980 compared with the period before 1980.

Mr. Channon: The smaller increase in recent years is largely attributable to silver bullion and other non-ferrous metals; the unit value index for these commodities rose at an average annual rate of 2·5 per cent in the period from 1980 to 1984 compared with an average annual rise of nearly 33 per cent between 1978 and 1980.

Consumer Durables (Exports)

Mr. Garrett asked the Secretary of State for Trade and Industry to which geographical areas Her Majesty's Government attach the highest priority in their overseas trade policy for the next two years with specific reference to exports of consumer durable goods.

Mr. Channon: There are opportunities for sales of consumer durable goods in a wide range of countries, particularly the OECD countries. Firms need to take account of the price, performance, and type of goods before deciding where the best prospects lie. Where particularly good opportunities arise my Department and the Diplomatic Service Posts overseas work with the industry to exploit them. The task force for Do-It-Yourself goods in Italy is a recent successful example. The accession of Spain and Portugal to the Community will create new opportunities and a special programme is being mounted to help industry pursue exports in these countries.

Electronic Companies (Bankruptcies)

Mr. Stuart Holland asked the Secretary of State for Trade and Industry how many electronics companies with a work force of fewer than 40 employees have gone bankrupt in the last 12 months.

Mr. Fletcher: I regret that figures are not available by size of company nor by detailed industries. Electronics companies are included in the broad category of "metals and engineering" and the article on insolvencies to be published in 'British business' on 26 April will show that 1,338 companies in this category in England and Wales went into liquidation due to insolvency in 1984. The number of bankruptcies of individuals and partnerships in the same broad category in 1984 will be available shortly and will be published in 'British business'; a provisional estimate for January/September 1984 is 54.

Battery-powered Dog Collars

Dr. David Clark asked the Secretary of State for Trade and Industry if he will seek to ban the import of battery-powered dog collars which deliver an electric shock when the dog barks.

Mr. Channon: I will reply to the hon. Member as soon as possible.

DEFENCE

Censorship

Mr. Bill Walker asked the Secretary of State for Defence when he will publish the Government's response to the report of the study group on censorship.

Mr. Heseltine: The Government's response is being published today—Cmnd. 9499. I should like to record once more the Government's thanks to General Sir Hugh Beach and to his colleagues for their valuable support.

HOUSE OF COMMONS

Members's Correspondence

Mr. Peter Bruinvels asked the hon. Member for Berwick-upon-Tweed, as representing the House of Commons Commission, whether, pursuant to his reply on 1 April, he will set out in the *Official Report* details subsequently communicated to the hon. Member for Leicester, East.

Mr. Beith: There are a total of 847 staff employed by the Commission, including 163 part-time workers, entitled to receive additional payment if they work hours in excess of normal; 431 such staff received additional payments for a varying number of extra hours in week ending 22

February 1985, including 208 staff in receipt of regular extra payments in the form of annual allowances calculated on the basis of the average hours of sitting of the House over the previous five years. The employment of additional staff for the hours covered by these payments would in most cases be uneconomic and impracticable because, for example, of the unpredictable times to which the House and Committees often sit; and accordingly there are no reliable assumptions on which to base an estimate of the number that would be required.

Overseas Travel

Mr. Higgins asked the Lord Privy Seal what information he has on provision made to fund overseas travel on official duties by *(a)* individual members and *(b)* Select Committees or their equivalent in the lower Houses of Commonwealth and European Parliaments and the United States House of Representatives; and if he will set out in the *Official Report* the level of resources made available to them in the latest period for which figures can be ascertained.

Mr. Biffen: The information requested is not held centrally for all Parliaments. I have, however, obtained some information from a variety of sources which is as follows. I must stress, however, that this information is not in a homogeneous form:

1. Canada
Committee travel overseas has to be specifically authorised by a Vote in the House of Commons. Most overseas travel is made under the auspices of one of the seven Parliamentary Associations which have their own annual grants from appropriations of both Houses.

2. India
There is some provision for overseas travel at the discretion of the Authorities of the House.

3. New Zealand
Cabinet approval is required for overseas travel, which is funded by the Department of Internal Affairs. The cost of such travel in 1983-84 was $84,566.

**4. Belgium*
At the discretion of the Bureau for travel abroad.

**5. Denmark*
At the discretion of the Bureau (presidium) in as much as it decides whether the travelling expenses shall be paid and provided for in the Budget of the Folketing.

**6. Germany*
At the discretion of the President.

**7. France*
At the discretion of the relevant Bureau subject to a ceiling of seven Members in the case of journeys within Europe and five Members in the cases of other journeys abroad. The number of participants is irrelevant for journeys abroad during Sessions.

**8. Ireland*
Authorisation for travel can be given.

**9. Italy*
At the discretion of the President.

**10. Luxembourg*
Authorisation for travel can be given.

**11. Holland*
At the discretion of the relevant Bureau.

12. United Kingdom
At the discretion of the Liaison Committee.

13. United States of America
Congress Members can usually undertake foreign travel on Committee business or by Executive request or appointment. Members are required by law to make public annually the cost of such official trips, which are funded by the public purse. During 1980, 219 Members of Congress took 346 trips abroad at Government expense. The trips by Members and their Committee staff cost a total of $2,803,966·85.

* Our source material on these countries does not distinguish between travel at home and travel abroad.

Personal Taxation

Sir William Clark asked the Lord Privy Seal if he will propose the setting up of a Select Committee to consider the Green Paper on personal taxation to be issued in the autumn.

Mr. Biffen: I have noted my hon. Friend's suggestion and will give it full consideration in due course.

PRIME MINISTER

Mr. A. W. Blakestone

Mr. McNamara asked the Prime Minister what reply she has sent to the letter of Mr. A. W. Blakestone of 46 Appleton road, Buckhill avenue, Kingston upon Hull, in which he suggested that to mark the 40th anniversary of VE Day and VJ Day people who saw active service in that war should be able to take statutory retirement a year early for each year of service to a maximum of five years with a view to releasing their jobs for the unemployed; and if she will make a statement.

The Prime Minister: Mr. Blakestone's letter was passed to the Ministry of Defence for action and an official reply was sent on 5 March 1985. This set out the Government's plans for the commemoration of the 40th anniversary of the end of the Second World War, in accordance with my statement of 14 February 1985.—[Vol. 61, c. *230*.] I have asked my noble Friend, the Parliamentary Under-Secretary of State for the Armed Forces to write to the hon. Member with a copy of the letter to Mr. Blakestone.

EC (Subsidised Food and Wine)

Mr. Teddy Taylor asked the Prime Minister if it remains the policy of Her Majesty's Government to oppose the sale, at subsidised prices, of food and wine to the Soviet Union and Eastern Europe; and what powers are available to Her Majesty's Government in the various Councils of Ministers to seek to achieve this objective.

The Prime Minister: I will reply to my hon. Friend shortly.

Young People (Liverpool)

Mr. Alton asked the Prime Minister if, pursuant to her answer of 16 April, *Official Report*, column 136, she has any information as to further plans for young people in Liverpool to come out on strike and leave their schools; and if she will make a statement.

The Prime Minister: I totally deplore and condemn this thoroughly mischievous attempt by Left-wing groups in Liverpool to hide behind children in expressing any

concerns they may feel about the youth training scheme. This is the worst possible example they could give youngsters on Merseyside. The call to strike will be seen by all reasonably minded people as a clear political act of a totally negative nature. Is this really the image of Merseyside that should be projected to the industrialists of the world?

TRANSPORT

Motorways (Communications System)

Mr. Harrison asked the Secretary of State for Transport (1) if he will identify where the responsibility lies for servicing the public communications system at service stations on the M1 between London and Leeds;

(2) if he will identify where responsibility lies for servicing the public communications system at service stations on the M62 between Liverpool and Goole;

(3) if he will identify where responsibility lies for servicing the public communications system at service stations on the A1(M) between Hatfield and Newcastle.

Mrs. Chalker: Operators of motorway service areas in England are required by their leases to provide at all times a number of public telephones, except when temporarily prevented by circumstances outside their control.

Marques (Loss)

Mr. Ottaway asked the Secretary of State for Transport whether he will hold a formal investigation into the loss of the sailing vessel Marques near Bermuda in June 1984.

Mr. Ridley: Yes. In view of the public concern over the loss of this vessel and the loss of life I am taking the necessary measures for the holding of a public formal investigation into the circumstances of this casualty.

Helicopter Safety

Mr. Bruce asked the Secretary of State for Transport if he will take steps to ensure that the crew of commercial helicopters will be required at all times whilst on board to wear lifejackets incorporating dual frequency (121·5 and 243Mhz) personal locater beacons, in line with the safety recommendations of the inspector of aircraft accident report 8/84 on the accident involving British Airways' helicopter S-61N, G-BEON, in the sea near the Isles of Scilly.

Mr. Michael Spicer *[pursuant to his reply,* 15 April 1985, c. 54]: Existing lifejackets can be uncomfortable to wear and cause fatigue, especially in hot weather or when used in conjunction with immersion suits. A new type of lifejacket is being developed and is likely to be comfortable enough to wear on the majority of occasions.

All offshore operators equip their flight crew with personal location beacons which operate on 121·5 and 243 Mhz, as required by ICAO, and an amendment to the Air Navigation Order 1980 will require all public transport helicoptors and gyroplanes from 3 March 1986 to carry automatically deployable emergency beacons transmitting simultaneously on both those frequencies.

At present, the CAA do not insist that helicopter crews should wear lifejackets at all times, because existing jackets can be uncomfortable and tiring in hot weather, or with an immersion suit.

Additionally, the Air Navigation Order 1980 will be amended to require all public transport helicopters and gyroplanes to be equipped with automatically deployable emergency beacons from 3 March 1986.

ENVIRONMENT

Gleneagles Agreement

84. **Mr. Wainwright** asked the Secretary of State for the Environment what steps Her Majesty's Government will take to strengthen the operation of the Gleneagles agreement.

Mr. Macfarlane: None. The Government fully implement the requirements of the Commonwealth statement on apartheid in sport.

Foreign Office (Energy Audit)

85. **Mr. Speller** asked the Secretary of State for the Environment if he will arrange an energy audit for all offices of the Foreign and Commonwealth Office within the United Kingdom.

Sir George Young: Building and sites are selected for energy audit on the basis of the anticipated profitability of resultant energy savings. Capital must be available to implement the recommendations of the audits.

The buildings currently occupied by the Foreign and Commonwealth Office, although substantial in number, form only a small proportion of the whole of the United Kindgom Property Services Agency maintained estate.

Selection of buildings for audit is not made on the basis of the occupying Department and, given the constraints of available resources, it would not be appropriate for me to arrange for energy audits of all FCO offices or indeed, all the offices of any other single Government Department.

Thamesmead Advisory Group

Mr. Evennett asked the Secretary of State for the Environment what recent representations he has received from the Thamesmead Advisory Group; and if he will make a statement.

Sir George Young: I have recently received a helpful list of questions about future arrangements for a trust for Thamesmead, from community representatives including the Thamesmead advisory group. I have responded in writing and shall discuss the issues with them on 25 April.

Anti-fouling Paints

Mr. Viggers asked the Secretary of State for the Environment (1) what estimate he has made of the effect on the environment of marine anti-fouling paints, other than those which are organo-tin based, if his proposed ban on organo-tin anti-fouling were to be implemented;

(2) what meetings concerning anti-fouling paints Ministers in his Department have had with representatives of *(a)* users of anti-fouling paints, *(b)* manufacturers of anti-fouling paints, *(c)* shellfish growers and *(d)* other interested parties;

(3) if he will give figures for the total number of pleasure craft, including motor boats and yachts *(a)* 12 m and below in length and *(b)* above 12 m in length;

(4) if he will list the concentrations of tributyl-tin oxide in the natural environment at each location where either the Pacific oyster or the native British oyster is cultivated or fished for as many years since 1955 as records permit;

(5) what volume of tributyl-tin oxide is estimated to leak into the environemt annually from anti-fouling the hulls of *(a)* private vessels less than 12 m in length, *(b)* private vessels above 12 m in length, *(c)* merchant ships, *(d)* naval vessels, *(e)* fishing boats less than 12 m in length and *(f)* fishing boats above 12 m in length;

(6) what types of anti-fouling paint would be available to yachtsmen and fishermen with vessels below 12 m in length if his proposed regulations on the use of tributyl-tin oxide become law.

Mr. Viggers asked the Minister of Agriculture, Fisheries and Food what alternatives to tributyl-tin oxide are available to the manufacturers and users of anti-fouling paints; and what their effects on the natural environment would be.

Mr. Waldegrave: I have been asked to reply to the question put to my right hon. Friend the Minister of Agriculture, Fisheries and Food.

All anti-fouling agents work by making the surface to which they are applied unsuitable for the marine organisms which try to settle and grow there. Organo-tin based paints act by the continuous release of organo-tin compounds which are toxic to such organisms. They are also toxic to other marine organisms. Scientists at the Government's fisheries laboratory have measured the concentration of tributyl-tin oxide at sites where the Pacific and the native British oysters are cultivated and at some other sites around the coast. The results were obtained over the period 1982 to 1984. No information is available prior to 1982. The results are summarised in a short paper, copies of which have been placed in the Library of the House.

If the draft regulations on which comments are currently being sought were introduced without change, yachtsmen and others would be able to use any anti-fouling paint not prescribed by the regulations. The most likely alternatives are formulations based on copper, with or without small quantities of organo-tin compounds. Copper-based formulations have been available and have been widely used for many years without giving rise to concern on environmental grounds.

Information is not available on the amount of tributyl-tin oxide released into the environment annually from anti-fouling paint used on different categories of vessel. The Government's intention in proposing regulations is to protect the marine environment, particularly the shallow estuarial and inshore areas which are often very rich in marine life and important nursery areas and sometimes support valuable commercial fisheries. Where there are large numbers of small craft moored for long periods in shallow waters with insufficient water exchange, then tributyl-tin compounds leached from anti-fouling paints can reach dangerous concentrations. By preventing the sale and use of such paints on small pleasure craft this danger can be prevented. The proposed regulations are accordingly aimed specifically at small pleasure craft. The 12 m cut-off point was chosen, for the purpose of consultation, following an analysis of the export and import statistics which indicated that this length would encompass about 80 per cent. of the relevant category of boat.

I met representatives of the shell-fish growers on 4 February at their request and representatives of the Paintmakers Association on 22 April. There have been no such requests from either the users of anti-fouling paints or from other interested parties. The paint manufacturers and boating interests have also had several meetings with my officials.

Nitrates

Mr. Kilroy-Silk asked the Secretary of State for the Environment (1) what progress water authorities are making in reducing nitrate levels to comply with the EEC directive of a 50 mg per litre maximum;

(2) which water authorities currently have nitrate in drinking water in excess of 50 mg per litre;

(3) what surface waters have concentrations of nitrate in excess of 50 mg per litre; and by how much they have increased in recent years.

Mr. Macfarlane: In 1984, some water supplies in Anglian, Severn-Trent, Yorkshire and Thames water authority areas exceeded 50 mg per litre NO_3 for some part of the year. In these areas steps have been or are being taken to reduce nitrate concentrations in drinking water. All the authorities will need to comply with the EC directive figure of 50 mg per litre or with the terms of any derogation I may issue later this year.

My Department's harmonised monitoring scheme, using data collected by water authorities, provides a comprehensive picture of the nitrate situation in the main rivers in England, Scotland and Wales. In 1983, of over 200 monitoring stations, only five recorded average nitrate concentrations slightly above 50 mg per litre.

These stations are situated on the Rivers Lee, Blackwater, Idle, Stour (Suffolk) and Stour (Hereford and Worcester).

Until 1980 nitrate concentrations had been increasing on average by 0·7 mg per litre annually in some 25 rivers. More recent information is now being assessed by the nitrate co-ordination group.

Planning Applications

Mr. Heddle asked the Secretary of State for the Environment when he will announce his decision in respect of planning application Nos. APP/F5540/A/83/8188/9 and APP/5540/A/54/14820 held at a public inquiry before his inspector, Kenneth Jeremiah, in August-September 1984.

Mr. Macfarlane: My right hon. Friend is considering the inspector's report and a decision will be issued as soon as possible.

Subsidised House Purchases (Wapping)

Mr. Mikardo asked the Secretary of State for the Environment how much money the London Docklands Development Corporation has set aside for subsidising house purchases in Wapping; and how the scheme proposed by the London Docklands Development Corporation will work.

Sir George Young: The London Docklands Development Corporation has set aside £1 million for its equity share loan scheme in Wapping. Under the scheme, a loan of up to £10,000 is available to residents of the

Wapping part of docklands to top up a conventional mortgage for a house in that area. This is normally repayable to the corporation on the resale of the property or after ten years. After ten years, the position may be reviewed at the discretion of the corporation in the light of the applicant's circumstances. No interest is charged on the loan and no rent is levied on the corporation's share of the equity.

The amount to be repaid is to be the same proportion of the resale price or the market value of the property as was the original loan of the purchase price, subject to a cost floor and a cost ceiling.

Itinerants

Mr. Stern asked the Secretary of State for the Environment how many places on permanent sites in England and Wales are currently provided for itinerants.

Mr. Macfarlane: In January 1985 there were 232 gipsy sites run by local authorities in England providing 3,753 pitches. In addition, the count made by local authorities in July 1984 showed that some 1,748 gipsy caravans were camped on authorised private pitches. The figures for Wales can be obtained from my right hon. Friend the Secretary of State for Wales.

Mr. Stern asked the Secretary of State for the Environment if he will provide the best estimate available for the total itinerant population in England and Wales.

Mr. Macfarlane: The available information relates to caravans rather than population. In July 1984 there were 9,627 gipsy caravans in England. The figures for Wales can be obtained from my right hon. Friend the Secretary of State for Wales.

REEMA Conclad Houses

Sir David Price asked the Secretary of State for the Environment if he has had any undertaking from the Building Societies Association that it will advise its member societies that REEMA conclad houses have no known generic defects; and if he will make a statement.

Mr. Gow: In my reply to my hon. Friend of 20 February, column 485, I said that my Department hoped to have further discussions with the Building Societies Association on the condition of dwellings of non-traditional design generally. These discussions are continuing. I will make a statement as soon as possible.

Rate Support Grant

Mr. Robert B. Jones asked the Secretary of State for the Environment if he will make a statement about the operation of close-ending under the rate support grant systems.

Mr. Patrick Jenkin: Rate support grant is based on authorities' expenditure, but the total amount of rate support grant paid out in any year can only be the amount approved by the House of Commons. As a matter of routine, every year my Department notifies each local authority at the end of March of the grant to which it is initially entitled in the forthcoming year, on the basis of authorities' own estimates of expenditure. That process involves making an adjustment, called close-ending, from the figures published the previous December to ensure that the total of payments is in line with the authorised total.

Close-ending is not a new principle. Under the former RSG system, prior to 1981-82, the resources element of grant was close-ended each year to match the grant claimed by authorities to the total grant available. Indeed, the extent of close-ending in 1978-79, the last full year of the last Labour Government, was significantly higher than the 1·5 per cent. being applied in 1985-86. This means that under the former RSG arrangements particular authorities' grant entitlements could and did change to a greater extent than the close-ending recently announced for 1985-86.

Suggestions that either the timing or the substance of this year's announcement were in any way unusual are therefore unfounded and political mischiefmaking.

EDUCATION AND SCIENCE

Bursaries

Mrs. Renée Short asked the Secretary of State for Education and Science if he will list the numbers of university postgraduate courses which had a reduction in their bursary allocations in each single year since the 1978-79 academic session and those whose grants have been totally abolished during the same period.

Mr. Brooke: Allocations of bursaries to universities and other postgraduate institutions by the Department were reduced in 1981-82 in respect of 30 courses included in the state bursary scheme. In the years prior to that year and in subsequent years no significant reductions in the allocations occurred. Since 1978-79 the allocation of bursaries for three courses have been withdrawn; the bursaries released were reallocated to other courses.

Primary Schools (Science Teaching)

Mrs. Renée Short asked the Secretary of State for Education and Science what proposals he has to enable primary school teachers to improve science teaching in primary schools; and what resources he intends to allocate for this purpose.

Mr. Dunn: The Department and the Welsh Office have recently published "Science 5-16: A statement of policy", which sets out the Government's views on future developments in science education in primary and secondary schools. It sets as objectives that all pupils should be properly introduced to science in the primary school and that all class teachers in primary schools, without exception, should include at least some science in their teaching, making use of their colleagues' specialist knowledge and experience as necessary.

The policy statement calls for a sustained and co-operative effort under the leadership of the LEAs to meet those objectives, and describes some of the action being taken at the national level to assist that effort. For example, primary science is to be one of the areas within the education support grant scheme. Fifty-two LEAs in England will receive education support grant from September 1985 to support three-year programmes of action to improve the effectiveness and relevance of primary science teaching. Total expenditure in these LEAs over the three years will be some £10 million, and an extension of the primary science education support grant scheme in 1986-87 is under consideration. The Association for Science Education is being commissioned to undertake an evaluation of the primary science ESG programmes, to disseminate information about successful

practice and to draw up guidelines for future developments. Primary science is also one of the fields receiving support under the inservice teacher training grants scheme. These and other developments at the national level are matched by substantial and rapidly growing interest at the local level, with many significant initiatives under way.

Special Needs

Mr. Carter-Jones asked the Secretary of State for Education and Science how many appeals he has received under section 8(6) of the Education Act 1981 in the 12 months ended 31 March; if he will *(a)* list the local education authorities concerned and give the number of appeals against each authority and *(b)* state in how many instances he has (i) confirmed the special educational provision specified in the statement, (ii) amended the statement and (iii) directed the local education authority to cease to maintain a statement; and if he will make a statement.

Mr. Dunn: The information is as follows:

Appeals under section 8(6) of the Education Act 1981 received during the period 1 April 1984 to 31 March 1985

LEA	*Number of appeals*	*Statement confirmed*	*Statement amended*	*Not yet decided*
Buckinghamshire	1	—	—	1
Croydon	1	—	—	1
Cumbria	2	2	—	—
Devon	1	1	—	—
East Sussex	1	—	—	1
Essex	1	1	—	—
Hereford and Worcester	1	—	—	1
Humberside	1	—	1	—
ILEA	1	—	—	1
Kent	3	3	—	—
North Yorkshire	1	—	—	1
Oxfordshire	1	—	—	1
Richmond-upon-Thames	1	1	—	—
Stockport	1	—	—	1
Suffolk	1	—	—	1
Surrey	5	2	2	1
Wirral	1	—	1	—

My right hon. Friend has issued no directions to cease to maintain a statement under section 8(7)*(c)* of the Act.

Mr. Carter-Jones asked the Secretary of State for Education and Science how many appeals he has received under section 5(6) of the Education Act 1981 in the 12 months ended 31 March; if he will *(a)* list the local education authorities concerned and give the number of appeals against each authority, *(b)* state in how many instances he has upheld the decision of the local education authority and *(c)* state in how many instances he has directed the local education authority to reconsider its decision; and if he will make a statement.

Mr. Dunn: The information is as follows:

Appeals under section 5(6) of the Education Act 1981 during the period 1 April 1984 to 31 March 1985

LEA	*Number of appeals*	*LEA decision upheld*	*Not yet decided*
Durham	1	—	1
East Sussex	5	5	—
Essex	1	—	1
Hampshire	1	1	—
Haringey	1	1	—
Havering	1	1	—
Humberside	1	1	—
Kent	1	—	1
Oxfordshire	1	—	—
Richmond-upon-Thames	1	1	—
Rotherham	1	1	—
Solihull	1	—	—
Staffordshire	1	1	—
Stockport	1	—	1
Surrey	2	2	—

My right hon. Friend has issued no directions to local education authorities to reconsider their decisions not to approve a statement of special educational needs. In two instances, however (Oxfordshire and Solihuil), the local education authority have agreed to reconsider their decision following informal discussions with the Department.

Exchange Teachers (United States)

Mr. Freud asked the Secretary of State for Education and Science what representations he has received concerning the position of teachers on exchange in the United States.

Mr. Brooke: Apart from 10 parliamentary questions, I have received 33 representations from 28 people, including eight hon. Members and the embassy of the United States of America in London.

Mr. Freud asked the Secretary of State for Education and Science whether he will list the number of applications for teacher exchanges with the United States in each of the last five years.

Mr. Brooke: The number of applications from British teachers, and the results of the applications, are given below. Those for 1985-86 are as yet only provisional.

Year	England & Wales		Scotland		Northern Ireland		Totals	
	Applications	Appointments Made	Applications	Appointments Made	Applications	Appointments Made	Applications	Appointments Made
1981-82	317	130	54	19	7	1	378	150
1982-83	265	122	53	27	10	4	328	153
1983-84	303	138	48	22	13	6	364	166
1984-85	382	129	45	26	9	4	436	159
1985-86	265	100	31	13	11	6	307	119

Mr. Freud asked the Secretary of State for Education and Science what plans he has to change the system of payment of allowance to British teachers taking part in the teacher exchanges with the United States to take account of fluctuations in the exchange rate.

Mr. Brooke: None. Fluctuations in the exchange rate are already taken into consideration in the payment of allowances to British teachers taking part in teacher exchanges with the United States of America.

School Leavers

Mr. Freud asked the Secretary of State for Education and Science what guidance will be issued by his Department to schools in respect of the possible entitlement to supplementary benefit of Easter school leavers who return to school to sit public examinations; and if he will make a statement.

Mr. Dunn: Advice on eligibility for supplementary benefit is for my right hon. Friend the Secretary of State for Social Services to provide.

Mr. Freud asked the Secretary of State for Education and Science how many children who left school at Easter in 1984 returned to school in order to sit public examinations in the 1984 summer term.

Mr. Dunn: The information requested for 1984 is not available. An estimated 8,500 school leavers who had reached the minimum school leaving age in 1982-83, left school by Easter 1983 and subsequently attempted at least one of the Summer 1983 CSE/GCE examinations.

Mathematics

Mr. Gale asked the Secretary of State for Education and Science when he expects to publish Her Majesty's inspectorate's paper on the mathematics curriculum; and if he will make a statement.

Sir Keith Joseph: "Mathematics from 5 to 16" is published today. In the three years since the publication of the Crockcroft report the Government have based their action to improve the quality of mathematics teaching in schools on the report's conclusions. My right hon. Friend the Secretary of State for Wales and I welcome the publication of HM Inspectorate's paper, which reflects and develops the Cockcroft committee's recommendations. It is particularly appropriate that the paper should be published at a time when almost all LEAs are preparing for the appointment, under the education support grant scheme, of additional mathematics advisers and advisory teachers. Some 350 such staff are due to begin work in September 1985; their task will be to encourage changes in mathematics education in primary and secondary schools along the lines proposed by the Cockcroft committee.

Following the pattern of other papers in the HMI series "Curriculum Matters", the paper sets out views, and seeks comment, on the aims and objectives of mathematics teaching and on the related professional issues of the principles of mathematics teaching and the assessment of pupils' progress in mathematics. We commend it for the consideration of all those concerned with the development of children's competence in mathematics. We believe that it will help to develop effective teaching approaches. We also regard it as an important contribution towards the development of agreement on the objectives of this key subject in the school curriculum.

Higher Education

Mr. Andrew MacKay asked the Secretary of State for Education and Science what progress has been made by the committee of inquiry into the academic validation of degree courses in the public sector of higher education; and if he will make a statement.

Sir Keith Joseph: The report of the committee of inquiry into the academic validation of public sector degree courses was published today. Copies of the report have been placed in the Libraries of both Houses.

My right hon. Friends the Secretaries of State for Scotland and Wales and I are most grateful to the members of the committee of inquiry and particulary to its chairman, Sir Norman Lindop, for the time and effort they have devoted to the inquiry, and for the speed with which they have completed a difficult task. The Government attach great importance to the maintenance and improvement of academic standards throughout the education system, and we will study the committee's report with care and interest.

My right hon. Friends and I will consult a number of interested bodies concerning the report's conclusions and recommendations. We will also welcome comments from any institution, organisation or individual not specifically consulted. Following these consultations, the Government will aim to reach their decisions on the recommendations made in the report as soon as possible.

SCOTLAND

Disabled People (Assistance)

Mr. Alfred Morris asked the Secretary of State for Scotland (1) if he will list the number of cases and the rate per 1,000 population in each region who received assistance with the provision of aids in 1983-84;

(2) if he will list the number of cases and the rate per 1,000 population in each region who received assistance with adaptations to the home in 1983-84;

(3) if he will list the number of cases and the rate per 1,000 population in each region who received assistance with the installation of telephones in 1983-84;

(4) if he will list the number of cases and the rate per 1,000 population in each region who received assistance with the payment of telephone rentals in 1983-84;

(5) if he will list the number of cases and the rate per 1,000 population in each region who received assistance with holidays in 1983-84.

Mr. John MacKay: Provisional figures are contained in the following table:

*Services provided by local authorities—1983-84**

Region	Telephone rental		Telephone installation		Adaptations		Aids		Holidays/Outings	
	Number	Rate per 1,000 population	Number	Rate per 1,000 population	Number	Rate per 1,000 population	Number	Rate per 1,000 population	Number	Rate per 1,000 population
Borders	51	0·5	20	0·2	303	3·0	1,335	13·2	25	0·2
Central	24	0·1	0	0	1,427	5·2	2,346	8·6	0	0
Dumfries & Galloway	3	†	6	†	396	2·7	1,190	8·1	0	0
Fife	4	†	86	0·3	1,236	3·6	2,656	7·7	n/a	n/a
Grampian	18	†	34	0·1	1,084	2·2	3,369	6·8	58	0·1
Highland	147	0·7	59	0·3	402	2·1	1,092	5·6	15	0·1
Lothian	780	1·0	139	0·2	n/a	n/a	n/a	n/a	425	0·6
Strathclyde	769	0·3	269	0·1	11,111	4·7	18,974	8·0	1,462	0·6
Tayside	218	0·6	23	0·1	1,864	4·7	3,776	9·6	0	0
Orkney	0	0	11	0·6	14	0·7	100	5·2	0	0
Shetland	12	0·5	10	0·4	110	4·7	343	14·6	0	0
Western Isles	6	0·2	17	0·5	31	1·0	392	12·4	15	0·5

* Provisional.
† Less than 0·05.
n/a=Not available.

Long-term Care

Lord James Douglas-Hamilton asked the Secretary of State for Scotland what further steps he is taking to encourage the development of more appropriate forms of long-term care.

Mr. Younger: A draft circular issued for consultation last July set out proposed new arrangements for the joint planning and support finance scheme. The main objective of those proposals was to encourage more effective co-ordination of efforts to achieve a better balance between hospital and community care, and the development of more appropriate forms of long-term care.

I am grateful to the Convention of Scottish Local Authorities, health boards and other interested organisations for their general support for that objective, and their helpful comments on those proposals. The circular, with consequential revisions, was issued today; I am arranging for copies to be placed in the Library of the House.

Pesticides

Mr. Ron Davies asked the Secretary of State for Scotland what plans the Forestry Commission has for aerial spraying of pesticides as part of forestry operations in the current year.

Mr. John MacKay [*pursuant to his reply*, 18 April 1985, c. *249*]: Subject to clearances under the pesticides safety precautions scheme, the Forestry Commission, together with private woodland owners, is planning to carry out in late May and early June programmes of ultra low-volume aerial spraying of insecticides on some 7,000 hectares of Lodgepole pine plantations in Sutherland, Easter Ross, Argyll and Perthshire. This spraying is to control two forest insect pests—pine beauty moth using fenitrothion and pine sawfly using virox.

The commission also intends to spray from the air about 50 hectares of land in east Scotland and 230 hectares of land in the west of England with azulam, which is a herbicide for the control of bracken and which has full commercial clearance under the pesticides safety precautions scheme. In addition, the commission will be seeking agreement to the aerial spraying with glyphosate of up to 500 hectares of land; this will be under the limited clearance which has been granted to Monsanto Limited under the pesticides safety precautions scheme. Glyphosate is used for general weed control.

Mr. Ron Davies asked the Secretary of State for Scotland whether the Forestry Commission or any other statutory authority undertake any monitoring of, or grant approval for, the aerial spraying of pesticides on forest land in the private sector.

Mr. John MacKay [*pursuant to his reply*, 18 April 1985, c. *249*]: An owner of forest land is not required at present to seek statutory approval for the aerial spraying of his land with pesticides; he is required, however, to obtain clearance under the pesticides safety precautions scheme for the use of the particular pesticide, unless he proposes to use azulam for the control of bracken. The flight operator must hold an aerial application certificate issued by the Civil Aviation Authority.

WALES

Disabled People (Assistance)

Mr. Alfred Morris asked the Secretary of State for Wales if he will list the number of cases and the rate per 1,000 population in each local authority who received assistance with holidays in 1983-84.

Mr. Wyn Roberts: The information is given in the following table:

Social services: assistance with holidays

Local Authority	Cases receiving assistance with holidays*	Rate per 1,000 population
Clwyd	120	0·3
Dyfed	—	—

Local Authority	Cases receiving assistance with holidays*	Rate per 1,000 population
Gwent	1,122	2·6
Gwynedd	67	0·3
Mid Glamorgan	681	1·3
Powys	32	0·3
South Glamorgan	669	1·7
West Glamorgan	736	2·0

* Year ending 31 March 1984.

Mr. Alfred Morris asked the Secretary of State for Wales if he will list the number of cases and the rate per 1,000 population in each local authority who received assistance with the installation of telephones in 1983-84.

Mr. Wyn Roberts: The information is given in the following table:

Social services: telephone installations

Local Authority	Cases receiving assistance with the installation of telephones*	Rate per 1,000 population
Clwyd	91	0·2
Dyfed	50	0·2
Gwent	174	0·4
Gwynedd	91	0·4
Mid Glamorgan	850	1·6
Powys	9	0·1
South Glamorgan	177	0·4
West Glamorgan	90	0·2

* Year ending 31 March 1984.

Mr. Alfred Morris asked the Secretary of State for Wales if he will list the number of cases and the rate per 1,000 population on each local authority who received assistance with the payment of telephone rentals in 1983-84.

Mr. Wyn Roberts: The information is given in the following table:

Social services: telephone rentals

Local Authority	Cases receiving assistance with the payment of telephone rentals*	Rate per 1,000 population
Clwyd	314	0·8
Dyfed	554	1·6
Gwent	1,245	2·8
Gwynedd	288	1·2
Mid Glamorgan	2,566	4·8
Powys	48	0·4
South Glamorgan	1,175	3·0
West Glamorgan	731	2·0

* Year ending 31 March 1984.

Mr. Alfred Morris asked the Secretary of State for Wales if he will list the number of cases and the rate per 1,000 population in each local authority who received assistance with adaptations to the home in 1983-84.

Mr. Wyn Roberts: The information is given in the following table:

Social services: assistance with adaptations

Local Authority	Cases receiving assistance with adaptations to the home*	Rate per 1,000 population
Clwyd	646	1·6
Dyfed	107	0·3
Gwent	140	0·3
Gwynedd	266	1·2
Mid Glamorgan	1,635	3·0
Powys	50	0·4
South Glamorgan	354	0·9
West Glamorgan	387	1·1

* Year ending 31 March 1984.

Mr. Alfred Morris asked the Secretary of State for Wales if he will list the number of cases and the rate per 1,000 population in each local authority who received assistance with the provision of aids in 1983-84.

Mr. Wyn Roberts: The information is given in the following table:

Social services: provision of aids

Local Authority	Cases receiving assistance with the provision of aids*†	Rate per 1,000 population
Clwyd	7,812	19·8
Dyfed	4,358	13·0
Gwent	5,624	12·8
Gwynedd	2,188	9·4
Mid Glamorgan	9,233	17·2
Powys	1,011	9·1
South Glamorgan	2,383	6·1
West Glamorgan	2,038	5·6

* Year ending 31 March 1984.
† This figure includes telephone installations, attachments installed and rentals paid; other communication equipment installed; television installations, licence fees or rentals paid; radio sets supplied; other personal aids.

Cattle (Headage Payments)

Dr. Roger Thomas asked the Secretary of State for Wales if he will estimate how many farmers in *(a)* Dyfed and *(b)* the Carmarthen constituency would benefit if headage payments for the first 20 cows were to be allowed in the less favoured areas of these localities.

Mr. Nicholas Edwards: Hill livestock compensatory allowance under article 15(1)*(a)* of EC regulation 797/85 on the first 20 dairy cows per eligible farmer would benefit some 2,500 farmers in Dyfed. A breakdown to give a figure for part of the county could be obtained only at disproportionate cost.

HOME DEPARTMENT

Greater London Council (Arson Attack)

Mr. John Fraser asked the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis on the progress of investigations into the arson attack on Room 686A at the Greater London council recently; and if he will make a statement on the substance of the report.

Mr. Giles Shaw: The Commissioner of Police of the Metropolis informs me that in the early evening of 26

March a fire caused considerable damage to Room 686A at county hall. An investigation into the incident, which is being treated as arson, is led by a senior detective and is continuing.

Police (Overtime)

Mr. Hayes asked the Secretary of State for the Home Department what assessment he has made of the impact on the effectiveness of police investigations in the metropolitan area of recent reductions in overtime worked; and if he will make a statement.

Mr. Giles Shaw: The Metropolitan police estimates for 1985-86 which my right hon. and learned Friend approved earlier this year contain provision for £58 million for police overtime payments compared with an outturn of about £55 million in 1984-85, excluding overtime worked in connection with the miners' dispute. The Commissioner of Police of the Metropolis has introduced a new system, which comes into effect on 1 April this year, under which each deputy assistant commissioner in charge of an area or department is given an annual overtime allocation which he may distribute to the districts or branches under his command as necessary according to operational priorities. This is in line with the Commissioner's goal of ensuring the most effective, efficient and economical use of available resources.

The overriding principle in authorising overtime will continue to be that no overtime should be worked unless a failure to do so would lead to a loss in operational efficiency.

Telephone Tapping

Mr. Cohen asked the Secretary of State for the Home Department (1) if he will introduce legislation to provide that communications intercepted via a microphone placed within the physical structure of a public telephone booth, but not within the telephone itself, require a ministerial warrant;

(2) if he will introduce legislation to provide that communications intercepted via a microphone placed in the mouthpiece of a public telephone require a ministerial warrant.

Mr. Brittan: The Government have introduced legislation on the interception of communications in the course of their transmission by means of a public telecommunications system. The legislation provides a system of ministerial authorisation for the interception of such communications by whatever means, and any interception outside the requirements of the Bill will be a criminal offence. Beyond that, as I explained during the Second Reading of the Bill, 12 March, column 156-57, the Government consider that the approach adopted by the Law Commission in its report on breach of confidence —October 1981, Cmnd. 8388—is the appropriate one, and I announced that the Government intend to introduce legislation based on its proposals, under which there would be a right of civil action against anyone who used or disclosed information obtained by "improper means", including the surreptitious use of a surveillance device. I also reminded the House that the Home Office guidelines on the use of equipment in police surveillance operations a copy of which was placed in the Library of 19 December 1984, rule out any attempt to use a listening devise as a means of circumventing the controls over authorised interception.

Siege (Leyton)

Mr. Cohen asked the Secretary of State for the Home Department, further to the answer of 15 April, *Official Report*, column 13, about the siege in Lea Bridge Road, Leyton, on 2 April, if he will call for a report from the Commissioner of Police of the Metropolis to indicate *(a)* how many police officers were present at this siege and *(b)* how many of them were armed or had access to arms.

Mr. Giles Shaw: I understand from the Commissioner that 27 officers were deployed, of whom 11 were issued with firearms.

Police (Emergencies)

Mr. Cohen asked the Secretary of State for the Home Department what proportion of police service work is involved in dealing with emergencies; and how this is reflected in current pay levels.

Mr. Giles Shaw: All aspects of police work are reflected in the present rates of pay. It would not be practicable to try to assess the proportion of police time spent in dealing with emergencies of various kinds.

Metropolitan Police (Services)

Mr. Tony Banks asked the Secretary of State for the Home Department what payments have been received by the Metropolitan police from each of the London Football League clubs for police services, to the most convenient date in the season 1984-85.

Mr. Giles Shaw: The Commissioner of Police of the Metropolis tells me that the information requested is as follows:

Payments received by the Metropolitan Police for police services at matches played during the football season 1984-85 to 19 April 1985

	Payments £
Arsenal	79,000·73
Brentford	19,596·80
Charlton Athletic	15,205·96
Chelsea	127,139·82
Crystal Palace	14,400·96
Fulham	14,219·39
Milwall	27,078·91
Orient	6,660·63
Queens Park Rangers	51,322·58
Tottenham Hotspur	114,181·94
West Ham United	66,384·71
Wimbledon	17,875·15

Police Complaints Authority

Mr. Wheeler asked the Secretary of State for the Home Department what further progress has been made with appointments to the Police Complaints Authority.

Mr. Brittan: I have already announced the appointment of the right hon. Roland Moyle and Rear Admiral John Bell as full-time deputy chairmen of the new authority under Sir Cecil Clothier's chairmanship.

I am glad to announce the following have accepted my offer of appointment as full-time members of the authority:

Mr. Vernon Clements
Mrs. Eva Crawley
Mr. Maurice Hazelwood
Mr. John Lyttle
Mr. Vincent Moore
Brigadier John Pownall
Captain Noel Taylor (MN)
Mrs. Rosemary Vickers
Mrs. Rosemary Wolff

The authority will start work on 29 April. I expect to appoint one further additional member shortly.

ENERGY

North Sea Oil

Mr. Gordon Brown asked the Secretary of State for Energy what was the level of exports of products derived from North sea crude oil expressed as a percentage of North sea crude production in each year since 1979.

Mr. Buchanan-Smith: The United Kingdom refinery industry uses a mixture of North sea and other crude oils in refinery operations. Petroleum products are thus derived from a complex process of mixing, refining and blending, of which North sea crude oils are a major component. Total United Kingdom product exports by weight expressed as a percentage of total crude production since 1979 are as follows:

Product Exports as Percentage of United Kingdom Crude Oil Production

Year	*Percentage*
1979	17·4
1980	18·5
1981	14·5
1982	13·5
1983	13·2
1984	11·8

Source: Energy trends, March 1985, Table 11.
Note: These figures include a very small amount of United Kingdom non-North sea crude.

Mr. Gordon Brown asked the Secretary of State for Energy what was the number of obligatory wells required as conditions in the allocation of licences in rounds 1 to 5; and what so far has been the number actually drilled.

Mr. Buchanan-Smith: The position, round by round, is:

Licensing Round	*Obligatory Wells (firm & conditional)*	*Obligatory Wells Drilled*
1	98	92
2	45	37
3	49	37
4	225	174
5	52	33

The period within which the obligatory wells have to be drilled has not yet been completed for all fifth round licences.

Mr. Gordon Brown asked the Secretary of State for Energy what was the amount of North sea crude oil refined in Britain each year since 1980; and if he will express that amount as a percentage of North sea crude oil production.

Mr. Buchanan-Smith: The amounts of North sea crude oil refined in Britain since 1980 were as follows —all figures in million tonnes—

	Million Tonnes
1980	39·84
1981	37·77
1982	40·29
1983	44·82
1984	*45·35

* Provisional.

The amounts of North sea crude oil refined in Britain as a percentage of North sea crude oil production are as follows:

	Percentage
1980	50·5
1981	42·9
1982	40·2
1983	40·5
1984	37·4

Source: Energy Trends March 1985. Table 11. UK Basis (Excludes natural gas liquids as distinct from crude oil)

Petrochemicals

Mr. Gordon Brown asked the Secretary of State for Energy what was the cost to the balance of payments of the import of refined petrochemical products in each year since 1975; and if he will express that as a percentage of total imports.

Mr. Buchanan-Smith: The value of imports of refined and semi-refined petroleum products is given below:

	Value (£m)	*Value as percentage of total visible imports*
1975	699	2·9
1976	930	3·0
1977	968	2·7
1978	998	2·4
1979	1,550	3·2
1980	1,802	3·6
1981	2,123	4·1
1982	2,326	4·1
1983	2,423	3·7
*1984	4,231	5·4

* Provisional; All figures include process oils which are used in the United Kingdom as a refinery feedstock.

NATIONAL FINANCE

Civil Service

Mr. Donald Stewart asked the Chancellor of the Exchequer how many persons were employed in the Civil Service at the most recent available date in Scotland and the United Kingdom, respectively; and what were the comparable figures for the same date in 1979.

Mr. Lawson: The following table shows the staff of the Home Civil Service and the diplomatic service employed in Scotland and the rest of the United Kingdom in January 1979 and January 1985. Staff of the Northern Ireland Civil Service are excluded.

*Civil servants in Scotland and elsewhere in the United Kingdom**

	January 1979	*January 1985*
Scotland	70,800	†64,700
Elsewhere	662,400	†554,900
TOTAL UNITED KINGDOM	733,200	†619,600

* Full-time equivalents.
† Figures are provisional at present.

Subsidised Nursery Places (Tax)

Sir Geoffrey Johnson Smith asked the Chancellor of the Exchequer whether the Inland Revenue intends to recover tax for back years from those in receipt of the benefit of an employer subsidised nursery place.

Mr. Moore: In law, the benefit of an employer subsidised nursery place has been taxable on directors and those employees currently earning at a rate of £8,500 a year since the legislation was first enacted in 1948. This is in common with most other benefits in kind. Although the Board of Inland Revenue cannot take responsibility for the content of the wide variety of published material on taxation matters, it is conscious that the mistaken advice given in the Equal Opportunities Commission manual and the *Which? Tax Saving Guide* may have misled many employees whose children attended such nurseries. The board recognises that such employees may have suffered uncertainty and anxiety because of this mistaken advice. In these exceptional circumstances and because of the hardship that might result if the tax due for back years was collected, the board has decided that it would not be appropriate to seek to recover tax for periods before 6 April 1985. This decision will be given the usual publicity and a copy of an Inland Revenue press release announcing its terms will be placed in the Library.

Agricultural Land

Mr. Austin Mitchell asked the Chancellor of the Exchequer what is his estimate of the amount of revenue forgone in 1984-85, both before and after corporation and income taxes, in consequence of the rating exemptions and reliefs on agricultural land.

Mr. Moore: I shall let the hon. Member have a reply as soon as possible.

Exchange Rate

Sir David Price asked the Chancellor of the Exchequer what have been the changes in the exchange rate of the pound sterling to the dollar and in the minimum lending rate since he presented his Budget on 19 March.

Mr. Ian Stewart [*pursuant to his reply*, 22 April 1985, c. *373*]: Between 19 March and 19 April 1985, sterling appreciated 14 per cent. against the dollar from $1·1360 to $1·2937. The Bank of England ceased to post a continuous minimum lending rate on 20 August 1981, and no minimum lending rate has been posted since the Budget. Bank base rates have fallen from 14 per cent. on 19 March to between 12½ and 12¾ per cent. on 19 April.

EC (Finance)

Mr. Teddy Taylor asked the Chancellor of the Exchequer what estimate he has made of the amount by which Britain's net contribution to the European Economic Community in future years under the Fontainebleau arrangements will be increased or decreased if the proposal by the European Economic Community Commission dated 21 February to exclude from allocated expenditure a number of items in addition to the exclusion of development aid is adopted; and if he will make a statement.

Mr. Ian Stewart [*pursuant to his reply*, 23 April 1985, c. *428*]: The Commission's proposals are in fact intended to show the gradual inclusion of items in the allocated budget, rather than their exclusion from it. The effect on the United Kingdom's net controbutions to the EC budget of the Commission's proposed definition of allocated expenditure depends on the amount of the excluded expenditure which would, if allocation were possible, be allocated to the United Kingdom. There is no way of knowing what this cost would be.

Mr. Teddy Taylor asked the Chancellor of the Exchequer what estimate he has made of the amount of the United Kingdom rebate under the Fontainebleau formula which will be delayed until the next year in consequence of the proposal by the European Economic Community Commission dated 21 February to base the United Kingdom's abatement on a provisional or preliminary calculation; and if he will make a statement.

Mr. Ian Stewart [*pursuant to his reply*, 23 April 1985, c. *428*]: The Commission's proposal to base the United Kingdom's abatement on the figures available when the preliminary draft budget is drawn up simply recognises the realities of the situation. The figures must be calculated in this way if the abatement is to be included in the budget so as to apply from 1 January of the following year. The figures that will be involved will depend entirely on particular circumstances: it is impossible to estimate them in advance, and as is always the case they could differ from them in either direction.

Mr. Teddy Taylor asked the Chancellor of the Exchequer if he will list in the *Official Report* the various items of expenditure by the European Economic Community which the Commission proposes in its communication dated 21 February should be excluded from allocated expenditure in addition to development aid in relation to the calculation of the United Kingdom's abatement under the Fontainebleau arrangements; and if it is the intention of Her Majesty's Government that a detailed and comprehensive list of such items should be determined before the final own-resources decision is approved by the Council of Ministers.

Mr. Ian Stewart [*pursuant to his reply*, 23 April 1985 c. *428*]: The only items, apart from Development Aid and the United Kingdom's refunds (which will not feature in future budgets) which the Commission is proposing to exclude from the allocated budget, are various representation expenses and the Contingency Reserve. If items of expenditure are transferred from the reserve to the budget lines, they will then fall within the allocated budget. The rest of the Commission's communication sets out its proposals for including in the allocated budget items that have hitherto been excluded. The Council of Ministers has accepted the Commission's proposals for the gradual extension of the allocated budget with the exception of one item that relates to fisheries agreements with third countries and was included in error.

Mr. Teddy Taylor asked the Chancellor of the Exchequer what estimates he has made as to how the net payment to be made by the United Kingdom to the European Economic Community for 1985 and the years immediately following on the basis of a value added tax contribution of 1·4 per cent. will compare with the actual net payment made by the United Kingdom in 1984 and the years immediately before on the basis of a 1 per cent. value added tax payment; and if he will make a statement.

Mr. Ian Stewart [*pursuant to his reply*, 23 April 1985 c. *428*]: The Government's latest projection of the United Kingdom's net contribution to the Community (along with figures for earlier years) is contained in the public expenditure White Paper (Cmnd. 9428).

The White Paper figures assume that the 1 per cent. VAT ceiling will be raised to 1·4 per cent. on 1 January 1986. However, they allow for some supplementary financing of both the 1984 and 1985 Community budgets.

As a result of the agreement reached at Fontainebleau on VAT abatements, the United Kingdom's VAT rate after abatement is likely to remain below 1 per cent., while that in other member states will be in excess of 1 per cent., the United Kingdom's net payments to the Community in future years are likely to be about half of what they would have been had there been no agreement, no refunds or abatements, and had the 1 per cent. VAT ceiling remained in force.

Mr. Teddy Taylor asked the Chancellor of the Exchequer if the agreement made at the Fontainebleau Council of Ministers placed any restriction on the timing of the approval by the Parliaments of member states of the increase in own resources as a precondition to the payment of the £600 millions rebate for 1984; and if the position has altered in any respect following the decisions of subsequent meetings of the Council of Ministers.

Mr. Ian Stewart [*pursuant to his reply*, 23 April 1985, c. *428*]: The payment in 1985 of the United Kingdom's VAT abatement of 1,000 mecu would be incompatible with the present own-resources decision, and so provision had to be made for it in the new one which is required to implement the Fontainebleau mechanism for the United Kingdom's abatements in future years and the increase in the VAT ceiling to 1.4 per cent. Neither the United Kingdom's 1984 abatement nor the increase in the ceiling can, therefore, be implemented until national Parliaments of all member states approve the new own-resources decision.

AGRICULTURE, FISHERIES AND FOOD

Wheat and Barley (Intervention Stocks)

Mr. Body asked the Minister of Agriculture, Fisheries and Food what plans he has to increase storage capacity for wheat and barley taken in intervention after the next harvest.

Mr. MacGregor: The Intervention Board for Agricultural Produce normally reserves storage space as the need for it is established. The board is currently inviting tenders for storage space additional to that already under contract for intervention grain for the early part of the 1985-86 season.

Mr. Body asked the Minister of Agriculture, Fisheries and Food what is the number of tonnes of wheat and barley, in addition to what is already in store, which can be taken into store by the Intervention Board in stores it already has.

Mr. MacGregor: There is space at present for a further 58,000 tonnes of barley and 203,000 tonnes of wheat in intervention stores in Great Britain.

Horticulture (Wage Levels)

Mr. Iain Mills asked the Minister of Agriculture, Fisheries and Food what representations he has received about the implications of the level of wage increases proposed by the horticultural section of the Agricultural Wages Council on the viability of small horticultural operators.

Mrs. Fenner: I received six letters from the horticultural sector, objecting to the increase in minimum wages set by the Agricultural Wages Board to take effect from 2 June 1985.

EC (Food Surpluses)

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what decisions have been made by the Management Committee of the common agricultural policy dealing with the disposal of food surpluses on the sale of food and wine on terms more advantageous than the normal rebated prices; if he will detail, in respect of the past 12 months, the contracts approved, the quantities and prices involved, and the countries receiving the special supplies; and if the representative of Her Majesty's Government on the Committee approved or voted against each particular contract.

Mr. Jopling: The proposals on which decisions were made in the Management Committee for milk and milk products, involving special sale terms for the export of butter, the only commodity for which such measures have been taken in the last 12 months, are as follows. In all cases which involved discriminatory special sales the United Kingdom representative on the committee voted against the adoption of the measures. However it is not the business of the Management Committee to approve individual contracts. Since some contracts involved butter sold under a combination of these regulations, it is impossible to be specific about prices. To date, the Commission estimates that 350,000 tonnes of butter have been sold under these regulations taken together.

26 July 1984—Adoption of regulation (EEC) 2268/84, which provides for the sale of butter aged at least six months old from intervention stock for export with a subsidy of 9·26p per lb in addition to the export refund.

26 July 1984—Adoption of regulation (EEC) 2278/84, which provides for the sale of butter taken into intervention store before 1 April 1983 for export as ghee with a subsidy of 11.23p per lb in addition to the export refund for butteroil.

As adopted, regulation 2268/84 applied only in respect of the USSR and certain Middle East countries. Regulation 2278/84 applied only in respect of certain Middle East countries.

16 October 1984—Adoption of amendments to regulation 2268/84 to increase the subsidy to 9·68p per lb and to provide for the export of butter sold under this regulation in the form of butteroil.

16 October 1984—Adoption of regulation (EEC) 2956/84, title II of which provided for the sale of butter, stored in intervention stocks since before 1 April 1983 for export either as butter or in the form of butteroil to the destinations specified in regulation 2268/84, with a subsidy of 39·72p per lb in addition to the relevant export refund. Access to butter under this regulation was limited to traders who had purchased at least

50,000 tonnes of butter under Regulation 2268/84 and who concluded contracts to export all the butter purchased under 2956/84 to one destination.

29 November 1984—Adoption of a Commission proposal amending regulations 2268/84 and 2278/84 to apply them in respect of exports to all destinations and repealing title II of regulation 2956/84.

14 February 1985—Adoption of a Commission proposal amending regulation 2268/84 to provide for a subsidy of 7·72p per lb in addition to the export refund in butter exported from stocks under EEC-aided private storage contracts.

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food if the approval of Her Majesty's Government or their representative in the management Committee of the Common Market will be required before the Common Market Commission concludes its deal through the Interaga company of Paris to sell 380,000 tonnes of butter to the Soviet Union at 16p per pound; and if he will make a statement.

Mr. Jopling: The Community currently has 895,996 tonnes of butter in its intervention stocks. Any proposals for the sale of this butter on special terms would have to be put to representatives of member States in the Management Committee, where a vote would be taken. There are no such proposals before the Management Committee at the present time.

Agriculture Council

Sir Geoffrey Johnson Smith asked the Minister of Agriculture, Fisheries and Food what was the outcome of the Council of Agriculture Ministers' meeting held in Brussels on 22 to 23 April; and if he will make a statement.

Mr. Jopling: With my hon. Friend the Minister of State in my Department, I represented the United Kingdom at the meeting of the Agriculture Council on 22 and 23 April 1985.

The Italian presidency presented a paper on 1985-86 CAP prices which they hoped might facilitate progress. However, it became clear during the meeting that it did not form the basis for a settlement.

Discussion will resume at the next meeting of the Council beginning on 2 May. Further compromise proposals from the presidency and/or the Commission are expected to be put forward. The President has stated that this meeting will continue for so long as is necessary to reach a conclusion.

The Council agreed to extend the 1984-85 marketing years for beef and veal, sheepmeat, milk products, dried fodder and cauliflowers to 5 May.

Animals (Slaughter)

Mr. Phillip Oppenheim asked the Minister of Agriculture, Fisheries and Food what steps are taken to ensure that animals in pain are slaughtered without delay.

Mrs. Fenner [*pursuant to her reply*, 22 April 1985, c. *381*]: It is illegal under the Agriculture (Miscellaneous Provisions) Act 1968 to permit livestock on agricultural land to suffer unnecessary pain; and there are powers under the Protection of Animals Act 1911 for a police constable to order the destruction of an animal which it is cruel to keep alive.

It is a requirement of the Slaughter of Animals (Prevention of Cruelty) Regulations 1958 that any animal which is in pain on arrival or subsequently at a slaughterhouse, knacker's yard or lairage attached to a slaughterhouse should be slaughtered without delay.

Grass Carp

Mr. Mason asked the Minister of Agriculture, Fisheries and Food what regulations are in force to control the introduction and use of grass carp; whether grass carp (Ctenopharyngodon idellus), have been subject to his scientific department's attention before being released into British waters; if he will list the waters in which they have been introduced; and if he will make statement.

Mr. Macgregor [*pursuant to his reply*, 23 April, c. *387*]: For some 16 years, from 1964, my directorate of fisheries research were involved in research into the potential use of grass carp (Ctenopharyngodon idellus) for weed control purposes. This work is now completed.

Under section 30 of the Salmon and Freshwater Fisheries Act 1975, it is an offence to introduce any fish or spawn of fish into an inland water in England and Wales unless consent has been obtained first from the water authority within whose area the water is situated; this applies to grass carp as much as to any other species.

Under section 14 of the Wildlife and Countryside Act 1981, the release into the wild of grass carp—it is not ordinarily resident in and is not a regular visitor to Great Britain in a wild state—is prohibited except under licence. I and my right hon. Friends the Secretaries of State for Scotland and Wales are responsible for the issue of such licences for grass carp. Before we issue a licence we are required to consult the Nature Conservancy Council which acts as our statutory adviser; to date, the only purpose for which such licences have been issued is weed control, and in every case the issue has been in accordance with the criteria specified by the Nature Conservancy Council.

Licences for the release of grass carp into the wild have been issued under the 1981 Act as follows:

Location	*Number of Licences*
ENGLAND	
Bedfordshire	1
Berkshire	1
Buckinghamshire	2
Dorset	2
Gloucestershire	2
Greater Manchester	2
Hampshire	1
Herefordshire	1
Hertfordshire	1
Humberside	2
Kent	1
Lincolnshire	4
Merseyside	4
Norfolk	1
Northamptonshire	1
North Yorkshire	2
Oxfordshire	1
Surrey	1
West Midlands	1
Worcestershire	2
WALES	
Clwyd	1
Gwent	1
South Glamorgan	1
West Glamorgan	1

Location	Number of Licences
SCOTLAND	
Banffshire	1

Records are not maintained centrally of releases made before the provisions of the Wildlife and Countryside Act came into operation.

Intervention Stocks

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what has been the percentage increase or decrease in the intervention stocks of the European Economic Community, both in public and private stores, over the past 12 months in the particular cases of cereals, butter, powdered milk, beef and sugar, respectively.

Mr. MacGregor [*pursuant to his reply*, 23 April, 1985, c. *387*.]: The figures requested are as follows:

Percentage Change in EC Stocks
(March 1984 to March 1985 (per cent.))

	Public Intervention	*Private Storage*
Cereals	+121	‡
Butter	−6·8	*
Skimmed Milk Powder	−45·7	‡
Beef†	+74·1	+704·2
Sugar	*	‡

Notes:
* 1984 figure was zero.
† Public intervention figures relate to percentage increase in stocks from February 1984 to February 1985; private storage figures relate to percentage increase in stocks from January 1984 to January 1985.
‡ No assisted private storage schemes exist for these products.

Export Rebates

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what was the total sum expended by the European Economic Community in providing export rebates to subsidise the export of cereals, butter, powdered milk, beef and sugar, respectively, in the most recent 12 month period for which figures are available; and by what percentage these totals exceed or were less than the comparable individual totals in the previous 12 months.

Mr. Jopling [*pursuant to his reply*, 23 April, 1985 c. *388*.]: The following table sets out the information requested:

	Mecu 1983	*1984*	*per cent. change*
Cereals	1525·0	918·3	−39·8
Butter	498·8	589·7	+18·2
Skimmed milk powder*	151·2	353·7	+133·9
Beef	828·2	1392·7	+68·2
Sugar	758·1	1190·0	+57·0

Source:
1983 Commission EAGGF Financial Report
1984 Provisional Commission figures
* Export Refunds on other types of milk powder are not separately identified.

EMPLOYMENT

Benefit System (Personal Data)

Mr. Ashdown asked the Secretary of State for Employment if he will list the personal data held on the computerised national unemployment benefit system for each person receiving benefit.

Mr. Alan Clark: The computerised national unemployment benefit system holds both personal details about claimants and the details of their claim to benefit. The latter are often complicated and technical and to some extent therefore the following list is a summary.

The information held is:
(1) Name.
(2) National insurance number.
(3) Date of birth.
(4) Address.
(5) Sex.
(6) Marital status.
(7) Whether the person is a student.
(8) Whether the person has worked since leaving full time education.
(9) The post office at which the person will cash benefit girobank cheques.
(10) Whether girobank cheques are to be posted to the person or handed to him/her at the unemployment benefit office.
(11) The weekday on which the claimant must attend to make his/her weekly or fortnightly claim for benefit.
(12) A code letter to indicate where claim documents are filed.
(13) The beginning and end dates of the current period of claim and the cumulative total of days paid.
(14) The date and amount of the last payment made to the person.
(15) The dates and rates at which benefit has been paid on the current claim.
(16) Dates for which an increase of benefit for a dependant has been admitted.
(17) Dates and amounts of supplementary allowance overall need.
(18) The dates of any period for which benefit has been suspended, disallowed or disqualified and the reason for it.
(19) The code number of the last office at which unemployment or incapacity benefit was claimed.
(20) The code number of the current office of claim.
(21) Whether the next payment of benefit is to be made to another person appointed by the claimant to receive it. The name and address of that person.
(22) Details of national insurance contributions paid by or credited to the claimant which may be relevant to the current claim.
(23) Information on whether the contribution conditions for receipt of benefit are satisfied.
(24) Whether the person has exhausted entitlement to unemployment benefit or has requalified for benefit following exhaustion.
(25) Dates of any known periods of full-time education or training which may be relevant to the claim.
(26) Information on the satisfaction of the additional condition for receipt of benefit for full time students.
(27) Information relating to the award of special credits to widows and women whose marriages have terminated.
(28) Information relating to the award of special credits to people who have recently begun paying national insurance contributions.
(29) Dates of marriage and termination of marriage.
(30) Dates of a married woman's election to pay or not pay reduced rate national insurance contributions.
(31) Weeks for which credits of national insurance contributions are available in the current period of claim.
(32) Details of earnings declared by the person and deducted from supplementary allowance otherwise due.
(33) Details of previous spells of unemployment, incapacity or approved training which could affect the current claim.
(34) The date or dates and reasons that the claim is to be reviewed.

(35) A detailed record of days for which benefit was claimed in the current spell.
(36) Dates of any delayed claim for benefit admitted in the current spell.
(37) Details of previous pay and tax, tax references and tax code.
(38) Details of total benefit and total taxable benefit paid in the current spell.
(39) The amount of occupational pension affecting the claim.
(40) The type and amount of any other benefit received by the person or a dependant which may reduce or extinguish entitlement to unemployment benefit.
(41) The amount and type of any previously overpaid benefit which is to be recovered by deduction from current benefit.

Mr. Ashdown asked the Secretary of State for Employment how staff of his Department access personal data held on the computerised national unemployment benefit system; and whether personal data can be accessed without the national insurance number being given.

Mr. Alan Clark: Personal data can be accessed only by staff of this Department and the Department of Health and Social Security using the national insurance number and is output to unemployment benefit offices in printed form.

Computerisation

Mr. Ashdown asked the Secretary of State for Employment if he will make a statement on the results of the experiment conducted whereby on-line computer access to the Department of Health and Social Security general index was available to his Department's staff; and if he will describe what national insurance number tracing facilities will be available to his Department's staff when the planned terminal replacement and inquiry system is operational.

Mr. Alan Clark: The experiment showed that on-line tracing of national insurance numbers in unemployment benefit offices is a practicable and effective alternative to the present clerical tracing arrangements which exist between UBOs and DHSS Newcastle records.

On-line tracing facilities for national insurance numbers will not be available to unemployment benefit offices when the terminal replacement and inquiry service is first installed, but will be made available once the DHSS operational strategy departmenal central index is operational, which is currently planned for late 1987.

In the meantime, my Department is considering with DHSS a limited extension at regional level of the pilot tracing system to the existing DHSS general index.

Wages Councils

Mr. Thurnham asked the Secretary of State for Employment if he will provide the statistical evidence upon which the statement in the answer of 26 March, *Official Report*, column 416, third paragraph, regarding the effect of the possible abolition of wages councils on the circumstances of some employees was based.

Mr. Peter Bottomley: The statement in question is a value judgment not susceptible to statistical analysis.

Information Technology Centres

Mr. Stuart Holland asked the Secretary of State for Employment how many information technology centres are sponsored entirely or in part by local authorities.

Mr. Peter Morrison: One hundred and twenty-nine information technology centres are sponsored entirely or in part by local authorities.

Youth Training Scheme

Mr. Stuart Holland asked the Secretary of State for Employment whether non-qualifiers for youth training scheme schemes lose their supplementary benefit if scheme managers cannot accommodate them.

Mr. Peter Morrison: No. Young people are liable to have their benefit reduced only if they unreasonably refuse or leave a place on the youth training scheme.

Mr. Stuart Holland asked the Secretary of State for Employment (1) whether the Manpower Services Commission increases available places on schemes for non-qualifiers and non-examinees;

(2) whether additional support will be made available by Manpower Services Commission inspectors and their auditors for youth training schemes with a large intake of non-examinees or non-qualifiers.

Mr. Peter Morrison: I am satisfied that there are sufficient places on the youth training scheme to cater for the whole ability range, including those with no academic qualifications, and that the various methods of funding available offer the flexibility needed to accommodate those trainees who require extra help.

Mr. Stuart Holland asked the Secretary of State for Employment what provision the Manpower Services Commission is taking to enable young people with disabilities to be encouraged to join youth training schemes in cases where they are non-examinees.

Mr. Peter Morrison: The youth training scheme is open equally to all eligible young people, including those with disabilities and those without formal educational qualifications. Disabled youngsters are, of course, eligible to enter the scheme up to the age of 21. The Manpower Services Commission has introduced various measures to enable those who need special help to gain maximum benefit from the scheme, and has produced publicity material to encourage them to participate.

Energy Action Projects

Mr. Rost asked the Secretary of State for Employment what proportion of the additional places which have been made available under the community programme will be specifically earmarked for local energy action projects.

Mr. Peter Morrison: We asked the Manpower Services Commission in the autumn to ensure that, wherever possible, a high priority is given to proposals for funding energy conservation projects under the community programme. The expansion of the programme by 100,000 places to 230,000 places provides the opportunity for a further significant increase in the number of these projects.

Hairdressing

Mr. John Hunt asked the Secretary of State for Employment (1) in the case of each of the hairdressing businesses set up under the enterprise allowance scheme which have subsequently failed, how many were set up by qualified hairdressers and how many by unqualified hairdressers;

(2) how many hairdressing businesses have so far been set up under the enterprise allowance scheme; and how many of these businesses have subsequently failed.

Mr. Alan Clark: I refer my hon. Friend to the replies I gave the hon. Member for Stockton, North (Mr. Cook) on 28 March 1985 at column 145.

School Leavers

Mr. Hancock asked the Secretary of State for Employment how many young people left school in September 1984 in Portsmouth; how many got jobs; how many went to youth training schemes; and how many are unemployed.

Mr. Peter Morrison: Available information from the Hampshire careers service for the Portsmouth area shows that, at 12 November 1984, of 910 fifth-year leavers in 1984, 310 had been placed in or found employment, 503 were taking part in the youth training scheme and 88 were unemployed.

Young People (Pay)

Mr. Nellist asked the Secretary of State for Employment if he will estimate the average rates of pay for 16, 17 and 18-year-olds including those on Government training schemes, for the years 1979 and 1985, expressed at *(a)* 1979 prices, and *(b)* 1983 prices.

Mr. Peter Bottomley: Estimates of the earnings of 16, 17 and 18-year-olds are available from the "New Earnings Survey". This gives information for employees only and thus will only include those on Government training schemes who have employee status.

The table shows earnings for April 1979 and April 1984 (the latest date for which survey results are available) deflated using the retail price index.

Average weekly earnings of full-time employees whose pay was not affected by absence
Great Britain April

Age at 1 January	1979 (a) 1979 prices £	1979 (b) 1983 prices £	1984 (a) 1979 prices £	1984 (b) 1983 prices £
16	34·7	53·9	33·7	52·3
17	40·8	63·3	39·0	60·6
18	49·8	77·3	48·3	74·9

Benefit System (Equipment)

Mr. Ashdown asked the Secretary of State for Employment if he will describe the present computer equipment and communication links of the national unemployment benefit system; and if he will describe the changes planned under the terminal replacement and inquiry system.

Mr. Whitney: I have been asked to reply.

Under the current national unemployment benefit system, unemployment benefit offices transmit and receive information via teletype terminals linked by telegraph-speed lines to ICL 2966 mainframe computers at the Reading and Livingston computer centres. These terminals are to be replaced, over a two-year period, by Honeywell visual display units, which will be linked by British Telecom packet switchstream service to ICL dual 2966 machines at the two computer centres.

NORTHERN IRELAND

Terrorism

Mr. Maginnis asked the Secretary of State for Northern Ireland if he will list the terrorist organisations publicly claiming responsibility for murders in Northern Ireland for each of the years 1980, 1981, 1982, 1983 and 1984 and the numbers of murders thus attributable to each such organisation.

Mr. Scott: As far as it is known the information is as follows:

	1980	1981	1982	1983	1984
Provisional Irish Republican Army	26	30	34	32	30
Irish National Liberation Army	4	5	5	3	3
Irish Freedom Fighters	—	—	—	—	1
Ulster Freedom Fighters	—	2	—	1	2
Protestant Action Force	1	—	1	—	1

Disabled People (Assistance)

Mr. Alfred Morris asked the Secretary of State for Northern Ireland (1) if he will list the number of cases and the rate per 1,000 population in each area board who received assistance with the provision of aids in 1983-84;

(2) if he will list the number of cases and the rate per 1,000 population in each area board who received assistance with adaptations to the home in 1983-84;

(3) if he will list the number of cases and the rate per 1,000 population in each area board who received assistance with the installation of telephones in 1983-84;

(4) if he will list the number of cases and the rate per 1,000 population in each area board who received assistance with the payment of telephone rentals in 1983-84.

Mr. Chris Patten: The information for the year ended 31 December 1983 is as follows. Figures for 1984 are not yet available.

Type of assistance Health and Social Services Board	Number of cases	Rate per 1,000 population*
Provision of personal aids†		
Eastern	7,066	10·86
Northern	3,097	8·17
Southern	1,991	7·04
Western	433	1·67
Northern Ireland Total	12,587	8·00
Adaptations to homes‡		
Eastern	1,821	2·80
Northern	826	2·18
Southern	300	1·06
Western	25	0·10
Northern Ireland Total	2,972	1·89
Assistance with installation of telephones		
Eastern	480	0·74
Northern	158	0·42

Type of assistance Health and Social Services Board	Number of cases	Rate per 1,000 population*
Southern	45	0·16
Western	186	0·72
Northern Ireland Total	869	0·55
Assistance with payment of telephone rentals		
Eastern	2,375	3·65
Northern	678	1·79
Southern	256	0·90
Western	795	3·06
Northern Ireland Total	4,104	2·61

* The population figures used in the calculation of rate per 1,000 in the table were taken from the general register office's estimated population for each area at mid-year 1983.

† The information relates only to personal aids supplied through the social services departments of health and social services boards. Information about aids provided by boards through the hospital and community nursing services is not available and could be obtained only at disproportionate cost.

‡ In addition to those adaptations, the Northern Ireland Housing Executive carried out 6,059 adaptations to its own dwellings to meet the needs of disabled people and made 281 improvement and intermediate grants for private sector dwellings for a similar pupose.

Mr. Alfred Morris asked the Secretary of State for Northern Ireland if he will list the number of cases and the rate per 1,000 population in each area board who received assistance with holidays in 1983-84.

Mr. Chris Patten: Assistance with holidays is provided in Northern Ireland by both the health and social services boards and the education and library boards. The information for 1983-84 is as follows:

	Number	Rate per 1,000 population
Health and social services board		
Eastern	1,546	2·38
Northern	281	0·74
Southern	203	0·72
Western	342	1·32
Northern Ireland	2,372	1·51
Education and library boards		
Belfast	2,599	8·1
North-Eastern	3,010	8·6
South-Eastern	2,098	6·3
Southern	2,242	7·1
Western	1,589	6·1
Northern Ireland	11,538	7·3

In addition, the Department of Education (Northern Ireland) assisted 887 persons mainly through a holiday scheme run by Children's Community Holidays, a voluntary organisation which provides holidays for mixed religion groupings. A further 3,704 children were assisted under the Department's children's community relations holiday scheme. As those children are selected from across the Province, it is not possible to provide the information on an area board basis, but the majority are located in the greater Belfast area with Londonderry having the second highest number.

SOCIAL SERVICES

Privatisation Schemes

Mr. Thurnham asked the Secretary of State for Social Services what are the estimated savings by his Department for 1984-85 as a result of privatisation schemes.

Mr. Kenneth Clarke: Our information shows that tendering exercises completed so far have achieved savings of at least £9·4 million a year. All savings are retained by health authorities for expenditure on their patient services and are not returned to our Department.

NHS (Ancillary Workers)

Mr. Skinner asked the Secretary of State for Social Services (1) how many *(a)* female and *(b)* male ancillary workers were made redundant in the National Health Service in 1980, 1981, 1982, 1983 and 1984, respectively;

(2) how many jobs held by women workers have been lost in the National Health Service since May 1979.

Mr. John Patten: We do not collect the information requested centrally. However, between 1 April 1984 and 31 March 1985, 578 female and 267 male ancillary workers aged 50 or over with at least five years service qualified for early payment of retirement benefits on leaving the National Health Service because of premature retirement or redundancy.

Fazakerley Resettlement Unit

Mr. Kilroy-Silk asked the Secretary of State for Social Services on what evidence he bases his conclusion that the closure of the Fazakerley resettlement unit will not mean that homeless men have to sleep rough.

Mr. Whitney: Before the closure of Fazakerley resettlement unit, the needs of the users will be assessed and the process of regional consultation will result in recommendations for funding the type of accommodation and services that meet those needs to ensure that no-one need be made homeless as a result of this closure.

Mr. Kilroy-Silk asked the Secretary of State for Social Services how much has been spent on refurbishment at Fazakerley re-establishment and resettlement units since November 1981.

Mr. Whitney: Over £67,000 was spent on refurbishment at the Fazakerley resettlement unit and re-establishment centre in the financial years 1981-82, 1982-83 and 1983-84. Equivalent figures are not available in respect of the exact period required.

Mr. Kilroy-Silk asked the Secretary of State for Social Services how many men were referred to Fazakerley re-establishment centre in 1984 by each of his Department's offices *(a)* in the north-west, *(b)* on Merseyside and *(c)* in total.

Mr. Whitney: The number of men referred to the Fazakerley re-establishment centre in 1984 by the Department's offices on Merseyside is shown in the table. There were no referrals by any of the Department's offices outside Merseyside.

Offices	Number referred
Liverpool (Crosby) ILO	12
Liverpool (Edge Hill) ILO	13
Liverpool (Hisyton) ILO	6
Liverpool (Norris Green) AO	1
Liverpool (Kirkby) ILO	1
Liverpool (Toxteth) ILO	1
St. Helens ILO	6

Offices	Number referred
Southport ILO	1
Widnes ILO	1
Skelmersdale ILO	1
Total	43

Mr. Kilroy-Silk asked the Secretary of State for Social Services if it remains the view of his Department that the Fazakerley re-establishment and resettlement unit has buildings, pavings and roads that are in good condition and can be used until at least 1995.

Mr. Whitney: Yes. A survey conducted by the Property Services Agency in 1981 indicated that the buildings, roads and pavings at Fazakerley resettlement unit and re-establishment centre were in good condition and could be used until at least 1995 providing that maintenance continued at the then level. Maintenance has been continued at that level, thereby sustaining the position.

Drinking Water (Nitrate)

Mr. Kilroy-Silk asked the Secretary of State for Social Services (1) what evidence he has of a correlation connection between nitrate levels in drinking water and stomach cancer;

(2) what evidence is available to him of the risks to health of excessive levels of nitrate in drinking water.

Mr. Kenneth Clarke: Recent epidemiological studies carried out in the United Kingdom based on both nitrate concentrations in water and occupational exposure to fertilisers containing nitrate have not shown an association between exposure to nitrate and stomach cancer. Also, none of the studies provides convincing evidence that nitrate ingestion contributes to cancers of other sites.

Nitrate concentrations much in excess of 100 milligrams per litre can lead to the risk of infantile methaemoglobinaemia—and exceedingly rare condition in the United Kingdom. Where concentrations exceed 100 milligrams in the water supply at any one time, low-nitrate water is provided for infant feeding.

Children in Care

Mrs. Renée Short asked the Secretary of State for Social Services if he will list the number of children who have been in social services care in the west midlands region in each year since 1979 and the number of staff who have been employed to look after them during the same period.

Mr. John Patten: Complete information is not available in the form specified. Information on the numbers of children in the care of each of the local authorities in the west midlands region at 31 March 1983 and 1984 (where available) is given in the table. Information relating to 30 September 1983 on the numbers of staff employed by their social services departments to look after children in care who are accommodated in maintained/controlled community homes is also given. Information for previous years is given in the Department's annual publications entitled respectively "Children in Care of Local Authorities—England" and "Staff of Local Authority Social Services Departments —England", copies of which are in the Library.

Other categories of staff, for example, social workers, are also involved with children and young persons in care, but it is not possible to determine how much of their time is devoted to such children. These other categories of staff are enumerated in my other reply to the hon. Member today.

West Midlands (Local Authorities)	Children in Care		*Staff of Maintained/ Controlled Community Homes
	1983	As at 31 March 1984	As at 30 September 1983
Hereford and Worcester	855	807	227·2
Shropshire	630	632	89·2
Staffordshire	1,343	1,306	N/A
Warwickshire	585	N/A	91·7
Birmingham	2,873	N/A	857·6
Coventry	738	678	182·4
Dudley	355	332	49·7
Sandwell	253	211	99·3
Solihull	63	N/A	51·0
Walsall	534	477	70·0
Wolverhampton	635	589	N/A
Regional Total	8,864	N/A	N/A

N/A: Not yet available
* Expressed in whole-time equivalents

Social Services Staff (West Midlands)

Mrs. Renée Short asked the Secretary of State for Social Services what infomation he has as to the number of social services staff who have been employed in the west midlands region in each single year since 1979 in the following sectors: old people's homes, home help work, social work, children's homes, administration, day nurseries and day centres and mental illness and handicap homes.

Mr. John Patten: Information relating to 30 September 1983 on the numbers of staff employed by each of the social services departments in the west midlands region in the selected categories is given in the table. Information for previous years is given in the

Department's annual publication entitled "Staff of Local Authority Social Services Departments — England", copies of which are in the Library.

West Midlands (Local Authorities) Selected Categories of Staff employed by Social Services Departments
Number of whole-time equivalents as at 30 September 1983

	Hereford and Worcester	Shropshire	Stafford-shire	Warwick-shire	Birmingham	Coventry	Dudley	Sandwell	Solihull	Walsall	Wolver-hampton
Management and advisory staff	46·7	30·0	na	31·0	102·0	24·0	19·0	14·0	18·0	20·0	na
Other administrative and ancillary staff	152·3	57·9	na	119·5	387·1	150·5	79·8	81·0	24·7	92·8	na
Social work staff	249·4	137·0	na	178·0	666·4	237·2	125·0	146·9	66·5	116·6	na
Home Help service staff	658·0	264·0	na	553·0	1,410·7	432·9	294·2	342·5	139·0	225·0	na
Staff of Adult Training Centres	79·6	83·1	na	71·5	191·5	78·4	48·7	49·0	62·5	62·8	na
Staff of Day Centres	61·9	6·4	na	9·2	169·4	81·6	18·8	44·7	2·0	39·7	na
Staff of homes for the elderly and elderly mentally infirm	686·3	443·5	na	470·0	1,263·7	346·1	243·2	424·1	144·5	364·4	na
Staff of homes and hostels for the mentally ill	16·2	8·0	na	—	—	17·3	—	1·1	17·3	14·0	na
Staff of homes and hostels for mentally handicapped adults	67·5	44·0	na	15·5	139·0	41·2	19·0	41·2	38·4	70·2	na
Staff of homes and hostels for mentally handicapped children	47·3	—	na	23·2	—	27·5	—	8·2	—	10·1	na
Staff of maintained/ controlled community homes for children in care	227·2	89·2	na	91·7	857·6	182·4	49·7	99·3	51·0	70·0	na
Staff of day nurseries	24·7	—	na	—	422·1	142·0	—	45·9	14·2	32·7	na
Staff of part-time nursery groups	4·0	—	na	3·5	—	—	0·5	1·2	—	10·1	na

na=Not available.

Cervical Cancer

Mr. Nicholas Brown asked the Secretary of State for Social Services how many deaths there have been from cancer of the cervix in the northern region in the past two years.

Mr. Kenneth Clarke: The numbers of deaths from malignant neoplasm of cervix uteri (ICD (9th rev) 180) in the northern region in 1983 and 1984 were 155 and 134, respectively.

Mr. Nicholas Brown asked the Secretary of State for Social Services what steps he is taking to eradicate inequalities in provision between different health authorities for smear testing and treatment for cervical cancer.

Mr. Kenneth Clarke: We are distributing extra resources to the National Health Service in a way which is steadily achieving a fairer distribution between different regions of the country. The aim of our policy for allocating resources between authorities is to promote more equal access to health care for those with equal needs. Within the framework of national policy the level of provision of specific services to be provided out of these resources is mainly for district health authorities to decide, taking account of local needs and priorities.

Flu Vaccine

Mr. Pavitt asked the Secretary of State for Social Services if he will estimate the loss of revenue caused by the fact that medical practitioners do not have to reimburse his Department with the difference between prices paid for flu vaccine and the discounted prices charged by the manufacturers.

Mr. Kenneth Clarke: Since 1 July 1984 reimbursement prices paid to general medical practitioners have taken account of discount received. My reply on 14 March to my hon. Friend the Member for Glanford and Scunthorpe (Mr. Hickmet), at columns *243-44*, explained why there has never been any loss of revenue, even before the introduction of the discount scale.

Mr. Pavitt asked the Secretary of State for Social Services what was the total number of prescriptions for flu vaccine which were dispensed in each year from 1981 to 1984.

Mr. Kenneth Clarke: The total number of prescriptions for flu vaccines dispensed in England from 1981 to 1983 were as follows:

	Number
1981	273,000
1982	249,100
1983	219,600

1983 is the last year for which data are available.

Prescriptions

Mr. Pavitt asked the Secretary of State for Social Services if he will estimate the loss of revenue occasioned by the fact that prescriptions dispensed by medical practitioners do not require the collection of charges in the same manner as those dispensed by chemist contractors.

Mr. Kenneth Clarke: We have no evidence to suggest any loss of revenue. Like pharmacists, dispensing doctors are required to collect charges on the NHS items they dispense although they do not employ the same mechanism as pharmacists. However, we are keeping this matter under review.

National Insurance Contributions

Ms. Clare Short asked the Secretary of State for Social Services how many workers and how many employees have been prosecuted *(a)* nationally and *(b)* in the west midlands for non-payment of national insurance contributions for each of the last three years.

Mr. Whitney: The Department prosecutes employees for non-payment of national insurance contributions extremely rarely. The table shows the number of actions against employers who have not paid national insurance contributions for their employees. Separate figures are not readily available for criminal prosecutions taken in the west midlands area and the table refers to the midlands as a whole; similarly, separate regional figures are not readily available for civil actions mounted to recover unpaid national insurance contributions.

	Criminal prosecutions for non-payment of Class 1 national insurance contributions		*Civil actions to recover unpaid Class 1 contributions*
	Midlands	*National*	*National*
1982	233	808	1,137
1983	339	1,625	1,038
1984	524	2,278	976

Disabled People (Assistance)

Mr. Alfred Morris asked the Secretary of State for Social Services (1) if he will list the number of cases and the rate per 1,000 population in each local authority who received assistance with the provision of aids in 1983-84;

(2) if he will list the number of cases and the rate per 1,000 population in each local authority who received assistance with holidays in 1983-84;

(3) if he will list the number of cases and the rate per 1,000 population in each local authority who received assistance with the installation of telephones in 1983-84;

(4) if he will list the number of cases and the rate per 1,000 population in each local authority who received assistance with the payment of telephone rentals in 1983-84.

Mr. Newton: In view of the volume of information, I am sending it to the right hon. Member. I will also place copies in the Library.

Mr. Alfred Morris asked the Secretary of State for Social Services if he will list the number of cases and the rate per 1,000 population in each local authority who received assistance with adaptations to the home in 1983-84.

Mr. Newton: The Department did not collect information for 1983-84 on the total number of cases assisted with adaptations, for the reasons given in my reply to the right hon. Member on 3 April 1984, at column *480*, to his request for similar information relating to 1982-83. The collection of these returns has, however, been resumed for the current year.

Mr. Alfred Morris asked the Secretary of State for Social Services what use is made of the statistics gathered annually by his Department from individual local authorities concerning the number of cases of assistance given with regard to the provision of aids, adaptations, holidays and the installation and rental of telephones; and during which month each year they become available from his Department.

Mr. Newton: These data provide one of the inputs to the Department's development of policy on services for disabled people, and to its monitoring of trends in provision. The information, which is published annually, is also drawn on by local authorities themselves, voluntary and private organisations and others with an interest in this field, including, of course, right hon. and hon. Members. Provisional figures are usually available from the Department about seven or eight months after the end of the year to which they refer, and final figures after about 10 months.

Prestwich Hospital (Long-stay Patients)

Mr. Carter-Jones asked the Secretary of State for Social Services how many new long-stay mental illness patients have been admitted to Prestwich hospital by the Salford district health authority; if the judgment exercised regarding admitting such patients is being taken on medical or administrative gounds; what is the policy of his Department regarding the admission of such patients; and if he will make a statement.

Mr. Kenneth Clarke: The admission of long-stay mental illness patients to Prestwich hospital is the responsibility of the Salford district health authority. The hon. Member may wish to make inquiries of the chairman of the authority.

In general, our policy favours the provision of comprehensive services for mental illness patients on a district basis using facilities conveniently situated for the community served.

Limited List Prescribing

Mr. Latham asked the Secretary of State for Social Services whether he will reconsider the decision to exclude Asilone from the limited list of drugs available on National Health Service prescription; and whether he will give reasons for his decision on this matter.

Mr. Kenneth Clarke: The Chief Medical Officer's group of medical and pharmaceutical experts, set up to advise on the contents of the selected list, considered that there was no clinical need for antacid containing dimethicone, such as Asilone, and that they should be included in the schedule of products not available under the National Health Service. We accepted this group's advice in full.

Mr. Latham asked the Secretary of State for Social Services whether he will list the drugs which are available under the limited list and suitable for prescription for children to act as decongestants for mild sinusitis or eustachian catarrh; and whether he will review this position.

Mr. Kenneth Clarke: I am advised that doctors might prescribe Sudafed Elixir, Ephedrine Nasal Drops BPC 0·5 per cent. or Xylometazoline Hydrochloride Nasal Drops

BP 0·05 per cent., all of which are available under the National Health Service, for children with such conditions.

Mr. Sackville asked the Secretary of State for Social Services whether, in order to prevent the dispensing of Lobak for prescriptions written as chlormezanone/paracetamol, he intends to add chlormezanone to list B of the prescribing regulations.

Dr. Roger Thomas asked the Secretary of State for Social Services whether general practitioners may prescribe any medication on the list of prohibited preparations provided the medication is set out in terms of its generic contents which do not appear on the list of prohibited preparations.

Mrs. Renée Short asked the Secretary of State for Social Services if he intends to seek consultations with representatives of the British Medical Association and the Association of the British Pharmaceutical Industry to discuss the procedure adopted by some general practitioners of prescribing brand named drugs on the banned list under their generic names; and if he will make a statement.

Mr. Kenneth Clarke [*pursuant to his reply*, 22 April 1985, c. *355*]: A very small number of doctors are trying to evade the NHS selected list. I am afraid that they are being encouraged by certain pharmaceutical companies to use various devices in attempts to get scheduled drugs dispensed at NHS expense. One company has even gone so far as to make available rubber stamps listing the generic ingredients of a scheduled proprietary painkiller. I am glad to say that the use of such prescriptions by formula is, however, insufficient to achieve the intended result.

Regulations allow a pharmacist to substitute a scheduled drug only for one ordered by a non-proprietary name, which means a name listed in the British Pharmacopoeia or other reference work or formulary of similar standing. A list of ingredients is not a non-proprietary name, and no substitution may be made.

We will not penalise pharmacists who have dispensed invalid prescriptions in good faith and in accordance with accepted professional standards. We will, of course, take action against any doctor or pharmacist who continues to participate in these attempts to evade the regulations for the benefit of pharmaceutical companies at public expense.

Supplementary Benefit

Mr. Freud asked the Secretary of State for Social Services (1) how many Easter school leavers he expects to be affected by the recent decision concerning eligibility to supplementary benefit; and what annual sum will be involved;

(2) what steps he proposes to take to apprise Easter school leavers who will return to school to sit public examinations of their possible eligibility to supplementary benefit; and if he will make a statement;

(3) when he expects to issue new guidance concerning eligibility for supplementary benefit of Easter school leavers who return to school to take examinations, following the recent decision of the Social Security Commissioners; and if he will make a statement.

Mr. Newton: We estimate that about 8,000 to 9,000 young people may be affected by the recent decision of the Social Security Commissioners on the eligibility of school leavers for supplementary benefit, but the amount of benefit payable will vary according to individual circumstances and this makes it difficult to provide a meaningful estimate of the actual benefit expenditure involved. The implications of the decision have been brought to the attention of the local education authorities' careers services, who will be able to advise school leavers appropriately. The Chief Adjudication Officer is issuing new guidance to adjudication officers in local offices.

Bradford Area Health Authority

Mr. Lawler asked the Secretary of State for Social Services what has been the change in real terms for the Bradford district health authority between 1978 and 1983 in the *(a)* number of inpatient cases treated by hospitals, *(b)* number of day cases treated by hospitals, *(c)* number of outpatient attendances dealt with by hospitals, *(d)* spending on health services and *(e)* number of doctors and nurses.

Mr. John Patten [*pursuant to his reply*, 1 April 1985, c. *497*]: I am now able to respond to my hon. Friend as follows:

(a), (b) and (c) Hospital inpatient, day cases and outpatient attendances
Bradford district health authority (Bradford health district prior to 1. 4. 1982)

	1978	*1983*	*Change* *Number*	*Percentage*
Inpatient cases	49,550	55,775	+6,225	+12·6
Day cases	6,832	9,219	+2,387	+34·9
Total outpatient attendances	272,271	309,613	+37,342	+13·7

(d) Spending on Health Services

It is not possible to determine the amount of change in real terms because of the change in the composition of health authorities that occurred in 1982. The actual figures for revenue net of income for Bradford were:

1978-79 *£*	*1983-84* *£*	*Change* *Percentage*
27,635,939	51,778,600	+87

(e) Number of Doctors and Nurses

Medical Practitioners

Figures for Senior Registrars and Consultants are not included as figures held centrally as not split by district.

Medical Staff

1978	1983	Change Number	Change Percentage
272	292	+20	+7·3

Nursing and Midwifery Staff

The earliest available figures that relate to district health authorities are for 30 September 1979. It is therefore not possible to provide the figures required. However, comparison of 1979 and 1983 is as follows:

Nursing Staff (Whole Time Equivalents)

1979	1983	Change Number	Change Percentage
2,675	2,940	+265	+9·9

Any comparison of cost or manpower against throughout of patients is an extremely crude measure because it does not take into account varying factors such as age of patients and type and complexity of treatment given.

Written Answers to Questions

Thursday 25 April 1985

ENERGY

Domestic Fuel Costs

Mrs. Beckett asked the Secretary of State for Energy what were the average fuel costs of domestic consumers in the latest year for which information is available.

Mr. Buchanan-Smith: Figures for 1984, the latest year for which information is available, are as follows:

Average price of gas (including standing charge) to domestic credit meter consumers in Great Britain using 400 therms per annum—*44·7 pence per therm.

Average price of electricity (including standing charge) to consumers in England and Wales on the standard domestic tariff using 3,300 kwhs per annum—*6·027 pence per kwh.

Average price of housecoal (Group 2)—†£5·44 per 50 kg.

Average price of standard grade burning oil—‡19·67 pence per litre.

Sources: BCG, Electricity Council, NCB, Department of Energy.

* December 1984 price. Average prices for the year will depend on the pattern of consumption and the timing of tariff increases.

† Average of the December 1983 and December 1984 prices for a 50 kg bag in the London area.

‡ Average of prices prevailing in the 12 months of 1984.

Solar Energy

Mr. Ron Davies asked the Secretary of State for Energy what has been the level of capital investment in energy projects involving solar energy in each of the last five years for which figures are available.

Mr. David Hunt: My Department's spending on research and development on solar energy over the past five years has been as follows:

	£ million
1980-1981	0·9
1981-1982	0·7
1982-1983	1·4
1983-1984	0·9
1984-1985	0·5

My Department does not keep information on capital expenditure on the applications of solar energy by private and other agencies.

Nuclear Power

Mr. Adley asked the Secretary of State for Energy if he will make a statement on the future development of nuclear power.

Mr. Goodlad: The Government continue to attach importance to the safe and economic development of nuclear power.

Standing Charges

Mr. Freeman asked the Secretary of State for Energy if he will ask the chairman of the Electricity Council for a report on the operation of the low usage standing charge abatement scheme.

Mr. Goodlad: I have discussed the scheme with the chairman of the council, who has informed me that the industry has decided to end the scheme. The council is considering whether any useful alternative scheme can be devised to assist deserving consumers.

EDUCATION AND SCIENCE

University Courses (Industrial Placements)

Mrs. Renée Short asked the Secretary of State for Education and Science what representations he has received since 1979 from employers in private industry expressing their wish for a greater say in the content of postgraduate or undergraduate courses involving students whom they sponsor and to whom they intend to offer an industrial placement.

Mr. Brooke: The Department has no record of receiving such representations. The content of courses is primarily a matter for the institutions offering them and employers could normally be expected to discuss these matters with institutions direct.

Further Education

Mr. Deakins asked the Secretary of State for Education and Science what proportion of young people aged 16 to 19 years in the London borough of Waltham Forest are in full-time education.

Sir Keith Joseph: In January 1984, the latest date for which information is available the proportion of young people aged 16 and over but under 19 years (that is 16 to 18s) in Waltham Forest receiving full-time education in schools or further education establishments was 32 per cent. Information about those students of the borough in this age group who are attending universities is not readily available.

Mr. P. G. Farley

Mr. Pawsey asked the Secretary of State for Education and Science, pursuant to his reply to the hon. Member for Rugby and Kenilworth on 17th April, *Official Report*, column 175, how the reply was transmitted to the hon. Member; and if, in view of the fact than no such reply has yet been received by the hon. Member, he will ensure that another copy is dispatched forthwith.

Sir Keith Joseph: The reply to my hon. Friend was sent by hand to the House on 17 April. Since it seems that the reply was not received by my hon. Friend, I am sending him a further copy.

HOUSE OF COMMONS

Royal Assent

Mr. Peter Bruinvels asked the Lord Privy Seal how many Government Bills received Royal Assent in each of the last 10 parliamentary Sessions.

Mr. Biffen: The information requested is as follows:

	Number
1973-74	15
1974	35
1974-75	83
1975-76	72
1976-77	42
1977-78	49
1978-79	44
1979-80	71
1980-81	57
1981-82	46
1982-83	41
1983-84	60

HOME DEPARTMENT

Prison Medical Service

Mr. Skinner asked the Secretary of State for the Home Department if he will now consider abolishing the prison medical service in women's prisons and replacing it with the normal National Health Service provisions; and if he will make a statement.

Mr. Mellor: No.

Immigration Statistics

Mrs. Renée Short asked the Secretary of State for the Home Department if he will list the number of citizens originating from former British Commonwealth member nations who have either been deported or refused entry clearance into the United Kingdom in each single year since 1979.

Mr. Waddington: Information on the number of persons deported is given in the table. The available information on refusals of entry clearance relates only to Pakistan where in the years 1979 to 1984, respectively, a total of 4,755, 3,293, 3,011, 2,901, 2,320 and 1,863 persons were refused clearance for entry to the United Kingdom either for immediate settlement or for admission for a limited period as husbands, fiancés, students, visitors, and so on.

Nationals of former British Commonwealth countries deported from the United Kingdom, 1979-84.

Nationals of	*Number of persons*					
	1979	*1980*	*1981*	*1982*	*1983*	*1984*
Burma	—	—	—	1	—	—
Cameroon Republic*	—	2	1	1	—	—
Republic of Ireland	34	38	43	40	25	23
South Africa	52	60	35	48	32	42
Somalia†	—	—	—	—	—	—
Pakistan	9	5	9	4	6	6
South Yemen‡	1	—	1	1	2	—
Sudan	5	1	1	1	2	3

* The United Republic of Cameroon includes the former territory of the Southern Cameroons which was a member of the Commonwealth.
† Includes the former territory of British Somaliland.
‡ Formerly Aden.

Mr. Winnick asked the Secretary of State for the Home Department if he will state the numbers of passengers arriving in the United Kingdom from the Indian sub-continent during 1984 who were *(a)* given leave to enter and *(b)* refused leave to enter, in each of the following categories: ordinary visitors, business visitors, in transit, returning after temporary absence abroad, students, work permit holders and dependants, coming for settlement on arrival, and others.

Mr. Waddington: The available information, which is given in the following table, will be published in the forthcoming Command Paper "Control of Immigration: Statistics, United Kingdom 1984". Information on those refused leave to enter does not identify the category in which they sought entry.

Citizens of Indian sub-continent countries given leave to enter and refused, 1984

	Number of journeys
Given leave to enter:	
Ordinary visitors	190,000
Business visitors	41,100
In transit	36,600
Returning after temporary absence abroad	76,600
Students	3,790
Work permit holders	700
Dependants of work permit holders	260
Settlement on arrival	9,100
Others	6,960
Total	365,000
Refused leave to enter	3,891

Durham H Wing

Mr. Irving asked the Secretary of State for the Home Department what offences were committed by the inmates of Durham H wing; what are the corresponding sentences; and if he is satisfied that all such offences warrant maximum security confinement.

Mr. Mellor: The table shows the offences and corresponding sentences for the 35 inmates who were in Durham H wing on 18 April. Allocation to the wing takes account of the nature of the offence, the length of sentence and behaviour in custody, as well as the availability of accommodation for female prisoners. We are satisfied that in the case of those who are presently in H wing these factors have been fully taken into account. Most will be able to move on to less secure conditions in due course.

Offence(s)	*Sentence*
Murder	Life imprisonment
Murder	Life imprisonment
Murder	Life imprisonment
Murder	Life imprisonment
Murder	Life imprisonment
Murder	Life imprisonment
Murder	Life imprisonment
Murder	Life imprisonment
Murder	Life imprisonment
Murder	Life imprisonment
Murder	Life imprisonment

Offence(s)	Sentence
Murder × 12; causing explosions × 3	Life imprisonment
Murder; theft × 2	Life imprisonment
Kidnap; blackmail	10 years' imprisonment
Conspiracy to murder	12 years' imprisonment
Illegal importation of drugs	10 years' imprisonment; recommended deportation
Illegal importation of drugs	6 years' imprisonment; recommended deportation
Illegal importation of drugs	6 years' imprisonment; recommended deportation
Illegal importation of drugs	6 years' imprisonment; recommended deportation
Illegal importation of drugs	8 years' imprisonment
Possession controlled drugs × 6; supply drugs	7 years' imprisonment
Attempted robbery × 2	8 years' imprisonment
Illegal importation of drugs	9 years' imprisonment
Burglary; wounding with intent; assault	3 years' imprisonment
Illegal importation of drugs	9 years' imprisonment
Illegal importation of drugs	7 years' imprisonment; recommended deportation
Aid and abet rape; aid and abet incest; indecent assault; indecency with child	5 years' imprisonment
Manslaughter	7 years' imprisonment
Illegal importation of drugs	6 years' imprisonment; recommended deportation
Attempted robbery	18 months' imprisonment
Robbery; malicious wounding	5 years' imprisonment
Manslaughter; cruelty × 2	3 years' imprisonment
Criminal damage × 3	5 years' imprisonment
Robbery; burglary	2 years' imprisonment
Possession controlled drugs; supply drugs	3½ years' imprisonment

Civil Defence

Mr. Merchant asked the Secretary of State for the Home Department if Tyne and Wear county council is now fulfilling all its obligations for the provision of civil defence; and if he will make a statement.

Mr. Giles Shaw: More work is needed to meet the requirements of the 1983 regulations; progress will be monitored.

Queen's Building, Heathrow

Mr. Cohen asked the Secretary of State for the Home Department whether the cells at the Queen's Building, Heathrow, used to detain immigrants, meet minimum standards for police detention; whether there is natural light and proper air circulation; and if he will make a statement.

Mr. Waddington: The rooms in Queen's Building used to detain immigrants are not cellular accommodation and therefore the minimum standards for police cells are an inappropriate basis for comparison. The accommodation includes a lounge with television, washing facilities, toilets and two pay-phones to which those held there have free access. Five bedrooms, each with three beds are available for use by male detainees. Females are not held overnight. The building is ventilated and heated by an air conditioning duct to a reasonable standard. It is well lit although the natural light needs to be supplemented with artificial lighting.

The existing facilities, and their use, are currently under review.

Prisons (Mail Bags)

Mr. Tom Cox asked the Secretary of State for the Home Department if he will list the prisons in England and Wales where work on mail bags still takes place.

Mr. Mellor: A total of 35 prisons are engaged on mail bag production in England and Wales. They are as follows:

Bedford
Birmingham
Camp Hill
Canterbury
Castington
Dartmoor
Dorchester
Durham
Everthorpe
Exeter
Gartree
Gloucester
Haverigg
Lancaster
Leeds
Leicester
Lincoln
Liverpool
Manchester
Northallerton
Northeye
Norwich
Nottingham
Oxford
Parkhurst
Pentonville
Preston
Shrewsbury
Stafford
Swansea
Wakefield
Wandsworth
Winchester
Wormwood Scrubs
Wymott

Armed Forces (Police Officers)

Mr. Bowen Wells asked the Secretary of State for the Home Department if serving members of the armed forces who wish to become police officers are first obliged to discharge themselves before any application is considered.

Mr. Giles Shaw: No. Chief officers of police are normally prepared to consider applications from members of the armed forces during their last year of service.

Peacock Committee

Mr. Arnold asked the Secretary of State for the Home Department if he is yet in a position to announce the composition of Professor Peacock's committee on the financing of the British Broadcasting Corporation; and if he will make a statement.

Mr. Giles Shaw: My right hon. and learned Friend hopes to be able to do so before long.

Police Accountability for Community Enlightenment

Mr. Cartwright asked the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis as to whether the investigation by the Metropolitan police into the financial affairs of the Police Accountability for Community Enlightenment organisation in the London borough of Islington has been concluded; and if he will make a statement.

Mr. Giles Shaw: I understand that the investigation by the Metropolitan police has not yet been concluded.

Exercise Brave Defender

Mr. D. E. Thomas asked the Secretary of State for the Home Department if he will list which police forces have agreed to co-operate in Exercise Brave Defender.

Mr. Giles Shaw: Not yet; the extent of police participation in Exercise Brave Defender is still being considered by chief constables in consultation with the armed services.

Holloway Prison

Mr. Corbett asked the Secretary of State for the Home Department what is the variety of fresh fruit offered to prisoners at Holloway prison on a daily and weekly basis; and how its availability compares with that available two years ago.

Mr. Mellor: A cash extras allowance is allocated in respect of each prison inmate, and some proportion of the allowance must be spent each week on fresh fruit for all inmates. The type and amount of fruit to be purchased are left to local discretion and inmates' preferences are taken into account when this is practicable. This arrangement is common to all penal establishments and has not changed in the last two years.

Mr. Corbett asked the Secretary of State for the Home Department what is the number of prisoners at Holloway prison kept in their cells for *(a)* more than 10 hours a day and *(b)* 20 hours or more a day; and for what reasons they are so kept.

Mr. Mellor: These numbers change from day to day according to the availability of staff, but most prisoners at Holloway spend more than 10 hours a day in their cells. We believe that the prisoners at Holloway should be enabled to spend more time out of their cells and to have access to a variety of activities, and the committee which we announced on 12 December is specifically asked to consider how to achieve this.

Mr. Corbett asked the Secretary of State for the Home Department by how many hours a day workshops and gymnasium facilities at Holloway prison are under-used; and what are the reasons for under-use.

Mr. Mellor: In the four-week period ending 19 April staff shortages at Holloway led to the cancellation of 15 out of 48 scheduled two-hour gymnasium sessions. For the same reason, prison workshops were operational for 25 out of a possible maximum of 252 hours.

GLC Ethnic Minorities Unit (Arson)

Mr. Dubs asked the Secretary of State for the Home Department if he will call for a report from the Commissioner of Police of the Metropolis on police inquiries into the arson attack on the ethnic minorities unit at the Greater London council on 26 March; and if he will make a statement.

Mr. Giles Shaw: I refer the hon. Member to the reply given to a question from the hon. Member for Norwood (Mr. Fraser) on 24 April at columns *476-77*.

Leicestershire

Mr. Peter Bruinvels asked the Secretary of State for the Home Department how many staff were employed as a direct result of grant-aid under section 11 of the Local Government Act 1966 within the county of Leicestershire.

Mr. Waddington: On 31 March 1985 Leicestershire county council had approval for grant to be paid on 296 full-time equivalent posts. Leicester city council had approval for 17 full-time equivalent posts.

Mr. Peter Bruinvels asked the Secretary of State for the Home Department how many children, social workers and environmental health officers were involved or employed within the county of Leicestershire under the various formulae determining expenditure on grant-aid under section 11 of the Local Government Act 1966.

Mr. Waddington: The formula arrangement referred to in reply to a question from my hon. Friend on 18 April at columns *234-35* related to additional staffing costs which could be attributed to the presence of commonwealth immigrants, but it was not paid in respect of identified posts. In recent years the only "formula" grant which has been paid in Leicestershire has been to the county council in respect of the employment of staff in day nurseries.

Leicestershire Education Authority

Mr. Peter Bruinvels asked the Secretary of State for the Home Department if he will give a breakdown for each of the past five years showing the amount of education expenditure and the number of posts involved supported by grant under section 11 of the Local Government Act 1966 for Leicestershire education authority; how often

such supported posts are reviewed; and what steps he takes to satisfy himself of *(a)* the efficiency with which the funds allocated are disbursed and *(b)* the productivity of the staff employed in administering and disbursing the funds.

Mr. Waddington: The table shows, in respect of the last five-year period for which information is available, the expenditure on education staff by the Leicestershire county council on which the Home Office paid grant at 75 per cent. It shows also the number of full-time equivalent (FTE) posts to which that expenditure relates. Posts approved under criteria in force since 1 January 1983 will be reviewed after three years. All posts approved under the previous criteria are currently under review. Responsibility for considering applications for grant under section 11, and for making payments if grant is approved, rests with officials in the Department. Their efficiency is monitored by their line managers and their grading and work load are subject to regular staff inspections.

Leicestershire County Council—Education

	Posts FTE	*Expenditure* £
1979-80	241·2	1,566,186
1980-81	237·5	1,981,425
1981-82	238·75	2,160,926
1982-83	225·75	2,269,149
1983-84	235·00	2,481,975

Prisoners (Segregation)

Mr. Kilroy-Silk asked the Secretary of State for the Home Department (1) how many prisoners segregated under rule 43 at Leeds prison are currently sharing cells; and how many cells are involved;

(2) in what way are facilities for work, education, recreation and association more limited for segregated prisoners at Leeds prison than for other prisoners;

(3) if segregated prisoners have now been allocated a separate area at Birmingham prison;

(4) whether all young offenders segregated under rule 43 at Birmingham prison now have access to the prison's education facilities.

Mr. Mellor [*pursuant to his replies*, 25 March 1985, c. *15*, and 26 March 1985, c. *132*]: My noble Friend has written to the hon. Member today and I shall arrange for a copy of the letter to be placed in the Library.

PRIME MINISTER

European Community (Council of Ministers)

Q13. **Mr. Teddy Taylor** asked the Prime Minister if she is satisfied with the preparations being made for the next meeting of the Council of Ministers of the European Economic Community.

The Prime Minister: Detailed preparations, for which the Italian Presidency is responsible, must depend on progress in the meantime in implementing the conclusions of the last European Council. Work on this is in hand.

North-east England

Q16. **Mr. Fallon** asked the Prime Minister when she next intends to visit north-east England.

The Prime Minister: I hope to do so later in the year.

Far East (Visit)

Q62. **Mr. John Browne** asked the Prime Minister if she will make a statement on her recent visit to the far east.

The Prime Minister: I refer my hon. Friend to the reply which I gave to the hon. Member for Liverpool, Riverside (Mr. Parry) on 16 April at columns 133-34.

Lord Hugh Thomas of Swynnerton

Q70. **Mr. Dalyell** asked the Prime Minister for what official purpose she has used the services of Lord Hugh Thomas of Swynnerton, since 1 March 1982.

The Prime Minister: None.

Soccer Hooliganism

Q95. **Mr. Pendry** asked the Prime Minister if she will make a statement on her discussions with the football authorities on 1 April regarding the problem of football hooliganism.

The Prime Minister: I refer the hon. Gentleman to the reply my hon. Friend the Minister for Sport gave to the hon. Member for Barnsley, East (Mr. Patchett) on 4 April at columns 576-77.

USA (President)

Q100. **Mr. Latham** asked the Prime Minister when she next expects to meet the President of the United States of America.

The Prime Minister: I will meet the President of the United States, and other Heads of Governments, when I attend the Bonn economic summit on 2 to 4 May 1985.

Nuclear Waste

Mr. Skeet asked the Prime Minister whether the recycling of nuclear waste is to be included within the responsibilities of the Parliamentary Under-Secretary of State for Trade and Industry.

The Prime Minister: No. My hon. Friend's responsibiities do not extend to nuclear materials.

Shipbuilding Industry

Mr. Allan Roberts asked the Prime Minister what Her Majesty's Government's plans are for the future of the shipbuilding industry in Britain and Northern Ireland.

The Prime Minister: First, to concentrate available resources on the most successful yards in order to create a cost-effective and efficient merchant shipbuilding industry and, secondly, to privatise the warship building yards by 31 March 1986.

Engagements

Mr. Kirkwood asked the Prime Minister if she will publish her official engagements for Thursday 25 April.

Mr. Greenway asked the Prime Minister if she will list her official engagements for 25 April.

Mr. Pike asked the Prime Minister if she will list her official engagements for Thursday 25 April.

Mr. John Mark Taylor asked the Prime Minister if she will list her official engagements for 25 April.

Mr. Ron Davies asked the Prime Minister if she will list her official engagements for Thursday 25 April.

The Prime Minister: This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House, I shall be having further meetings later today.

Republic of Ireland

Sir John Biggs-Davison asked the Prime Minister if she will renew her general instruction to Government Departments and overseas missions that it is correct to describe the Republic of Ireland as such and that this term, and not Ireland, should normally be used; and whether she will now insist on compliance.

The Prime Minister: Government Departments and overseas missions are well aware that the forms "Republic of Ireland" or "Irish Republic" should now be used when describing that state. This is laid out in standing instructions to overseas posts, and similar advice was issued as recently as February 1985 to Government Departments.

Anglo-Irish Intergovernmental Council

Rev. Martin Smyth asked the Prime Minister, pursuant to her answer to the hon. Member for Belfast, South of 15 April, *Official Report*, column 2, what are the reasons for Her Majesty's Government not giving information about meetings of officials under the auspices of the Anglo-Irish Intergovernmental Council.

The Prime Minister: It has been the practice of successive Governments not to give details of the conduct of discussions between officials about current business, for which Ministers are responsible. I gave the House a complete list of meetings at ministerial level held under the auspices of the Anglo-Irish Intergovernmental Council on 1 April at column 413.

EC (Trading Malpractices)

Mr. Teddy Taylor asked the Prime Minister if she will advocate, at the next meeting of the European Community Council of Ministers, the right of national Governments to take protective action in cases where other Governments have not complied with European Community Commission instructions to end trading malpractices; and if she will make a statement.

The Prime Minister: As my right hon. Friend the Minister for Trade stated on 25 March, the EEC treaty makes provision, in certain circumstances, for member states to take preventive measures if they encounter difficulties in intra-community trade.

Family Expenditure (Rent)

Mr. Barry Jones asked the Prime Minister if she will publish the proportion of average weekly income spent on rent in *(a)* Wales, *(b)* south-east England, *(c)* East Anglia, *(d)* Scotland, *(e)* England and *(f)* the United Kingdom.

The Prime Minister: Average weekly net housing costs for 1983 as reported in the Family Expenditure Survey for both the local authority and private rented sectors are shown in the table as a percentage of the average weekly gross household income in those areas. Because rent and rates are recorded as a single payment for most households in the local authority rented sector and some in the private sector, the housing costs shown comprise both rent and rates and small elements for maintenance, service and insurance costs.

	Average weekly net housing costs* £	*Average weekly gross household income* £	*Housing costs as a proportion of gross income* Percentage
Wales	15·67	108·65	14·4
South-east England	19·57	133·03	14·7
East Anglia	16·71	121·02	13·8
Scotland	12·76	128·97	9·9
England	15·35	115·20	13·3
United Kingdom	16·08	121·56	13·2

* Housing costs are shown net of rent and rates rebates.

Civil Servants (Secondment)

Mr. Fatchett asked the Prime Minister if, in the light of the secondment of Mr. Dick Clements from the Department of Health and Social Security to Hospital Hygiene Services, she will revise the rules governing the secondment of civil servants to companies closely connected with the work for which their parent Department is responsible.

The Prime Minister: No. Care was taken to avoid possible conflicts of interest when Mr. Clements was granted leave to take up an outside appointment, and he has since resigned from the Civil Service.

EC (Subsidised Food and Wine)

Mr. Teddy Taylor asked the Prime Minister if it remains the policy of Her Majesty's Government to oppose the sale, at subsidised prices, of food and wine to the Soviet Union and Eastern Europe; and what powers are available to Her Majesty's Government in the various Councils of Ministers to seek to achieve this objective.

The Prime Minister [*pursuant to her reply*, 24 April 1985, c. *462*]: The Government's policy is to reduce the need for subsidised exports through measures designed to curb the production of Community surpluses for which there is no economic outlet. Where there are surpluses for export, the Government remain opposed to singling out particular countries for special treatment.

Decisions on the fixing of export refunds and sales out of intervention are taken by the Commission, subject to the opinion of the management committee. If a sufficient majority of members states vote against a Commission proposal in the management committee, then it has to be referred to the Council of Ministers, which may take a different decision by qualified majority vote.

FOREIGN AND COMMONWEALTH AFFAIRS

Anglo-Irish Encounter Group

Rev. Martin Smyth asked the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer to the hon. Member for Belfast, South on 15 April, *Official Report*, column 34 *(a)* whether the Anglo-Irish Encounter Group approached his Department for funding, *(b)* what arrangements exist between his Department and

the Anglo-Irish Encounter Group to ensure that the funds supplied by his Department are properly administered, *(c)* how the sums of £17,000 in 1983-84, £20,000 in 1984-85 and £24,000 in 1985-86 for the use of the Encounter Group were arrived at and *(d)* if he will place in the Library a report showing the work which has been facilitated by his Department's funding of the Encounter Group.

Mr. Renton: The information requested is as follows:

(a) When Anglo-Irish Encounter was set up in 1983 (Hansard of 28 July 1983 Cols. 1329-1331) both Governments agreed to offer it financial support.

(b) The British section of Encounter, which keep separate books, submits independently audited accounts for inspection by my officials.

(c) Within a ceiling of £24,000 Her Majesty's Government allocated the sums mentioned on the basis of proposals submitted by Encounter.

(d) I am arranging for reports produced by Encounter on its first two conferences to be placed in the Library. A similar report on its third conference is currently in preparation.

Anglo-Irish Economic Steering Group

Rev. Martin Smyth asked the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his answer of 17 April to the hon. Member for Belfast, South, *Official Report*, column 202, which Departments were involved in the meeting of the Anglo-Irish Economic Steering Group in Dublin in March 1980.

Mr. Renton: The Foreign and Commonwealth Office and the Northern Ireland Office.

Albania

Mr. Wareing asked the Secretary of State for Foreign and Commonwealth Affairs, pursuant to his reply of 18 April, *Official Report*, column 252-53, if Her Majesty's Government will initiate discussions within the Tripartite Commission for the Restitution of Monetary Gold with a view to an amicable arrangement being reached with the Government of Albania; and if he will make a statement.

Mr. Rifkind: Confidential discussions take place within the Tripartite Commission for the Restitution of Monetary Gold and between the member Government, whenever it is considered appropriate.

Falkland Islands

Mr. Tom Clarke asked the Secretary of State for Foreign and Commonwealth Affairs if he will publish in the *Official Report*, the letter from the Parliamentary Under-Secretary of State to the hon. Member for Monklands, West dated 29 March concerning the Falkland Islands.

Mr. Renton: Yes. The text is as follows:

"I enjoyed your thoughtful contribution to the adjournment debate on 14 March on the Falkland Islands and Argentina, though I must reject your charges of "intransigence": as I said in winding up, it is we who have made the running in seeking more normal bilateral relations with Argentina. Unfortunately shortage of time prevented me from dealing with other points you made. You have since gone over some of the ground when you called on our Falkland Islands Department, to prepare for your meeting with Argentine Parliamentarians at the seminar in Bonn on 27 March on the European Community and Argentina; Andrew Palmer tells me that you would welcome written comments from me on some of the points in your speech.

You urge us to take due account of the democratic nature of the present Argentine Government and their opposition to the Junta. We certainly regard President Alfonsin's criticism of the invasion at the time as a courageous act. But he complained of the means employed, and not of the cause the Junta were pursuing; his commitment to Argentina's claim to the Falklands is as inflexible as anyone's.

You will know that the Prime Minister publicly welcomed the restoration of democracy in Argentina in December 1983. She sent President Alfonsin a personal message on the occasion of his inauguration, and we have taken a number of initiatives since to achieve more normal relations. The obstacle to progress continues to be Argentine intransigence. It was their departure from a carefully agreed formula that resulted in the deadlock at the Berne talks in July 1984. Only last week President Alfonsin reiterated, on this occasion to a joint meeting of the United States Congress in Washington, that Argentina insisted that any discusion of normalisation was only possible if sovereignty were also to be discussed (I attach the text of his remarks).

You mentioned a possible role for the Secretary General of the United Nations. During the conflict, the Secretary General played an important part in attempts to secure the withdrawal of Argentine forces from the Falkland Islands. But since hostilities ceased we have taken the view that it is better for the Argentines and ourselves to conduct our exchanges through the Swiss and Brazilian Protecting Powers, without any intermediary. In his report to the United Nations General Assembly last year, Sr Perez de Cuellar expressed the hope that there could be a dialogue coupled with the adoption of confidence-building measures. The Government's policy, to seek to improve bilateral relations with Argentina through agreement on practical measures of benefit to both sides, is fully consistent with Sr Perez de Cuellar's sensible and pragmatic approach. As Geoffrey Howe said in the House on 14 March, reciprocal lifting of commercial and financial restrictions could be a natural starting point, and we have reiterated our readiness to accept a properly supervised visit to the Islands by relatives of Argentine servicemen buried there.

You made in your speech a comparison in general terms between the Government's handling of the future of Hong Kong and of the Falklands. There is a major difference between the two cases. The lease from China of 92 per cent. of the area of Hong Kong is due to expire on 1997. In these circumstances, we believe the arrangements we have made to be the best possible to maintain Hong Kong's stability and prosperity, enabling its people to plan peacefully and confidently for the future. But no such deadline governs the future of the Falkland Islands, and the 1982 invasion makes it impossible for us to discuss sovereignty with the Argentines. We do not, therefore, consider there to be a parallel between the two cases.

You discussed the cost of defending the Falklands. I covered your main point in my concluding remarks—column 582. You courteously deferred to Tam Dalyell on the *per capita* cost of defending the Islands. In fact your figure was accurate, and he was wrong. But in either case, as I said in the debate, the level of expenditure should come down sharply once the airport at Mount Pleasant has been completed. Total government expenditure in connection with the Falkland Islands from 2 April 1982 until the end of the current financial year is forecast at approximately £2,113 million, which breaks down as follows:

	£ million
Operation Corporate (Falklands Campaign)	780
MOD PES Supplements	
1983-84	*624
1984-85	*684
FCO (ODA) assistance (rehabilitation and development projects)	25
Total	2,113

* garrison capital and running costs, plus campaign costs.

You will see that the overwhelming proportion of this is the cost of recovering the Islands, replacement costs, and the construction of Mount Pleasant Airport."

United Kingdom Nationals (Foreign Prisons)

Mr. Ewing asked the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom nationals are held in foreign prisons; and how many have home addresses in Scotland.

Mr. Renton: As at 23 April 1985 we know of 1,070 British citizens and British Dependent Territories citizens held in foreign prisons. Of these, 51 had given home addresses in Scotland.

DEFENCE

Land Acquisitions

Mrs. Renée Short asked the Secretary of State for Defence if he will list the total value of land which his Department has brought from the Church of England in each year since 1979 and the amount of territory, in value and acreage terms, acquired by means of compulsory purchase orders during the same period.

Mr. Lee: I regret that records are not maintained in a form which provides details of land acquired from specified vendors and the information could be obtained only at disproportionate cost. There have been no compulsory purchase orders during the period in question.

Trident and Cruise Missiles

Mr. Buchan asked the Secretary of State for Defence what response he has made to the survey conducted in Paisley regarding nuclear weapons Trident and cruise, which was sent to him by Mrs. Truss on 19 March.

Mr. Lee: A letter dated 20 March 1985 was received from Mrs. Truss shortly thereafter. A reply was sent to her on 10 April. I am sending a copy to the hon. Gentleman.

Royal Fleet Auxiliary Vessels

Mr. Garrett asked the Secretary of State for Defence when he expects to be in a position to announce orders for the new class of Royal Fleet Auxiliary vessels.

Mr. Lee: Tenders have been invited for the first two Auxiliary Oiler Replenishment vessels but no decisions have yet been taken on the size and timing of orders.

Army Manning and Record Offices

Mr. McNamara asked the Secretary of State for Defence when he will be announcing his response to his Department's Council of Civil Service Union's observations on the proposed redeployment of the army manning and record offices.

Mr. Lee: The announcement made on 10 January of the Department's proposals to relocate the Army manning and record and pay offices from their present eight locations to two, Glasgow and Leicester, was followed by a formal period of consultation with the MOD trades unions who forwarded their detailed comments just after Easter. In parallel there have been representations from hon. Members on both sides of the House, from local councils and others. These are now being evaluated. The various points made will be fully taken into account by Ministers before a final decision is taken. It is hoped to be able to make an announcement by the end of May or early in June.

Exercise Brave Defender

Mr. D. E. Thomas asked the Secretary of State for Defence what role the United States National Guard has played in the preparations for Exercise Brave Defender.

Mr. Stanley: None.

Mr. D. E. Thomas asked the Secretary of State for Defence whether his Department has drawn up a final list of key points to be defended for Exercise Brave Defender.

Mr. Stanley: The list of exercise key points has not yet been finalised.

United States Hospital, Little Rissington

Mr. D. E. Thomas asked the Secretary of State for Defence whether there are any plans to operate United States Forces, Europe, hospitals such as that at Little Rissington in conjunction with British civil emergency war time services.

Mr. Lee: United States emergency hospitals in the United Kingdom, when activated at the time of an emergency, would be used primarily to treat United States casualties and so reduce the burden on United Kingdom emergency services. The planned use for such United States hospitals is developed in close consultation with United Kingdom emergency resources.

Mr. D. E. Thomas asked the Secretary of State for Defence whether the United States Forces, Europe, hospital at Little Rissington is equipped to operate in a nuclear and chemical environment.

Mr. Lee: RAF Little Rissington is a United States Air Force peacetime storage and wartime hospital facility. The hospital naturally incorporates protective measures against a range of potential wartime threats.

Russian Special Purpose Forces

Mr. D. E. Thomas asked the Secretary of State for Defence what is his Department's latest information about the Russian special forces Spetsnaz.

Mr. Stanley: The Soviet Union's special purpose forces — SPETSNAZ — are subordinate to the Main Intelligence Directorate (GRU) of the Soviet General Staff. They are organised into brigades, each of which can field a number of relatively small teams trained to conduct special or covert reconnaissance and sabotage operations. In wartime they would operate far behind the enemy lines, most units providing reconnaissance and target marking, others mounting sabotage attacks on selected important installations and depots, airfields, air defence and command, control and communications facilities. SPETSNAZ forces make a significant contribution to Soviet combat capabilities.

Faslane (Substances)

Mr. Tom Clarke asked the Secretary of State for Defence what is the nature and chemical content of substances which are being taken from Faslane to Glenboig for dumping; and if he will make a statement.

Mr. Stanley: The dumping contract to which the hon. Member refers has been placed by the Property Services Agency. My hon. Friend the Under-Secretary of State at the Department of the Environment will write to the hon. Member with such details as are available as to the scientific content of the substances being moved.

TRADE AND INDUSTRY

Clothing (Imports)

Mr. Alexander asked the Secretary of State for Trade and Industry what limitations there are on the importation of articles of apparel and clothing accessories from *(a)* Taiwan, *(b)* South Korea and *(c)* Romania; and why one differs from another.

Mr. Channon: The quotas for 1985 are as follows:

Category number	*Product*	*Quota level*
(a) Taiwan		
4	T-shirts	1,042,000 pieces
5	Jerseys	7,136,000 pieces
6	Trousers	347,000 pieces
7	Blouses	277,000 pieces
8	Woven shirts	788,000 pieces
10	Gloves	2,419,000 pairs
	of which uncoated gloves	519,000 pairs
12	Stockings, socks	5,299,000 pairs
13	Knickers, underpants	168,000 pieces
14A	Men's coated coats	199,000 pieces
14B	Men's uncoated coats	33,000 pieces
15A	Women's coated coats	99,000 pieces
15B	Women's uncoated coats	61,000 pieces
16	Men's suits	35,000 pieces
17	Men's jackets	65,000 pieces
18	Men's woven undergarments other than shirts	132 tonnes
19	Handkerchiefs	759,000 pieces
21	Parkas, anoraks etc.	128,000 pieces
24	Knitted pyjamas	221,000 pieces
26	Dresses	137,000 pieces
27	Skirts	106,000 pieces
28	Knitted trousers	91,000 pieces
29	Women's woven suits	61,000 pieces
30A	Women's woven pyjamas and nightdresses	172,000 pieces
30B	Women's woven undergarments	10·4 tonnes
31	Brassieres	335,000 pieces
67	Clothing accessories	192 tonnes
71	Babies knitted outergarments	11 tonnes
73	Track suits	217,000 pieces
74	Women's knitted suits	36 tonnes
75	Men's knitted suits	5,000 pieces
78 & 81	Men's and Women's bathrobes, dressing gowns etc.	358 tonnes
78	Of which, not more for men's bathrobes, dressing gowns etc.	186 tonnes
80	Babies woven garments	45 tonnes
83	Knitted outergarments other than Categories 5, 7, 26, 27, 28, 71 to 75	268 tonnes
(b) South Korea		
4	T-shirts	1,915,000 pieces
5	Jerseys	11,366,000 pieces
6	Trousers	1,364,000 pieces
7	Blouses	2,968,000 pieces
8	Woven shirts	2,697,000 pieces
10	Gloves	2,292,000 pairs
	of which uncoated gloves	198,000 pairs
12	Stockings, socks	9,992,000 pairs
13	Knickers, underpants	2,152,000 pieces
14A*	Men's coated coats	1,057,000 pieces
14B	Men's uncoated coats	636,000 pieces
15A*	Women's coated coats	444,000 pieces
15B	Women's uncoated coats	1,731,000 pieces
16	Men's suits	275,000 pieces
17	Men's jackets	1,153,000 pieces
18	Men's woven undergarments other than shirts	82 tonnes
19	Handkerchiefs	2,800,000 pieces
21	Parkas, anoraks etc.	2,647,000 pieces
24	Knitted pyjamas	412,000 pieces
26	Dresses	455,000 pieces
27	Skirts	92,000 pieces
28	Knitted trousers	104,000 pieces
29†	Women's woven suits	173,000 pieces
30A	Women's woven pyjamas and nightdresses	134,000 pieces
30B	Women's woven undergarments	8 tonnes
31	Brassieres	527,000 pieces
67	Clothing accessories	601 tonnes
70	Tights	2,070,000 pieces
71	Babies knitted outergarments	39 tonnes
73	Track suits	160,000 pieces
74	Women's knitted suits	161,000 pieces
78 & 81‡	Men's and Women's bathrobes, dressing gowns etc.	779 tonnes
78	Of which, not more for men's bathrobes, dressing gowns etc.	344 tonnes
80	Babies woven garments	107 tonnes
83	Knitted outergarments other than Categories 5, 7, 26, 27, 28, 71 to 75	273 tonnes
86	Corsets	522,000 pieces
(c) Romania		
4	T-shirts	3,017,000 pieces
5	Jerseys	1,360,000 pieces
6	Trousers	325,000 pieces
7	Blouses	45,000 pieces
8	Woven shirts	784,000 pieces
12	Stockings, socks	2,078,000 pairs
13	Knickers, underpants	2,091,000 pieces
14B	Men's uncoated coats	35,000 pieces
15A	Women's coated coats	6,000 pieces
15B	Women's uncoated coats	83,000 pieces
16	Men's suits	360,000 pieces
17	Men's jackets	213,000 pieces
24	Knitted pyjamas	201,000 pieces
26	Dresses	144,000 pieces
28	Knitted trousers	97,000 pieces
71	Babies knitted outergarments	19 tonnes
73	Track suits	118 tonnes
77	Women's synthetic stockings	201,000 pairs
81	Women's bathrobes, dressing gowns	31 tonnes
82	Knitted undergarments of wool or regenerated fibre	140 tonnes

* Including garments of textile fabric of tariff heading numbers 59.08, 59.11 or 59.12.

† For judo, karate, kung fu, taekwondo and similar martial arts suits there is additional quota of 23,000 pieces.

‡ Excluding garments of textile fabric of tariff heading numbers 59.08, 59.11 or 59.12.

The quotas on South Korea and Romania were negotiated with those countries by the European Commission under the provisions of the multi-fibre arrangement (MFA). Taiwan is subject to an autonomous regime.

Articles 3 and 4 of the MFA lay down the circumstances in which quotas may be introduced. Quota coverage, and the levels for particular quotas, may differ from one exporting country to another for a variety of reasons. For example, the development of trade in particular products from the exporting country in question, and United Kingdom market conditions, are taken into account. Quotas may also be subject to different annual growth rates; in general, the major exporting countries have accepted the lowest growth rates.

Waste

Mr. Kirkwood asked the Secretary of State for Trade and Industry if he will list in the *Official Report* specific

new proposals to be implemented by the new Minister for waste; and what funding is available to finance the proposals.

Mr. Trippier: I have been appointed to undertake a co-ordinating role, not to take on the responsibilities of other Departments concerned with recycling.

In my new role, I shall, of course, be consulting other Departments and other interested parties. Any new proposals which emerge, and involving financial support from the Government, will be contained within existing public expenditure programmes.

"Support for Business"

Mr. John Browne asked the Secretary of State for Trade and Industry what recent responses he has received to his publication "Support for Business".

Mr. Trippier: I have had no direct responses, but well over 200 telephone calls a week about DTI assistance are already coming into the new London central inquiry point whose number is given in "Support for Business". The alternative regional inquiry points are also receiving calls in response to the booklet.

Manufacturing Industry

Mr. Pike asked the Secretary of State for Trade and Industry what action his Department proposes to take to encourage the growth of manufacturing industries in the United Kingdom.

Mr. Norman Lamont: My Department aims to encourage the growth of manufacturing industry through the creation of a climate which encourages enterprise and in which business can become more competitive. It also gives various forms of assistance to business, including manufacturing industry.

Bricks

Mr. Ward asked the Secretary of State for Trade and Industry what representations he has received alleging anti-competitive practices in the pricing of fletton bricks over the past 18 months; and if he will make a statement.

Mr. Fletcher: My right hon. Friend has received no representations on this subject.

Mr. Ward asked the Secretary of State for Trade and Industry if he will refer to the Monopolies and Mergers Commission the subject of the manufacture and supply of fletton bricks.

Mr. Fletcher: References to the Commission of possible monopoly situations or anti-competitive practices are a matter for the Director General of Fair Trading.

British Telecom (Shares)

Mr. Gould asked the Secretary of State for Trade and Industry (1) why some British Telecommunications shares applied for by British Telecommunications employees and pensioners were not allotted;

(2) whether employees and pensioners were given undertakings prior to the sale of British Telecommunications shares that they would be allocated all the shares for which they applied.

Mr. Butcher: I shall reply to the hon. Member as soon as possible.

NATIONAL FINANCE

European Monetary System

12. **Mr. Stanbrook** asked the Chancellor of the Exchequer what conditions he would wish to exist before he recommends the participation of the United Kingdom in the exchange rate mechanism of the European monetary system.

Mr. Ian Stewart: We would want in particular to be satisfied that participation was consistent with the effective conduct of our domestic policies and that undue instability would not be introduced into the exchange rate mechanism itself.

Money Gross Domestic Product

16. **Mr. Wainwright** asked the Chancellor of the Exchequer whether he will consider ways by which figures about money gross domestic product may be ascertained and published nearer to the period to which they relate.

Mr. Ian Stewart: I have no plans to do so.

Football Pools

17. **Mr. Boyes** asked the Chancellor of the Exchequer what recent representations he has received about the level of tax paid by football pools; and if he will make a statement.

Mr. Hayhoe: Representations seeking a reduction in pool betting duty have been received from the Football League, a number of football clubs and pool promoters.

Personal Taxation

18. **Mr. Merchant** asked the Chancellor of the Exchequer when he expects to publish his proposed Green Paper on personal taxation.

23. **Mr. Maude** asked the Chancellor of the Exchequer when he expects to publish the Green Paper on personal taxation.

Mr. Lawson: Later this year.

Export Performance

19. **Mr. Gerald Howarth** asked the Chancellor of the Exchequer how Britain's export performance compares with its European partners; and what are the future prospects for exports following the Budget.

Mr. Peter Rees: Our export performance compares satisfactorily with our European partners and future prospects are good.

National Insurance Contributions

20. **Mr. Chope** asked the Chancellor of the Exchequer how many representations he has received about the effects of his Budget proposal to reduce national insurance contributions in respect of the lower paid.

Mr. Ian Stewart: The reductions in national insurance contributions in respect of the lower paid which my right hon. Friend announced in his Budget were greeted with widespread approval. We have received around 40 letters about the abolition of the upper earnings limit for employers' contributions.

Small Businesses

21. **Mr. Thurnham** asked the Chancellor of the Exchequer what representations he has received from small businesses concerning his recent Budget proposals.

Mr. Ian Stewart: Several and on a variety of points.

Budget (Job Creation)

22. **Mr. Pike** asked the Chancellor of the Exchequer what representations he has received regarding his Budget proposals and the likely effect on unemployment levels.

Mr. Peter Rees: The Government have received many representations commending them for introducing a Budget that will increase employment.

36. **Mr. Roy Hughes** asked the Chancellor of the Exchequer if he has made any up-to-date assessment of employment trends following his Budget statement.

Mr. Peter Rees: The most recent employment estimates, published since the Budget, indicate further substantial growth in the employed labour force in the fourth quarter of 1984, bringing the total increase in the year to December 1984 to about 340,000. Thus there is a strong rising trend in employment, and prospects have been improved substantially by the measures announced in my right hon. Friend's Budget statement.

38. **Mr. Kenneth Carlisle** asked the Chancellor of the Exchequer how many jobs the cut in national insurance contributions in the recent Budget will create.

Mr. Peter Rees: I would refer my hon. Friend to the reply I gave earlier today to my hon. Friend the Member for Enfield, North (Mr. Eggar).

Stamp Office (Birmingham)

24. **Mr. John Mark Taylor** asked the Chancellor of the Exchequer if he will make an official visit to the Stamp Office in Birmingham.

Mr. Ian Stewart: My right hon. Friend has no plans to do so. If my hon. Friend has a particular point in mind, perhaps he will let me have the details and I will be happy to look into it.

Worker Co-operatives

25. **Mr. Geraint Howells** asked the Chancellor of the Exchequer whether he will introduce fiscal measures to encourage the development of worker co-operatives.

Mr. Ian Stewart: Several of the fiscal measures we have already introduced will have assisted worker co-operatives.

VAT (Charities)

26. **Mr. Simon Hughes** asked the Chancellor of the Exchequer what representations he has had in relation to the impact on the quantity of advertising by charitable organisations of the introduction of value added tax.

Mr. Barney Hayhoe: The representations indicate that there is likely to be some reduction in the amount of advertising as a result of the tax.

Construction Industry

27. **Mr. Penhaligon** asked the Chancellor of the Exchequer what representations he has had on his Budget from the construction industry.

Mr. Peter Rees: Several, on a variety of topics.

39. **Mr. Stern** asked the Chancellor of the Exchequer if he will estimate the effects of the proposed abolition of development land tax on employment in the construction industry.

Mr. Peter Rees: The abolition of development land tax removes a disincentive to the availability of land for development. The effects on construction output and employment should be favourable.

Taxation Policy

28. **Mr. Forman** asked the Chancellor of the Exchequer if he will make a statement on the Government's long-term taxation policy.

Mr. Moore: Consistently with the MTFS, the Government aim to reduce the overall tax burden and reform and simplify the tax system so as to improve incentives, reward success and thereby improve the supply-side performance of the economy.

Interest Rates

29. **Mr. Tony Lloyd** asked the Chancellor of the Exchequer what are his current policy objectives for interest rates.

Mr. Ian Stewart: As my right hon. Friend the Chancellor made clear in his Budget speech, short-term interest rates will be held at the level needed to maintain monetary conditions that will continue to bring down inflation.

VAT (Glass and Glazing Industry)

30. **Mr. Holt** asked the Chancellor of the Exchequer what was the aggregate yield from value added tax from the glass and glazing industry since value added tax was first introduced.

Mr. Hayhoe: I regret that the data on consumers' expenditure in this sector, on which an estimate would have to be based, are not sufficiently detailed to provide the information requested.

Manufacturing Industry

31. **Mr. Strang** asked the Chancellor of the Exchequer what is his latest estimate of the volume of investment in manufacturing industry in the last financial year; and how this compares with the level in 1978-79.

Mr. Peter Rees: Manufacturing investment rose by 13 per cent. in 1984 with a further substantial increase expected in 1985. The total of £6·1 billion in 1984, the last full year for which data are available, remains below the 1978-79 level.

Business Expansion Scheme

32. **Mr. John Browne** asked the Chancellor of the Exchequer if he will extend the business expansion scheme class of investors to include fathers and other close family members.

Mr. Moore: The business expansion scheme is designed to help small companies raise equity investment from individuals not otherwise connected with the business. For this purpose, certain close relatives of the proprietor are treated as connected. There are no plans to change the rules of the business expansion scheme, apart from the proposed changes announced by my right hon. Friend in his Budget statement on 19 March.

Married Man's Tax Allowance

33. **Ms. Clare Short** asked the Chancellor of the Exchequer what would be the cost of his proposal to abolish married man's tax allowance and replace it with two single tax allowances payable on request to each or either spouse.

Mr. Moore: The cost will depend upon a number of factors, principally the level of the single allowance under the new system. The issues will be fully discussed in the forthcoming Green Paper.

Income Tax

34. **Mr. Fallon** asked the Chancellor of the Exchequer whether he has any long-term plans to move to a flat rate of income tax.

Mr. Moore: I have no plans to do so.

European Community Budget

35. **Mr. Teddy Taylor** asked the Chancellor of the Exchequer what estimate he has made of the net contribution which the United Kingdom will make to the European Economic Community in the calendar year 1985, including any advance payments contributions.

Mr. Ian Stewart: Estimates of the United Kingdom's net contribution are not produced for calendar years as these are not an accounting period for the purposes of United Kingdom public expenditure. The Government's latest estimate of the net contribution to the European Economic Community for the financial year 1985-86 was recently published in the public expenditure White Paper (Cmnd. 9428). An updated estimate taking account of all relevant factors will, as is usual, be published in the Autumn Statement.

Economic Activity

37. **Mr. Knox** asked the Chancellor of the Exchequer what recent representations he has received regarding further signs of an increase in economic activity.

Mr. Peter Rees: The March CBI economic situation report foresaw continued growth of total employment through 1985, with further increases in manufacturing output. Non-oil exports were up 11 per cent. in the three months to February compared with a year earlier.

Customs and Excise (Computer)

Mr. Ashdown asked the Chancellor of the Exchequer if he will report progress on the installation of the Customs and Excise departmental reference and information computer indicating *(a)* when the system was ordered, *(b)* when it was installed, *(c)* when he expects it to become operational and *(d)* what is the total estimated cost of the system, including software; and if he will make a statement.

Mr. Hayhoe: The system was ordered on 10 May 1982, installed in October 1982 and became operational on 1 March 1983. It is at present working satisfactorily. The cost of the system was approximately £500,000.

Customs Investigations Division

Mr. Gould asked the Chancellor of the Exchequer what functions in respect of licensing and other matters the Customs investigation division has carried out since 1980.

Mr. Hayhoe: The investigation division investigates offences relating to matters assigned to the Commissioners of Customs and Excise including the evasion of import and export licensing controls, the smuggling of drugs and other prohibited and dutiable goods, the evasion of revenue and frauds involving value added tax and common agricultural policy levies.

Disabled Persons (Water Closets)

Sir David Price asked the Chancellor of the Exchequer why, under the Value Added Tax (Handicapped Persons and Charities) Order 1982, Group 14, the Customs and Excise has given approval for a range of special water closets to be purchased free of value added tax by chronically sick or disabled persons, but has refused approval to specially designed toilet seats to be used on such water closets.

Mr. Hayhoe: Water closets which have been designed solely for use by chronically sick and disabled persons are relieved of VAT when supplied to such persons for their personal or domestic use, and a toilet seat which is itself so specially designed, or designed for use only with an eligible water closet, is also relieved when supplied in the same circumstances. If my hon. Friend is aware of a problem in this area, perhaps he would write to me about it.

Off-Street Parking (VAT)

Mr. Peter Bruinvels asked the Chancellor of the Exchequer what was the revenue raised in the most recent year for which figures are available through value added tax on off-street parking charges, including excess fees paid in this respect; and how this compares with the past five years.

Mr. Hayhoe: Businesses registered for value added tax are not required to make returns of the tax charged on particular supplies of goods or services, and information of this kind is therefore not directly available. Nor is it possible in this case to provide an estimate based on consumers' expenditure, as the information available is not sufficiently detailed.

Motor Cars (VAT)

Mr. Peter Bruinvels asked the Chancellor of the Exchequer what was the revenue raised in the most recent year for which figures are available through value added tax on servicing and repairs of motor cars; how this compares with the past five years; and if he will make a statement.

Mr. Hayhoe: Businesses registered for value added tax are not required to make returns of the tax charged on

particular supplies of goods and services, and information of this kind is therefore not directly available. The figures are based on estimates of consumers' expenditure.

Year	*£ Million*
1984-85	225
1983-84	210
1982-83	200
1981-82	180
1980-81	165
*1979-80	105

* The standard rate of VAT was raised from 8 per cent. to 15 per cent. from 18 June 1979.

Mr. Peter Bruinvels asked the Chancellor of the Exchequer what was the revenue raised in the most recent year for which figures are available through value added tax on the sale of second-hand cars; how this compares with the past five years; and if he will make a statement.

Mr. Hayhoe: Businesses registered for value added tax are not required to make returns of the tax charged on particular supplies of goods and services, and information of this kind is therefore not directly available. The estimates are based on consumers' expenditure data. I regret that the data for 1979-80 are insufficiently reliable to enable an estimate to be made.

	(£ million)
1984-85	150
1983-84	145
1982-83	120
1981-82	100
1980-81	85

Trustee Savings Banks Bill

Lord James Douglas-Hamilton asked the Chancellor of the Exchequer what is the position of Her Majesty's Government in relation to the Trustee Savings Banks Bill, following the vote in the House of Lords to amend the Bill.

Mr. Ian Stewart: I have asked the chairman of the TSB Central Board to consider as a matter of urgency the implications of the amendments made in the House of Lords to the TSB Bill, including that relating to TSB Scotland. The Government will make a further statement in due course.

Working Wives

Mr. Ashley asked the Chancellor of the Exchequer how many working wives opt for separate income tax assessment; and what proportion this is of those eligible to do so.

Mr. Lawson: I shall let the right hon. Member have a reply as soon as possible.

Mortgage Interest Tax Relief

Mr. Ashley asked the Chancellor of the Exchequer how many married couples claim the maximum amount of mortgage tax relief; and what proportion this is of all married couples.

Mr. Lawson: I shall let the right hon. Member have a reply as soon as possible.

EC (Budget Council)

Mr. Eggar asked the Chancellor of the Exchequer if he will make a statement about the EC Budget Council on 23 April.

Mr. Ian Stewart: I refer my hon. Friend to the statement I made earlier today.

SCOTLAND

Cormorants

Mr. Kilroy-Silk asked the Secretary of State for Scotland what advice for methods of deterring cormorants were given in *(a)* cases where licences were not granted and *(b)* cases where licences were granted in 1984 and 1985.

Mr. John MacKay: In Scotland licences are granted to kill cormorants to prevent damage to stocks of salmon and trout throughout open water fisheries. We are not aware of any successful method of deterring cormorants in such circumstances.

Mr. Kilroy-Silk asked the Secretary of State for Scotland if the Nature Conservancy Council was consulted over each application for a licence to kill cormorants in 1984 and so far in 1985.

Mr. John MacKay: As I indicated in reply to a question from the hon. Gentleman on 4 April, at column *735*, it would be impracticable to consult the Nature Conservancy Council about individual applications relating to the protection of fisheries.

Mr. Kilroy-Silk asked the Secretary of State for Scotland if the conditions of the licence to kill cormorants make it clear that the licence is only for the purpose of preventing serious damage.

Mr. John MacKay: The conditions attached to licences to kill cormorants make it clear that they are only for the purpose of preventing damage to fisheries.

Mr. Kilroy-Silk asked the Secretary of State for Scotland if any research is being undertaken *(a)* to assess the number and size of fish taken by cormorants and the extent of their impact on fisheries and *(b)* to look at methods of deterring or scaring cormorants from areas where they are considered to be causing damage.

Mr. John MacKay: No research is currently being undertaken by the Department of Agriculture and Fisheries for Scotland into these subjects.

Edinburgh Western Relief Road

Lord James Douglas-Hamilton asked the Secretary of State for Scotland whether he will come forward with a confirmation Bill, following on the parliamentary inquiry into the proposed Edinburgh western relief road.

Mr. Ancram: My right hon. Friend intends to introduce a Bill to confirm the Lothian region (Edinburgh Western Relief Road) Provisional Order, as modified, after the relevant plans have been received and a transcript of the evidence given at the inquiry has been placed in the Library of each House.

Improvement Grants

Mr. Craigen asked the Secretary of State for Scotland how many private sector improvement grants, including repair, conversion and standard grants, were approved in Scotland in each year from 1970 to 1984.

Mr. Ancram: The information requested is set out in the table.

Improvement grants to private owners—applications approved

Year	*Number of dwellings*
1970	5,846
1971	7,189
1972	16,053
1973	22,388
1974	24,474
1975	8,008
1976	7,402
1977	7,422
1978	8,605
1979	10,248
1980	12,827
1981	15,156
1982	30,471
1983	77,733
1984	34,629

Mr. Craigen asked the Secretary of State for Scotland how much was spent on improvement grants in real terms, at constant prices, in Scotland in each financial year from 1970-71 to 1984-85; and what is the estimated expenditure in 1985-86.

Mr. Ancram: The table shows the amounts, expressed in terms of 1983-84 prices, paid in improvement grants to private owners in Scotland in each of the calendar years 1971 to 1984. A consistent series of figures spanning the whole period is not readily available for financial years. Since expenditure on improvement grants is one component of non-HRA block expenditure, and will depend on how authorities choose to spend the resources allocated to them for that block, an estimate for 1985-86 is not available.

Year	*£ million*
1971	11·2
1972	29·2
1973	43·9
1974	73·3
1975	15·6
1976	13·3
1977	13·1
1978	13·2
1979	17·2
1980	22·3
1981	27·3
1982	44·1
1983	96·3
1984	125·6

Mr. Craigen asked the Secretary of State for Scotland in what periods between 1970 and 1985 the rate of grant for housing improvement was normally 50 per cent.; and in what periods it was 90 per cent.

Mr. Ancram: The maximum rates of grant under the house improvement and repairs grant schemes between 1970 and 1985 were as follows:

	From	*Rate per cent.*
Improvement Conversion	30 August 1968	50
	23 June 1971	75
	1 October 1973	50
Improvement (Houses below tolerable standard)	27 November 1974	50
	1 September 1978	75
Improvement (Housing Action Areas)	27 November 1974	*75
Standard Amenities	30 August 1968	50
	23 June 1971	75
	1 October 1973	50
	13 April 1982	90
	1 April 1984	50
Repairs	25 June 1978	50
	13 April 1982	90
	1 April 1984	50
Repairs (Housing Action Areas)	27 November 1974	*75
	13 April 1982	90
	1 April 1984	*75
Repairs (Lead plumbing works)	13 April 1982	90
	1 April 1984	75

* Or up to 90 per cent. in cases of hardship.

Waste Substances (Transport)

Mr. Tom Clarke asked the Secretary of State for Scotland what route is followed in the transport of waste substances between Faslane and Glenboig; if he is satisfied that no risk to public health or safety arises from the transport of such substances; and if he will make a statement.

Mr. Ancram: I understand that the contract awarded to Messrs. Shanks and McEwan involves the removal of waste by sea and road. The company's method statement is under discussion with the Health and Safety Executive, who will ensure that it fully safeguards public health and safety. The transport of the waste, could not, I am advised, in itself, give rise to risk to public health, but the company's proposed methods will include contingency measures against the remote chance of spillage arising from a road traffic accident.

Woodlands

Mr. Ron Davies asked the Secretary of State for Scotland if he will name, by county, those deciduous woodlands which have been *(a)* clearfelled and replanted with conifers and *(b)* clearfelled for agriculture under the terms of a Forestry Commission licence since January 1984.

Mr. John MacKay [*pursuant to his reply*, 18 April 1985, c. *249*]: The information is not available in the form requested as the Forestry Commission does not normally monitor the situation on the ground after granting a felling licence, unless replanting conditions are involved and these conditions are due to have been fulfilled. I can, however, list the woodlands for which licences were issued during the period 1 January 1984 to 31 March 1985; these are as follows:

Name	County/Region
(a) Broadleaved woodland licensed for clearfelling and replanting with confifers:	
Bolderton Drive	Cheshire
Woods at Warren Lane	Berkshire
(b) Broadleaved woodland licensed for clearfelling for conversion of the land to agriculture:	
Peacocks Field Plantation	North Yorkshire
Three Cornered Covert	Suffolk
Goldsmith's Covert	Suffolk
Woodlands on Bliss Estate	Suffolk
Woodlands on Moat Farm	Suffolk
Dunholme Holt	Lincolnshire
Saddle Copse	Oxfordshire
Spinney on Road Farm	Buckinghamshire
Sidehill Wood	Hertfordshire
Brick Kiln Covert	Norfolk
Hill Eight Acres	Norfolk
Woods on Salle Park	Norfolk
Common Plantation	Norfolk
The Whins	Norfolk
High Plantation	Norfolk
Woodlands on Saxlingham Estate	Norfolk
Woodlands on Glebe Farm	Norfolk
Woodlands on Rogers Estate	Norfolk
The Mound	Northamptonshire
The Hangings	Essex
Part of Bear Gill Wood	Surrey
Woodlands at Coldharbour	Surrey
Willow Wood	Kent
Horton Kirby Wood	Kent
Woodlands at Dover Castle	Kent
Staples Hill Copse	Sussex
Humbers Wood	Hampshire
Mews Wood	Hampshire
Part of Stubbs Copse	Hampshire
Part of Fishers Pond Wood	Hampshire
Woods on Rookesbury Farm	Hampshire
Woods on Cleve Farm	Devon
Woods on West Wheetley Farm	Devon
Woods on Langford Farm	Devon
Woods on West Walton	Devon
Woodlands at Hayne Bardon	Devon
Woods on Osborne's Farm	Devon
Woods on Barah Farm	Cornwall
Culkive Woods	Cornwall
Woods on Whitehouse Farm	Gloucestershire
Collins Grove	Gloucestershire
Woods on Melcombe Farm	Dorset
Woods on Manor Farm	Shropshire
Bolas Wood	Shropshire
Birch Wood	Lothian
Broad Wood	Strathclyde
Coed Faenol Bropor Wood	Clwyd
Woods on Lower Cwm Tydu Farm	Powys
Woods on Coed Coedn Farm	Powys
Woods on Home Farm	Powys
Highgate Wood	Powys
Woodlands on Caethugley Estate	Powys
Blacksmiths Wood	Powys
Fron Wood	Powys
Treowen Woods	Gwent
Gaer House Wood	Gwent
Woodlands on Ty Uchaf Farm	Gwent
Woodlands on Cwm Nosydd Farm	Gwent
Allt Tanteg Wood	Dyfed

The total area under *(a)* was 2·1 hectares; the total area under *(b)* was 125·5 hectares of which one woodland of 17 hectares comprised a crop of poplar grown for matchwood.

Twenty-eight broadleaved woodlands were licensed for clearfelling for conversion to agriculture during the period January to March 1984; 31 woodlands were covered by such licences during the following 12 months.

Scottish Tourist Board

Mr. Hirst asked the Secretary of State for Scotland if he will list the grants over £10,000 given by the Scottish Tourist Board to aid tourist development projects in each of the last five years specifying also where appropriate the ultimate holding company of the recipient of grant.

Mr. Allan Stewart [*pursuant to his reply*, 28 January 1985, c. *16*]: The information is set out in the following table. Individual grants are not listed but have been banded as follows:

Assistance category	Grants in the range £
(1)	10,000 – 24,999
(2)	25,000 – 49,999
(3)	50,000 – 99,999
(4)	100,000 – 199,999
(5)	Grants of 200,000 or over

Establishment	Assistance category	Holding company (as appropriate)
1980		
Boat Inn, Aboyne	1	
Manor Park Hotel, Skelmorlie, Ayrshire	1	C. A. Sebire Ltd.
Pitlochry Tourist Information Centre	1	
Boreland Farm, Fearnan	1	
Abbey St. Bathans Estate, Duns	1	
Bunrannoch Hotel, Kinloch Rannoch	1	Bunrannoch Hotel Ltd.
Mallard Hotel, Gullane	1	
Stravithie House, St. Andrew's	1	
Steading Mid Auchieskine Cottages, Strathyre, Perthshire	1	
Baillie Nicol Jarvie Hotel, Aberfoyle	1	Tarcherlie Ltd.
Culderry Hotel, Newton Stewart	1	
Loch Rannoch Hotel, Loch Rannoch	1	Multi-Ownership of Hotels Ltd.
Corses Cottages, Locherbie	1	
St. Olaf Aulton Road, Cruden Bay	1	St. Olaf Hotel Ltd.
Thirlestane Castle, Lauder	1	
The Limes, Montrose	1	
Golf View Hotel, Blairgowrie	1	
Knocklae Steading, Castle Douglas	1	
Dalnair Conference Centre	1	
Tor Na Coillie Hotel, Banchory	1	
Hazeldean Riding Centre, Hawick	1	
Kings of Kinloch Hotel, Angus	2	
Aberdeen Tourist Information Centre	2	
Brodie Castle, Moray	2	
Country Club Hotel, Strathblane	2	Dougall Hotels Ltd.
Comet Charters Cruisers	2	
Burts Hotel, Melrose	2	
Craig Tay Hotel, Dundee	2	
Old Town Mill, Dumfries	2	
Magister Marine Cruisers	2	
Learmonth Hotel, Edinburgh	2	Craft Leisure Ltd.
Crown Hotel, Port Patrick	2	
Abbotsford Arms Hotel, Galashiels	2	
Moness Farm, Aberfeldy	2	
Ballintuin Hotel & Caravan Park, Perthshire	2	The Ballintuin Hotel Co. Ltd.
Knowhead, Banff	2	
Knox Johnston Yachts, Troon	2	Knox Johnston Yachts Ltd.
Anchorage Hotel, Troon	2	Messrs Ellis and Muir
Croft Bank, Kinross	2	
Gloucester Hotel, Aberdeen	3	Aberdeen Hotel Co. Ltd.
Tummel Bridge, Pitlochry	3	Leech Leisure Ltd.
Whithaugh Park, Newcastleton	3	Border Park Management Ltd.
Scottish Experience, Edinburgh	3	Thirty One Projects Ltd.
Glenshee Chairlift	3	Glenshee Chairlift Co. Ltd.
Grangemuir Estate, Pittenweem	3	Grangemuir Woodland Park Ltd.
1981		
Dunaird House, Dunkeld	1	
Kildrummy Castle Hotel, Alford	1	
Buchanan Arms Hotel, Drymen	1	Scottish Highland Hotels

Establishment	Assistance category	Holding company (as appropriate)
Royal Scottish Museum, Edinburgh	1	
Crathes Castle, Banchory	1	National Trust for Scotland
Cock Inn Caravan Park, Newton Stewart	1	
Carlogie House Hotel, Angus	1	Mackenzie Hotels Ltd
Kerkira, Newton Stewart	1	
Shell Bay Caravan Park, Elie	1	Mortonhall Park Ltd
Railway Lines and Vehicles, Bo'ness	1	Scottish Railway Preservation Society, Edinburgh
Tynet Mill, Fochabers	1	Christies, Fochabers Ltd
Castle Menzies, Aberfeldy	1	Clan Menzies Society
Gight House, Aberdeenshire	1	
Craichie Inn, Forfar	1	
Woodlands Hotel, Dundee	1	Woodlands Hotel (Broughty Ferry) Co
Tweeddale Arms Hotel, Gifford	1	
Brechin Railway Preservation Society	1	
Heatheryhaugh, Moffat	1	
Greystones Cottage Restaurant, Castle Douglas	1	
Paul Jones Hotel, Southerness	1	Paul Jones Hotel Ltd
Rosslea Hall Hotel, Rhu	1	Aldbar Hotels Ltd
Glenluiart, Moniave, by Thornhill, Dumfriesshire	1	
Red Lion Hotel, Earlston	1	
Brandedleys Caravan Park, Dumfries	1	
Dr Welsh's House, Haddington	1	Lamp of Lothian Collegiate
Balig Farm, Girvin	1	
Bruntsfield Youth Hostel, Edinburgh	1	
Crookston Hotel, Glasgow	1	
Peebles Hydro Hotel	1	Peebles Hotel Hydropathic Ltd
East Kirkland, Wigtown	1	
Heckling Shed, Glasgow Vennel	1	Irving Development Corporation
Clifton Hotel, Ayr	1	
Inverbeg Inn, Luss	2	Loch Lomond Cruisers Ltd
Hazelhead Zoo Avaiary, Aberdeen	2	
Marie Stuart Hotel, Glasgow	2	
Forbes Arms Hotel, Alford	2	
Scores Hotel, St Andrews	2	Walter Alexander plc
Mount Royal Hotel, Edinburgh	2	Aberdeen Hotel Co Ltd
South Dron, St Andrews	2	Foridon Enterprises
Loch Monzievaird Chalets, Crieff	2	
Crossways Inn, Gretna	2	
Park Lodge, Stirling	2	
Baxter's of Fochabers Visitor Facilities	2	W A Baxter & Sons Ltd
Buccleugh Arms Hotel, St Boswells	2	
Ballyconachy, Balmaha Road	2	
Acharn, Aberfeldy	2	
Annfield House Hotel, Irvine	2	Fleeting Organisation Ltd
Beacons Hotel, Glasgow	2	Beacons Hotel (Glasgow) Ltd
Station Hotel, Aberdeen	2	BTH/Virani
Montegreenan House, Largs	2	The Springfield Hotel
Bannockburn Visitor Centre, Stirlingshire	2	
Drum Mohr Caravan Park, Musselburgh	2	
Blair Drummond Caravan Site, Stilingshire	3	The Caravan Club Ltd
Filmhouse, Edinburgh	3	The Scottish Council for Educational Technology Ltd
Waverley Paddle Steamer	3	
Tweed Valley Hotel, Walkertown	3	
Buchanan Arms Hotel, Drymen	3	Scottish Highlands Hotels
Loch Tay Leisure Centre	3	Barratt Multi-Ownership & Hotels Ltd
Sunlaws House, Kelso	3	
Culzean Country Park, Ayrshire	3	The Camping Club of Great Britain and Northern Ireland
Foveran House, Newburgh	3	Rockall Estates Ltd
Keavil House Hotel, Crossford Nr Dunfermline	3	Wright Hotels Ltd
1982		
Lossiemouth Fisheries Community Association	1	
Beechview Guest House Lossiemouth	1	
Purves Hall, Greenlaw	1	
Braemar Tourist Information Centre	1	
Brisbane Centre, Largs	1	
Lomond Hotel, Kinross	1	
Queen's Hotel, Perth	1	Travco Hotels Ltd
Inverbeg Caravan Site, Luss	1	Luss Estates Company
Meldrum's Hotel, Fife	1	
Sundrum Castle Caravan Park, Nr Ayr	1	Leech Leisure Limited
Dunalastair Estate, Kinloch Rannoch	1	
Stirling Museum	1	
Newton Hotel, Kirriemuir	1	
Netherhill Service Station, Drymen	1	
Baxter's of Fochabers	1	W A Baxter & Sons Ltd
Scottish Fisheries Museum, Anstruther	1	Scottish Fisheries Museum, Trust Limited
"Countess Fiona"	1	Maid of the Loch Limited
Piersland Lodge Hotel, Troon	1	Piersland Lodge Hotel Ltd
Hart Manor Hotel, Langholm	1	
Arden Hotel, Edinburgh	1	
Troon Marina	1	Troon Yacht Sails Ltd
Station Hotel, Dumfries	1	
Criffel Inn, Dumfries	1	
Kirkcaldy Ice Rink	1	
Lady Victoria Colliery, Newtongrange	1	Lothian Regional Council
Guest House, 8 Brougham Road, Greenock	1	
Gleneldon Hotel, Largs	1	
Halliwells Close Museum, Selkirk	1	Ettrick & Lauderdale District Council
Bayview Hotel, Peterhead	1	
Loch Lomond Youth Hostel, Arden	1	
Logierait Hotel, Pitlochry	1	
Clifton Coffee Shop, Tyndrum	1	
Kelton Mill, Threave Estate, Near Castle Douglas	1	National Trust for Scotland
Pitmedden House, Aberdeenshire	2	
Rosemount Golf Hotel, Blairgowrie	2	
Rosetta Caravan and Camping Park, Peebles	2	
Glynhill Hotel, Renfrew	2	Glenhill Hotels Ltd
Royal Scot Hotel, Edinburgh	2	Smaller Hotels plc
Hunterian Museum, Glasgow	2	
Southerness Holiday Village, Kintyre	2	Border Travel Services Ltd
Kirroughtree Hotel, Newton Stewart	2	Kirroughtree Hotel Ltd
Glenturret Distillery	2	Glenturret Distillery Ltd
Rusacks Hotel, St. Andrews	2	St Andrews Links Trust
Mount Royal Hotel, Edinburgh	2	Aberdeen Hotel Company Ltd
Marine Hotel, Crail	2	
Woodlands House Hotel, Galashiels	2	
Swimming Pool, Peebles	2	
Tamnavoulin-Glenlivet Distillery	2	Invergordon Distillers Ltd
Dean Castle Country Park, Kilmarnock	2	
Caledonian Hotel, Edinburgh	2	Gleneagles Hotels plc
Sweethope House, Musselburgh	2	
Fife Arms Hotel, Braemar	2	
Waverley Market Tourist Information Centre, Edinburgh	2	
Anderson's Story Book Glen, Cults	3	P & J Anderson Ltd
Balcraig House, Scone	3	
Atholl Curling Rink, Pitlochry	3	Atholl Curling Rink Ltd
Glenshee Ski Slopes	3	Glenshee Chairlift Co Ltd
Isle of Skye Hotel, Perth	3	Tennent Caledonian Breweries Ltd
Letham Grange Estate, Angus	3	Strathmore Seed Growers
Skean Dhu Hotel, Aberdeen	4	Mount Charlotte Hotels
Aberfeldy Recreation Centre	4	
1983		
Shore Cafe, Arbroath	1	
Stathearn Hydro, Crieff	1	Strathearn Hydro Ltd.

Establishment	Assistance category	Holding company (as appropriate)
Rowardennan Hotel, Loch Lomond	1	
Bein Inn, Glenfarg	1	
Old Monastery Restaurant, Buckie	1	
Tarbet Pier, Loch Lomond	1	
Cullerie Shop, Echt	1	
Creebridge House Hotel, Newton Stewart	1	
Cassencarie Holiday Park, Newton Stewart	1	
Stakis Pond Hotel, Glasgow	1	Stakis plc
Stakis Ingram Hotel, Glasgow	1	Stakis plc
Roman Camp Hotel, Callander	1	
Peacock Printmakers Workshop, Aberdeen	1	Peacock Printmakers, Aberdeen Ltd.
Stirling Castle Visitors' Centre	1	
Mountqouhanie Estate, Cupar	1	
Ramsay Arms Hotel, Fettercairn	1	
Lomond Hotel, Fife	1	
Lauderdale Park, Dunbar	1	
Scott Skinner's Restaurant, Banchory	1	
Open Hearth Guesthouse, Aberdeen	1	
Clarendon Hotel, Edinburgh	1	Clarendon Hotel Ltd.
Dundee Tourist Information Centre	1	
Brighouse Bay Holiday Park, Kircudbright	1	Gillespie Leisure Ltd.
Peat Inn, Cupar	1	
Old Place of Monreith	1	The Landmark Trust
Home Arms Hotel, Eyemouth	1	
Plimley Estates Ltd., Stirling	1	Plimley Estates Ltd.
Drumnakyle Farmhouse, Bridge of Earn	1	
Albert Hotel, Peterhead	1	
Craigadam, Castle Douglas	1	
Balcomie Links Hotel, Crail	1	
University of Dundee	1	
Nethermill, Galashiels	1	
Warmanbie, Annan	1	Duncan Hotels Ltd.
Forest Hills Hotel, Aberfoyle	1	Barratt Multi-Ownership & Hotels Ltd.
Carfraemill Hotel, Oxton	1	
Linsmohr Hotel, Aberdeen	1	Linsmohr Hotels Ltd.
Odin Villa Hotel, Kinghorn	1	
Rosslea Hall Hotel, Rhu	1	Aldbar Hotels Ltd.
Balnakilly, Kirkmichael	1	
Terra Nova Guest House, Aberdeen	1	
Stirling Castle	1	
Border Hotel, Kirkyetham	1	
Shawend Farm Country Cottages, Kilsyth	1	
Vam Vaar, Balquidder	1	
Schiehallion Guest House, Braemar	1	
Ancaster Arms Hotel, Callander	1	Ancaster Arms Hotel Ltd.
Old Rome Farmhouse, Kilmarnock	1	
The Carlton Hotel, Prestwick	1	Tennent Caledonian Breweries Ltd.
Harp Hotel, Edinburgh	1	Tennent Caledonian Breweries Ltd.
Burnbrae Hotel, Glasgow	1	Stakis plc
Redhurst Hotel, Glasgow	1	Stakis plc
Aberdeen Youth Hostel	1	Scottish Youth Hostels Association
Savoy Park Hotel, Ayr	1	Savoy Park Hotels Ltd.
Cedars Guest House, Aberdeen	1	
The Pine Room Restaurant, Balfron	1	
Ballinluig Service Station, Perthshire	1	
Auchen Castle Hotel, Moffat	1	
Crathes Castle, Banchory	1	National Trust for Scotland
33 Marketgate, Arbroath	1	
Glenturret Distillery, Crieff	1	Glenturrent Distillery Ltd.
Drumorne Guest House, Edinburgh	1	
Pitbauchlie House Hotel, Dunfermline	2	Samuel Solley Hotels Ltd.
Lauderdale Hotel, Lauder	2	
Stakis Normandy Hotel, Renfrew	2	Stakis plc
North West Castle Hotels, Stranraer	2	North West Castle (Stranraer) Limited
Shell Bay Caravan Park, Elie	2	Abbeyford Caravan and Trailer Company
Glasgow Vennel, Irvine	2	
Erigmore Caravan Park, Dunkeld	2	Baldwin Leisure Estates Ltd.
Touch Mill, Dunfermline	2	
The Park, Findhorn	2	Findhorn Foundation
Lecht Ski Centre	2	Lecht Ski Co. Ltd.
Glenshee Chairlift Co.	2	Glenshee Chairlift Co. Ltd.
Nivingston House Hotel, Cleish	2	
Sunninghill Private Hotel, Elgin	2	
Queensberry Arms Hotel, Annan	2	Tennent Caledonian Breweries Ltd.
Lochside House Hotel, Ayrshire	2	
Strathearn Hydro, Perthshire	2	Strathearn Hydro Ltd.
Dron Court, St. Andrews	2	Floridon Enterprises
Tummel Valley Holiday Park, Pitlochry	2	Leech Leisure Ltd.
Lady Victoria Colliery, Newtongrange	2	
Howard Hotel, Edinburgh	2	Open Arms Ltd.
Glenlivet Holiday Lodges, Moray	2	
Harbour House Hotel, Portpatrick	2	
Clonyard House Hotel, Dalbeattie	2	
West Buchan Railway Co. Ltd.	2	
Scottish Mining Museum, Prestongrange	2	East Lothian District Council
Loch Achray Hotel, Perthsire	3	
Museum of Anthropology, Aberdeen	3	
Murrayshall House Hotel, Scone	3	
Royal Scot Hotel, Edinburgh	3	Swallow Hotels plc
Maragowan Caravan Park, Killin	3	The Caravan Club Ltd.
Royal Hotel, Blairgowrie	3	
Craigelands Country Park, Beattock, Dumfriesshire	3	Craigielands Country Park Ltd.
Loch Long Hotel, Arrochar	3	
Forth Bridges Moathouse, South Queensferry	3	Fraserfort Ltd.
Golden Acorn Hotel, Glenrothes	3	Stakis plc
Haugh, Ballater	3	
Peebles Hydro Hotel	3	Peebles Hotel Hydro Ltd.
Loch Tay Leisure Centre	3	
Mount Royal Hotel, Edinburgh	3	Aberdeen Co. Ltd.
Aberdeen Maritime Museum	3	
Milton Morenish, Killin	3	
Abbey Park House, Dunfermline	3	
Old Fishmarket, Glasgow	4	The Briggait Co. Ltd.
Eight Acres Hotel, Elgin	4	Sheriffmill Hotels Ltd.
Gleneagles Hotel	4	Gleneagles Hotels plc
Sheraton Hotel, Edinburgh	5	Sheraton Hotels, Inns & Resorts Worldwide
Dunbland Hydro	5	Stakis plc
Carlton Hotel, Edinburgh	5	Scottish Highland Hotels
1984		
Penkiln Bridge, Newton Stewart	1	
Aldessan House, Clachan of Campsie	1	Caledonian Estates Ltd
Woodlea Guest House, Pertherth	1	
Mills Observatory, Dundee	1	
Crianlarich Hotel	1	
Forth and Clyde Canal	1	Caledonian Estates Ltd Joint Committee of Stirling District and Central Regional Councils
Stirling Smith Gallery, Sterling	1	
Airdaniar Hotel, Pitlochry	1	
Fernhill Hotel, Portpatrick	1	
Fort Lodge Hotel, Ayr	1	
Ardgowan Hotel, St Andrews	1	
Wallace Monument, Stirling	1	
Scores Hotel, St Andrews	1	Walter Alexander plc
Sunninghill Private Hotel, Elgin	1	
Monreith House, Fort William	1	
Yellowcraig Caravan Park, North Berwick	1	The Caravan Club Ltd
Queens Hotel, Forfar	1	
Sundrum Castle Holiday Park, Nr Ayr	1	Leech Leisure Ltd
72-Passenger Boat, Arbroath	1	
Scottish Fisheries Museum, Anstruther	1	
Invercauld Arms Hotel, Ballater	1	
Glen Street Self Catering, Edinburgh	1	
Glengoyne Distillery	1	Lang Brothers Ltd
Ayrshire and Burns Country Tourist Board	1	
Anstruther Holiday Village	1	Anstruther Properties Ltd
The Inn, Elgin	1	

Establishment	Assistance category	Holding company (as appropriate)
Knockendarroch House Hotel, Pitlochry	1	
Scottish Sculpture Workshop, Aberdeen	1	
Forres Golf Club	1	
Kenmore Hotel, Stirlingshire	1	
Park House Restaurant, Elgin	1	
Bayview Hotel, Cullen	1	
Ardblair Castle, by Blairgowrie	1	
Craw Inn, Eyemouth	1	
Coffee Shop, 73 Market Street, St Andrews	1	John MacGregor/St Andrew's Ltd
Moreig Hotel, Dumfries	1	
Forresters Arms, Pathead	1	
Leny Estate, Callander	1	
East Common Caravan Park, Tayport	1	Largo Leisure Park Ltd
Muir Cockhall, Dunfermline	2	Eagle Glen Croft Centre Ltd
St Andrew's Gold Hotel	2	
Camperdown Park, Dundee	2	
Leith Hall, Gordon	2	National Trust for Scotland
Camera Lucida City Dome, Edinburgh	2	
Steam Packet Hotel, Isle of Whithorn	2	Steam Packet Hotel Co Ltd
Royal Commonwealth Pool, Edinburgh	2	
Illiam Ltd, Cafe/Pub, Glasgow	2	Illiam Ltd
Glenshee Chairlift	2	Glenshee Chairlift Co Ltd
Idvies House, Letham, Angus	2	
Balcomie Links Caravan Park, Fife	2	
Learmonth Hotel, Edinburgh	3	Greenfield Holdings Ltd
Old Manor Hotel, Leven	3	
Lomond Castle Hotel, Dunbartonshire	3	Lomond Castle Hotel & Leisure Centre Ltd
Invercauld Caravaan Site, Braemar	3	The Caravan Club Ltd
Lovat Hotel, Perth	3	Lovat Hotels Ltd
Glen Street Self Catering, Edinburgh	3	
Greater Glasgow Tourist Board	3	
Scottish Butterfly Farm Ltd	3	Edinburgh Butterfly Farm Ltd
River Tilt Caravan Park, Blair Atholl	3	
Craws Nest Hotel, Anstruther	3	
Norton House Hotel, Edinburgh	3	
Bothwell Bridge Hotel, Hamilton	3	
Lochearnhead Hotel	3	
Star Hotel, Crieff	3	
Scottish Mining Museum	3	
Laichmoray Hotel, Elgin	3	
Tor Na Coille Hotel, Banchory	3	
Windlestrae Hotel, Kinross	3	
Comfort Lodge, Livingston	4	Comfort Lodge (UK) Ltd
Cameron Park, Loch Lomond	4	Cameron Park Ltd
Museum of Childhood, Edinburgh	4	
Douglas Hotel, Galashiels	4	Scottish & Newcastle Brewers Ltd
Craigendarroch Hotel, Ballater	5	Interown Leisure Ltd
Stonehaven Leisure Centre	5	
North British Hotel, Glasgow	5	Archyield Ltd
Airth Castle, Falkirk	5	Forth Hotels Ltd
Maid of the Loch, Loch Lommond	5	Maid of the Loch Ltd

OVERSEAS DEVELOPMENT

Gibraltar Dockyard

41. **Sir Patrick Wall** asked the Secretary of State for Foreign and Commonwealth Affairs under what terms and conditions the management agents operate Gibraltar dockyard.

Mr. Raison: A. and P. Appledore International Ltd. manages Gibraltar Shiprepair Ltd. and is paid a fixed annual fee or a fixed percentage of the operating profit, whichever is the greater.

European Development Fund (Contracts)

Mr. Spearing asked the Secretary of State for Foreign and Commonwealth Affairs if, pursuant to his reply to the hon. Member for Banbury (Mr. Baldry), 15 April 1985, *Official Report*, column *18*, he will state the cumulative percentage share of British contracts gained under EDF V in African, Caribbean and Pacific countries.

Mr. Raison: The cumulative British share of contracts under EDF V advertised and let within African, Caribbean and Pacific countries was 6·8 per cent. at the end of December 1984. ACP countries themselves gained 70 per cent. of these contracts.

Overseas Aid (Forestry)

Mr. Skeet asked the Secretary of State for Foreign and Commonwealth Affairs what is the amount of Government funds that have been invested through the Commonwealth Development Corporation and Overseas Development Administration with a view to encouraging forestry in tropical areas abroad.

Mr. Raison: Government funds invested in tropical forestry through the Commonwealth Development Corporation and the Overseas Development Administration support both technical co-operation and specific projects, some larger and some small. Expenditure and new commitments on the large projects between 1980 and 1984 was:

Year	Expenditure £ million	New Commitments £ million
1980	2·805	0·429
1981	3·161	0·381
1982	4·145	1·776
1983	3·592	1·799
1984	5·155	25·380

Crown Agents (Netting Stations)

Sir Geoffrey Johnson Smith asked the Secretary of State for Foreign and Commonwealth Affairs how many netting stations are owned by the Crown Agents; where they are located; and what was the annual weight of catch in the years 1979 to 1984.

Mr. Raison: The Crown Agents do not own any netting stations.

TRANSPORT

Train Services

Mr. Pawsey asked the Secretary of State for Transport, pursuant to the answer of 4 April, *Official Report*, column *745*, about Sunday services on British Rail, if he will publish for 1984 the number of occasions when Sunday train services differed from the published timetables and the principal causes of such differences.

Mr. David Mitchell: The information requested by my hon. Friend is not readily available. The principal reasons why Sunday train services may differ from the published timetable is weekend engineering work.

Mr. Pawsey asked the Secretary of State for Transport, pursuant to the answer of 16 April, *Official Report*,

columns *150-1*, about the punctuality of train services, if he will give for the lines referred to, the average amount of recovery time included for the journeys in the timetables.

Mr. David Mitchell: The times are as follows:

	†*Normal recovery time (minutes)*	‡*Additional recovery time (minutes)*
Glasgow-Euston*	‖23	8
Birmingham-Euston*	8	8
Liverpool and Manchester-Euston*	8	8

† Normal recovery time added to all services.

‡ Additional recovery time added to services travelling over the Rugby-Euston section between 10 am and 5 pm on Mondays to Fridays to allow for track maintenance undertaken between these hours.

‖ *This recovery time is made up as follows:*

	Minutes
Glasgow-Carlisle	7
Carlisle-Crewe	8
Rugby-Euston	8

Mr. Pawsey asked the Secretary of State for Transport, if he will ask the chairman of British Rail to collect information on the punctuality of trains at intermediate stations as well as at terminating stations.

Mr. David Mitchell: We have endorsed British Rail's objective of improved punctuality. How it achieves those standards and how it monitors them are matters of management for the board.

Mr. Pawsey asked the Secretary of State for Transport, how many representations he has received about the punctuality of trains at intermediate stations on inter-city lines.

Mr. David Mitchell: Fifty-five during the whole of 1984, of which six came from Members of Parliament.

Mr. Pawsey asked the Secretary of State for Transport, if he will make a statement about train time-keeping as set out in paragraphs 96 to 99 in the report of the Transport Users' Consultative Committee Yorkshire area, a copy of which has been sent to him.

Mr. David Mitchell: I welcome the considerable effort that TUCCs in Yorkshire, and elsewhere, have put into making a sample survey of punctuality at intermediate stations.

Motorways (Communications System)

Mr. Harrison asked the Secretary of State for Transport if he will identify where the responsibility lies for the public communications system on all motorways in the United Kingdom.

Mrs. Chalker: In England, emergency telephones are provided for accidents and breakdowns on all motorways by the Department of Transport. Public communications systems are provided by British Telecom at service stations.

Roads

Mr. Alexander asked the Secretary of State for Transport what information he has as to the amount spent in 1984 on *(a)* construction of new roads, *(b)* road repairs funded directly by his Department and *(c)* road repairs funded by local authorities.

Mrs. Chalker: The latest information available for roads in England is as follows:

£ million

	New Road Construction		*Road Repairs/Maintenance*	
	1983-84	*1984-85*	*1983-84*	*1984-85*
National road system (directly funded)	523	576	183	*218
Local authority roads	440	†491	738	‡812

* Provisional outturn.

† Provision.

‡ Estimate.

The outturn figures for local authorities in 1984-85 will not be available until later this year.

Cyclists

Mrs. Virginia Bottomley asked the Secretary of State for Transport what plans he has following the recent changes in the transport supplementary grant system, to encourage local authorities to make provision for cyclists on local roads.

Mrs. Chalker: It continues to be our policy to provide information, help and advice to local authorities in developing their policies for cyclists.

Felixstowe Dock and Railway Bill

Mr. Weetch asked the Secretary of State for Transport what steps have been taken by Her Majesty' Government to evaluate the national, industrial and commercial implications of the Felixstowe Dock and Railway Bill; and if he will make a statement.

Mr. David Mitchell: The industrial and commercial implications are matters for the judgment of the Felixstowe Dock and Railway Company, which is promoting the Bill. I cannot anticipate the views that will be expressed on behalf of the Government when the Bill has its Second Reading.

Grain Dryer, Swarland (Access)

Mr. Beith asked the Secretary of State for Transport whether his Department was consulted about access from the A1 for heavy vehicles to the proposed grain dryer at Swarland, Northumberland, before planning permission was issued.

Mrs. Chalker: No. In a case of this nature the local plannng authority is required to consult my Department only where it appears to it that the development is likely to create or attract traffic which will result in a material increase in the volume of traffic entering or leaving a trunk road. I assume that the local planning authority—in this case Alnwick district council—did not consider that the proposed grain dryer at Swarland would be likely to create or attract such traffic.

NBC (Employees' Pensions)

Dr. Glyn asked the Secretary of State for Transport what orders he intends to make under section 50 of the Transport Bill to guarantee the future pension provision for employees of the National Bus Company.

Mr. David Mitchell: My right hon. Friend has at present no plans to make such orders. Benefits which employees have accrued in the National Bus Company's pension funds are protected by the funds' rules and backed by their assets.

M25 (Completion)

Mr. Peter Bruinvels asked the Secretary of State for Transport, pursuant to his answer of 22 April, *Official Report*, column *359*, what penalty clauses are in operation in respect of late completion of outstanding sections of the M25; what is his policy *(a)* in awarding contracts for motorway construction and *(b)* in attaching penalty clauses for late completion; and if he will make a statement.

Mrs. Chalker: All the contracts for sections of the M25 now being completed contain provisions for the payment of a predetermined amount of liquidated damages by the contractor for each day he exceeds the authorised period for completion.

My policy is to award contracts for motorway constructon to the firm submitting the lowest acceptable offer, following competitive tendering by civil engineering contractors selected for their record of achieving good work, on time, and at competitive prices.

The tender invitations documents state the period in which the works are to be completed, together with the amount of liquidated damages due for each day that period is exceeded by the contractor.

AGRICULTURE, FISHERIES AND FOOD

Birds

Mr. Kilroy-Silk asked the Minister of Agriculture, Fisheries and Food what was the number of licences he issued *(a)* in 1984 and *(b)* so far in 1985 to kill birds under section 16 of the Wildlife and Countryside Act 1981 and, in each case giving the species of bird involved, the number allowed to be killed, the location and the reason.

Mrs. Fenner: Details of licences issued by my Department in 1984 and 1985, for the killing of wild birds under section 16 of the Wildlife and Countryside Act 1981, are set out in the following tables.

Wildlife and Countryside Act 1981
Licensing by MAFF in England during 1984

Species	*Prohibited method*	*Ministry of Agriculture, Fisheries and Food Region*													
		HQ		*E*		*M and W*		*SE*		*SW*		*N*		*Totals*	
		Number licences	*Number birds taken*	*Number licences*	*Number birds taken*	*Number licences*	*Number birds taken*	*Number licences*	*Number birds taken*	*Number licences*	*Number birds taken*	*Number licences*	*Number birds taken*	*Number licences*	*Number of birds taken*
Feral pigeons and house sparrows	Stupefying bait	—	—	50	10,700	387	22,442	37	3,419	37	4,576	168	2,813	•679	43,950
Herring gulls	Stupefying bait	1	157	—	—	—	—	—	—	—	—	—	—	•1	156
House sparrows	Mist nets	—	—	—	—	7	92	3	—	—	—	7	178	•17	270
Pigeons, sparrows and starlings	Artificial light	—	—	1	na	—	—	4	na	2	na	1	na	•8	na
Bullfinch	Cage trap	*1	—	—	—	—	—	—	—	—	—	—	—	*■1	na
Brent geese	na	—	—	54	468	—	—	20	141	—	—	—	—	■74	†627
Greylag/ Canada geese	na	—	—	3	13	—	—	—	—	—	—	1	9	■13	22
					1	8	218					—	—		231
Canada geese eggs	na	—	—	—	—	1	21	—	—	—	—	—	—	■1	‖21
Pink footed geese	na	—	—	—	—	1	4	—	—	—	—	—	—	■1	4
Cormorants	na	—	—	1	‡	3	‡4	—	—	—	—	—	—	■4	‡4
Herons	na	—	—	—	—	—	—	1	4	—	—	—	—	1	4
Blackbirds	na	—	—	—	—	—	—	1	†	—	—	—	—	■1	‡
Totals		2	156	110	11,212	407	22,781	66	3,564	39	4,576	177	3,000	801	¶45,289

* General licence.
† 1983-84 season.
‡ Licence covers 1984-85. Returns not yet available.
‖ Eggs pricked.
¶ Includes 21 eggs pricked.
• For the purposes of preserving public health.
■ For the purpose of preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or fisheries.

Wildlife and Countryside Act 1981
Licensing by MAFF in England 1 January to 20 April 1985

Species	Prohibited method	Ministry of Agriculture, Fisheries and Food Region: HQ		E		M and W		SE		SW		N		Totals	
		Number licences	Number birds allowed to be taken	Number licences	Number birds allowed to be taken	Number licences	Number birds allowed to be taken	Number licences	Number birds allowed to be taken	Number licences	Number birds allowed to be taken	Number licences	Number birds allowed to be taken	Number licences	Number of birds allowed to be taken
Feral pigeons and house sparrows	Stupefying bait	—	—	11	—	90	—	6	—	—	—	79	—	‡186	†
Herring gulls		1	—	—	—	—	—	—	—	—	—	—	—	‡1	†
House sparrows	Mist nets	—	—	—	—	—	—	1	—	—	—	1	—	‡2	†
Bullfinch	Cage trap	*1	—	—	—	—	—	—	—	—	—	—	—	*‖1	†
Brent geese	na	—	—	23	270	—	—	5	70	—	—	—	—	‖28	340
Greylag/	na	—	—	4	40									‖7	270
Canada geese	na	—	—	1	50	2	150	—	—	—	—	1	30		
Widgeon	na	—	—	—	—	1									
Mallard	na	—	—	—	—	1	100	—	—	—	—	—	—	‖2	100
Coot	na	—	—	—	—			—	—	—	—	—	—		
Moorhen	na	—	—	1	20			—	—	—	—	—	—	1	20
Totals		2	†	40	380	94	250	12	70	—	—	81	30	228	730

* General licence.
† There are no limits specified in licences to use stupefying baits, mist nets and the general licence for bullfinches.
‡ For the purpose of preserving public health.
‖ For the purpose of preventing serious damage to livestock, foodstuffs for livestock, crops, vegetables, fruit, growing timber or fisheries.

Food Labelling

Rev. Martin Smyth asked the Minister of Agriculture, Fisheries and Food if he will make a statement about the implications for manufacturers of vitamin supplements of his Department's proposed food labelling regulations.

Mrs. Fenner: The Government's present intentions for the fat content labelling and nutrition labelling of foods do not contain any special implications for manufacturers of vitamin supplements beyond those applicable to all food manufacturers.

Grain (Industrial Feeding Stock)

Mr. Wareing asked the Minister of Agriculture, Fisheries and Food what organisations he has consulted about the economics of using European Economic Community surplus grain as industrial feeding stock; and if he has discussed the matter with the French Minister of Agriculture.

Mr. MacGregor: My Department has discussed the use of grain for industrial purposes — including, of course, use by the food industry—mainly in the context of the Commission's proposals for changes in the Community starch regime, with a wide range of organisations representing United Kingdom producers and users of grain and its derivatives. Discussion is continuing at a Community level, involving the Commission and all member states.

Federal Republic of Germany (Food Imports)

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food if, in view of the non-compliance of the Federal Republic of Germany with the instructions of the European Commission about the import of East German dried egg and other foodstuffs, he will make a statement on the action being taken by Her Majesty's Government.

Mr. MacGregor: My officials are pursuing the problems in respect of dried egg imports from East Germany in the management committee for eggs and poultrymeat.

NORTHERN IRELAND

Ice Rink (Castlereagh)

Mr. John David Taylor asked the Secretary of State for Northern Ireland what is the total cost, including printing and distribution, of the leaflet relating to the proposed ice rink which Castlereagh borough council is sending to all households in the borough prior to the local government elections.

Mr. Chris Patten: I have no information about this district council matter.

Community Centres, Castlereagh

Mr. John David Taylor asked the Secretary of State for Northern Ireland if he has received an application from Castlereagh borough council to sanction the raising of a loan for the major extension scheme to the Braniel community centre in Castlereagh borough; and if he will make a statement.

Mr. Chris Patten: No.

Mr. John David Taylor asked the Secretary of State for Northern Ireland on what date he received an application from Castlereagh borough council for sanction to raise a loan for the proposed new Belvoir community centre; and if he will make a statement.

Mr. Chris Patten: On 14 November 1984 an application was received from Castlereagh borough council for sanction to borrow £9,300 to acquire a site for a proposed community centre at Belvoir. This was granted on 6 December.

Mr. John David Taylor asked the Secretary of State for Northern Ireland (1) if a Government grant will be made available for the proposed new Braniel community centre in Castlereagh borough;

(2) if a Government grant will be made available for the proposed new Belvoir community centre in Castlereagh borough.

Mr. Scott: Funds available for sport, recreation and community provision, as for provisions in other areas, are

limited; these applications will have to be considered in conjunction with many other schemes regarded as priorities by all the district councils, and in the light of other higher priority schemes planned by Castlereagh borough council.

Anglo-Irish Encounter Group

Rev. Martin Smyth asked the Secretary of State for Northern Ireland, pursuant to the answer of 16 April, *Official Report*, column *132*, for what purpose 10 officials from the Northern Ireland Office and Northern Ireland Departments have attended conferences organised by Encounter.

Mr. Hurd: My officials accepted invitations to attend Encounter's conferences because of their interest in the subjects under discussion.

Action for Community Employment Schemes

Rev. Martin Smyth asked the Secretary of State for Northern Ireland (1) if he will state the number of action for community employment schemes workers who receive *(a)* more than 90 per cent. and *(b)* less than 90 per cent. of their wages funded from the Department of Economic Development; what is the total cost; if he will list each of the projects and organisations to which they are attached and the estimated cost to public funds in each case; and if he will make a statement;

(2) how many action for community employment schemes workers are currently receiving 90 per cent. funding of their wages from the Department of Economic Development; what is the total cost; and if he will list each of the projects and organisations to which they are attached and the estimated cost to public funds in each case.

Dr. Boyson: The wages grant for ACE employees is 90 per cent. of the sum of the wage and the employer's national insurance contribution up to a maximum of £98 per employee per week. No ACE employee receives more than this maximum grant. Sponsors of higher paid workers have to fund the amount in excess of £98 per week from their own resources.

The total estimated cost of the programme in the current year is £18·5 million representing an average of 3,900 jobs.

To list the number of workers and each project would incur disproportionate cost.

ENVIRONMENT

Treasury Offices (Energy Audit)

40. **Mr. Speller** asked the Secretary of State for the Environment if he will arrange for an energy audit on major offices under the control of the Chancellor of the Exchequer.

Sir George Young: I refer my hon. Friend to the reply given to him on 24 April at column *464*.

Cadmium

Mr. Cartwright asked the Secretary of State for the Environment what action has been taken by his Department in the light of the recommendations of the Food Additives and Contaminants Committee in food surveillance paper No. 12 that industry should find alternatives to cadmium and that efforts should be made to reduce pollution of the environment by cadmium.

Mr. Waldegrave: The observations and recommendations of the Food Additives and Contaminants Committee in food surveillance paper No. 12 are welcomed. They are in line with the Government's policy to keep man's total intake of cadmium as low as practicable. As recommended by the committee, the Ministry of Agriculture, Fisheries and Food has initiated a survey of the food contact uses, if any, of cadmium pigmented plastics.

My Department published comprehensive guidance in 1983 on the disposal of wastes containing cadmium (Waste Management paper No. 24) and continues to keep environmental exposure to cadmium under review.

Nuclear Waste Dumping

Mr. Ashdown asked the Secretary of State for the Environment whether any part of the Yeovil constituency has been or is being investigated for the location of a nuclear waste dumping site.

Mr. Waldegrave: The selection of possible sites for disposal facilities is a matter for the Nuclear Industry Radioactive Waste Executive (NIREX). My right hon. Friend said in his statement of 24 January, at column 146, that, after NIREX has selected and announced the sites it considers merit detailed investigation, he will make a special development order and lay it before the House to authorise such investigations.

Metropolitan Districts (Manpower)

Mr. Woodall asked the Secretary of State for the Environment if he will publish the manpower of the metropolitan districts, separately and in aggregate, broken down by service, showing full-time, part-time and full-time equivalents, for June of each year 1979 to 1984.

Mr. Waldegrave: The information requested could be supplied only at disproportionate cost.

Rating

Mr. Woodall asked the Secretary of State for the Environment if he will publish a table showing for each year since 1978, the rateable value and number of hereditaments in each of the following categories *(a)* domestic, *(b)* commercial, *(c)* industrial, *(d)* other undertakings, *(e)* entertainment and recreational, *(f)* educational and cultural, *(g)* miscellaneous and *(h)* the grand total for England and the metropolitan counties separately and in total.

Mr. Waldegrave: I have today placed the information requested in the Library.

Homes (Letting)

Mr. Ward asked the Secretary of State for the Environment if he is yet in a position to announce the outcome of his consideration of the implications of the Court of Appeal decision, Pocock *v.* Steel on the letting of homes in the United Kingdom by people working abroad.

Mr. Gow: I hope to be able to make an announcement shortly.

Merseyside

Mr. Wareing asked the Secretary of State for the Environment if he will make a statement on his visit to Merseyside on 22 and 23 April; and what practical and financial assistance to Liverpool will result from it.

Mr. Patrick Jenkin: I visited Merseyside on 22 and 23 April 1985 to review progress on some of the initiatives launched in the area in recent years.

I arrived on the evening of 22 April to attend one of the regular meetings that Halton borough council holds with members of the local business community at the invitation of the leader of the council. I offered to consider urban programme help with premises for a proposed new development agency for the borough. On the morning of 23 April I held a press conference in Liverpool where I made a statement and answered questions about the Liverpool city action team.

I then visited the site of the former Courtaulds factory at Aintree, which is now in the hands of private developers, who, with the help of derelict land grant, are reclaiming the site for industrial use. I was pleased to learn that jobs with firms on the industrial estate now nearly equal the jobs lost when Courtaulds closed.

I later visited Cammell Laird (Shipbuilders) Ltd, Birkenhead, and met the managing director and the shop stewards' committee. I was also able to see work in progress on the type 42 destroyer, HMS Edinburgh, which it is constructing in its yard.

After lunch, I toured the Liverpool freeport where I met the freeport manager and representatives of the two companies established within the freeport area. One, a textile firm already employs about 40 people, most of whom were unemployed before the freeport was established.

The visit enabled me to satisfy myself at first hand that the substantial public funds made available to these projects are being used to best effect.

The matter of Liverpool city council's budget was not discussed during the visit. I have made it quite clear on numerous occasions that I am not prepared to reopen discussions on this year's rate support grant. The responsibility for setting a legal budget rests fairly and squarely with the city council.

Mr. Wareing asked the Secretary of State for the Environment (1) if he will pay a visit to the Merseyside innovation centre;

(2) if he will visit the Merseyside Economic Development Company and its subsidiaries in the near future.

Mr. Patrick Jenkin: I have no plans at present to visit either Merseyside innovation centre or Merseyside Economic Development Company.

Water Research Centre

Mr. Cartwright asked the Secretary of State for the Environment (1) if he will list the studies commissioned from the Water Research Centre by his Department in *(a)* 1979, *(b)* 1980, *(c)* 1981, *(d)* 1982 and *(e)* 1983, respectively; and if he will place copies of these reports in the Library;

(2) if he will list the titles of the projects commissioned by his Department from the Water Research Centre which are in the process of completion; and if he will undertake to place copies of the reports of these projects in the Library within a month of their completion.

Mr. Waldegrave [*pursuant to his answer,* 16 February 1984, c. *279-81*]: I have today placed the report on biological denitrification of potable water (reference D7 in my answer of 16 February 1984) in the Library.

Docklands STOLport

Mr. Tracey asked the Secretary of State for the Environment if he will announce his decision on the proposed STOLport in London Docklands as soon as the current legal proceedings have been concluded.

Mr. Patrick Jenkin [*pursuant to the answer,* 18 February 1985, c. *332*]: When my Department invited comments on the new evidence last August, I said that I was minded to grant the planning appeal. The recent judicial review in the High Court rejected the case for reopening the inquiry to consider what evidence and both the GLC and Newham have now decided not to appeal. The STOLport application has raised a number of complex issues which, obviously, must be both carefully considered by me and reflected in the decision letter. I am anxious to issue my decision as soon as possible and hope to do so within two or three weeks.

Royal Parks Constabulary

Mr. Peter Bruinvels asked the Secretary of State for the Environment what is the total strength of the royal parks constabulary; what is their establishment figure; and if he will break down the figures by posting.

Mr. Macfarlane: I shall answer this question shortly.

Water Authorities (Members)

Mr. Wareing asked the Secretary of State for the Environment if he will list the names, along with their occupations, of the members of the North West and Welsh water authorities.

Mr. Macfarlane: I shall answer this questions shortly.

High Technology Site, Bickenhill

Mr. Iain Mills asked the Secretary of State for the Environment (1) if he will delay the public inquiries proposed for planning applications concerning the high technology site in Bickenhill until the final determination of the west midlands structure plan and the Marston Green and Bickenhill district plan; and if he will make a statement;

(2) what information he has as to the progress which has been made with the process of preparing the Marston Green and Bickenhill district plan for submission to him for determination;

(3) what is his policy, arising from his review of the west midlands structure plan, concerning the release of green belt land in the west midlands; and if he will make a statement on his proposed application of this policy regarding the precise location of release of green belt land for a high technology site in Bickenhill.

Mr. Macfarlane: I shall answer these questions shortly.

WALES

Hospital Waiting Lists

Mr. Barry Jones asked the Secretary of State for Wales how many people in Wales requiring treatment classified urgent are currently on inpatient waiting lists; and how many of these people have been on the waiting list for one month or more.

Mr. Wyn Roberts: The latest information is contained in "Welsh Hospital Waiting List Bulletin 1985, No 1", a copy of which is in the Library.

Mr. Barry Jones asked the Secretary of State for Wales if he will publish them total number of people on Welsh hospital outpatient waiting lists for *(a)* 1980, *(b)* 1981, *(c)* 1982, *(d)* 1983 and *(e)* the latest available figure for 1984.

Mr. Wyn Roberts: The figures, which refer to 30 September in each year, are as follows:

	Number on outpatient waiting list
1980	61,145
1981	58,597
1982	69,730
1983	70,014
1984	80,341

Quota Regulations

Mr. Geraint Howells asked the Secretary of State for Wales if he will institute an urgent review of the 1984 quota regulations which governed the appeals procedure for secondary quotas; and if he will make a statement.

Mr. Nicholas Edwards: No. However, in the light of the work done by the dairy produce quotas tribunal we are looking at those cases where the regulations do not provide for quota to be allocated. This review does not represent any interference in decisions taken by the tribunal on individual cases. It is simply an examination of the particular circumstances where the tribunal has been unable, because of the legal constaints upon it, to grant quota to producers. I can, of course, give no commitment as to the outcome; even if new regulations were to be introduced, the necessary quota for reallocation could not be found from elsewhere than the national quota for the United Kingdom.

Rates

Mr. Woodall asked the Secretary of State for Wales if he will publish a table showing, for each year since 1978, the rateable value and number of hereditaments in each of the following categories: *(a)* domestic, *(b)* commercial, *(c)* industrial, *(d)* other undertakings, *(e)* entertainment and recreational, *(f)* educational and cultural, *(g)* miscellaneous, and *(h)* the grand total for Wales.

Mr. Nicholas Edwards: The information requested for the years 1978 to 1984 is contained in appendix III of the annual publications of "Welsh Local Government Financial Statistics", copies of which are available in the Library. Information for 1985 will be published later this year.

Housing Starts

Mr. Barry Jones asked the Secretary of State for Wales how many housing starts were made in *(a)* January 1984, *(b)* February 1984, *(c)* January 1985 and *(d)* February 1985 in Wales.

Mr. Wyn Roberts: The information requested is as follows:

	Number of dwellings started
January 1984	483
February 1984	492
January 1985	*546
February 1985	*855

* Provisional.

Housing (Repairs)

Mr. Barry Jones asked the Secretary of State for Wales how many dwellings in Wales required repairs costing £7,000 or more, at 1981 prices, in each year from 1976 to 1981; and what is the number for today at 1981 prices.

Mr. Wyn Roberts: Information relating to the cost of repairing dwellings is collected in Welsh house condition surveys which are conducted on a periodic basis. The number of dwellings requiring repairs costing more than £7,000—at 1981 prices—was estimated at 33,000 for 1976 and 66,000 for 1981. The 1981 Welsh house condition survey excluded second homes.

New Jobs

Mr. Barry Jones asked the Secretary of State for Wales what *(a)* number and *(b)* percentage of new jobs created in Wales in (i) 1981, (ii) 1982, (iii) 1983 and (iv) 1984 were part-time jobs.

Mr. Nicholas Edwards: Information in the form requested is not available.

NHS (Expenditure)

Mr. Barry Jones asked the Secretary of State for Wales if he will publish the level of Government spending on the National Health Service in Wales over the last 12 months in *(a)* real terms and *(b)* after allowing for pay and price increases.

Mr. Wyn Roberts: National Health Service expenditure in Wales in cash terms for 1983-84 and 1984-85 was £796 million and £860 million (provisional), respectively. The growth in real terms — calculated by adjusting actual expenditure for the effect of general inflation as measured by the GDP market price deflator—was 3·4 per cent. Growth after taking into account actual movements in NHS pay and prices was 2·6 per cent.

Unfit Dwellings

Mr. Barry Jones asked the Secretary of State for Wales how many dwellings classified unfit there were in Wales in *(a)* 1961, *(b)* 1971, *(c)* 1979, *(d)* 1981 and *(e)* 1984; and if in each case the number can be expressed also in percentage terms.

Mr. Wyn Roberts: Information relating to unfit dwellings is collected in the Welsh house condition surveys which are conducted on a periodic basis. Figures for available years are as follows:

Year	*Dwellings classified unfit*	*Percentage of total stock*
1968	91,900	10·4
1973	147,500	14·9
1976	100,200	9·8
*1981	90,900	8·8

* The Welsh House Condition Survey 1981 excluded second homes.

Housing (Grants)

Mr. Rowlands asked the Secretary of State for Wales, pursuant to the answer of 22 April, *Official Report*, column *617*, about intermediate and repair grants, how many of the 50,000 applications outstanding are for repair grants.

Mr. Wyn Roberts: This information is not available centrally.

SOCIAL SERVICES

Marple Dale Hospital, Stockport

Mr. Arnold asked the Secretary of State for Social Services if he will give details of the sale of the Marple Dale hospital, Stockport, and associated land; and if he will make a statement.

Mr. John Patten: I understand that North-Western regional health authority has accepted the highest tender received for the Marple Dale hospital, Stockport, and completion of the sale is expected in the next five weeks. I suggest my hon. Friend contacts the chairman of the regional health authority for any further information he requires.

Social Security Payments

Mr. Batiste asked the Secretary of State for Social Services what is the average per person of total social security payments made per week to *(a)* male recipients and *(b)* unemployed men aged 64 years.

Mr. Whitney: The available information is based on statistical samples too small to give reliable estimates for men of a single age. Figures from the 1983 Family Expenditure Survey show an average weekly income from social security benefits of £25 for all male recipients (including men in employment receiving additional support through family income supplement or housing benefit—and £42 for unemployed men aged between 60 and 65. (This includes all benefits except child benefit and one-parent benefit.)

Child Deaths

Mr. Meacher asked the Secretary of State for Social Services if he will list all the children who have died while in the care of a local authority snce 1970, the dates of their death, the causes of their death in each case, their age at death, how long they had been in local authority care, and what action was taken following their death in each case.

Mr. John Patten: Full information in the form requested is not available. Annual unit returns on children in the care of local authorities are made to the Department and include information about the number of children in care who died during the year analysed by age and by the length of their most recent period in care. Cause of death is not given. The information available from these returns is contained in the Department's annual publication "Children in Care of Local Authorities", copies of which are in the Library. The number of deaths reported in the returns for the financial years 1970-71 to 1982-83 is as follows:

Year	*Number*
1970-71	111
1971-72	115
1972-73	115
1973-74	106
1974-75	143
1975-76	132
1976-77	100
1977-78	99
1978-79	106
1979-80	93
1980-81	104
1981-82	103
1982-83	94

Residential Care

Mr. Irving asked the Secretary of State for Social Services what specific guidance will be given to staff in his Department's local offices in imposing length of stay restrictions on *(a)* residents of hospitals, homes or supporting hostels for mentally ill, mentally handicapped, physically handicapped, alcoholic and drug misusers who are discharged into local board and lodging accommodation but who need long-term supportive care from their previous residence, *(b)* prisoners discharged into board and lodging accommodation who for rehabilitation reasons do not want to return to the area in which their crime was committed; and *(c)* current residents of board and lodging accommodation who have been established for a considerable period of time in an area that is not their area of origin, for the purposes of his Department.

Mr. Whitney: A copy of the recently issued guidance and procedural instructions of the new supplementary benefit board and lodging changes has been placed in the Library. The restriction on the period of payment as a boarder does not apply to those who have entered accommodation as part of a rehabilitation or resettlement programme under the guidance of certain caring bodies. Similarly, people who have lived at an address for six months whilst in work or while getting supplementary benefit but not required to be available for work are exempt from the restriction.

Newcastle General Hospital

Mr. Nicholas Brown asked the Secretary of State for Social Services why Newcastle general hospital is the only university teaching centre in the United Kingdom not to be equipped with a laser for the treatment of cancer of the cervix.

Mr. Kenneth Clarke: Capital allocations are made each year to regional health authorities, and by them to their district health authorities. The capital allocation to the Northern regional health authority for the year 1985-86

is £39·037 million. It is for individual authorities to determine how much of that money is spent on medical equipment and on which specific items.

Newcastle district health authority and its medical advisory committee have spent their past allocations for medical equipment on other items to which they attached higher priority, as they were quite entitled to do. We do not know whether it is accurate to claim that this is the only teaching hospital in the country not to have a laser. Arguments of that kind cannot in any event be the sole determinent of judgments about priorities between equipment for patient services.

Ambulance Service

Mr. Cohen asked the Secretary of State for Social Services what proportion of ambulance service work is involved in dealing with emergencies; and how this is reflected in current pay levels.

Mr. John Patten: Nine per cent. of the total number of patient journeys by road made by ambulance services in England in 1983 were emergency cases. Emergencies are dealt with by staff in the grades of qualified ambulanceman and leading ambulanceman, who are paid higher rates than staff who are employed exclusively on transporting patients not requiring full ambulance care.

Hospital Employees (Safety)

Mr. Evennett asked the Secretary of State for Social Services if he will make a statement on the adequacy of current standards of safety for employees in National Health Service hospitals; and how such standards are monitored.

Mr. John Patten: Responsibility for the safety of health service staff is a matter for the health authorities concerned, subject to control and inspection by the Health and Safety Inspectorate. We are concerned that high standards of safety should at all times be maintained in the National Health Service and that all employing authorities and their staffs should comply fully with the requirements of the Health and Safety at Work etc. Act. The Department co-operates closely with the Health and Safety Executive in developing solutions to problems of health and safety and through the Health Service Advisory Committee provides an open forum in which health authorities and staff associations may raise any problem affecting the health and safety of staff.

These arrangements are working well and I can assure my hon. Friend that I know of no instance where a health authority has failed to comply with the requirements of a Crown enforcement notice issued by an inspector.

Limited List Prescribing

Mr. Lilley asked the Secretary of State for Social Services if he will list the organisations which have agreed to take part in the consultations on the setting up of an appeals mechanism in respect of drugs not on the limited list.

Mr. Kenneth Clarke: We have had detailed discussions with the general medical services committee of the British Medical Association and the Royal College of General Practitioners about the possible form of an appeal mechanism. After these discussions, on 16 April I wrote to the committee setting out our proposals. We have invited the Joint Consultants Committee, the Central Committee for Hospital Medical Services, the Pharmaceutical Society of Great Britain, the Pharmaceutical Services Negotiating Committee, the Society of Family Practitioner Committees and the Society of Administrators of the Family Practitioner Service to comment on these proposals.

Mr. Alfred Morris asked the Secretary of State for Social Services what representations he has received about the application of his limited list of prescribable drugs in the case of Louise Lavin, a resident in the constituency of the right hon. Member for Manchester, Wythenshawe, for whom a doctor has prescribed a drug which is no longer available on the National Health Service, which her family cannot afford and for which there is no alternative on the limited list; and if there is any action he will be taking.

Mr. Kenneth Clarke: I have just received the right hon. Member's letter of 19 April about his constituent. I shall write to the right hon. Member as soon as possible. Our selected list contains a full range of drugs in the therapeutic categories concerned to meet all the clinical needs of patients.

Cervical Cancer

Mr. Merchant asked the Secretary of State for Social Services how many laser machines are in operation *(a)* in England and *(b)* in the Northern region in the National Health Service for the treatment of the early signs of cervical cancer.

Mr. Kenneth Clarke: We do not collect this information centrally. Decisions on the purchase of items of medical equipment must be made locally by those best able to judge the priority in terms of patient care between bids for new equipment.

Mr. Merchant asked the Secretary of State for Social Services how much money has been spent in the last 12 months *(a)* in England and *(b)* in the Northern region by the National Health Service on cervical smear tests.

Mr. Kenneth Clarke: We do not collect sufficient detailed figures and information centrally to be able to make a useful estimate of total expenditure on cervical smear tests carried out within the National Health Service.

Mr. Merchant asked the Secretary of State for Social Services how many women in the Northern region have been given cervical smear tests in the last 12 months by the National Health Service.

Mr. Kenneth Clarke: The number of tests may not correspond exactly to the number of women tested and we do not hold centrally information on the number of women screened. In 1983, the latest year for which information is available centrally, the number of National Health Service cervical cytology tests performed in the Northern regional health authority was 172,123.

Domiciliary Nebulisers

Dr. Roger Thomas asked the Secretary of State for Social Services if he will allow domiciliary nebulisers to be prescribed on the National Health Service.

Mr. John Patten: I refer the hon. Member to my reply to the hon. Member for Oldham, West (Mr. Meacher) on 9 November 1984, at column 48.

Primary Health Care (Review)

Dr. Roger Thomas asked the Secretary of State for Social Services if he will institute a comprehensive review of primary health care along similar lines to the one over a two-year period being arranged for community nursing services.

Mr. Kenneth Clarke: The Green Paper on primary health care services, which we expect to publish in the summer, is intended to stimulate an informed debate among the professions and the public. This should provide the necessary background information on which to base decisions about the future of primary health care. We are still considering the question of a review of community nursing services.

Health and Personal Social Services

Mr. Meacher asked the Secretary of State for Social Services why "Health and Personal Social Services Statistics for England" was not published in 1979, 1980, 1981, 1983 or 1984; and if there are any plans to publish it in 1985 or subsequent years.

Mr. John Patten: I shall let the hon. Member have a reply as soon as possible.

Warnock Committee

Mr. Willie W. Hamilton asked the Secretary of State for Social Services how many organisations and individuals have commented on the Warnock committee recommendations; how many have supported the recommendations relating to research; and how many have opposed them.

Mr. Kenneth Clarke: We have received comments from 237 organisations. Of the 171 who referred to the recommendations on research, 99 were broadly in favour and 72 against. We have received over 4,000 letters about the report from individuals, nearly all of which express concern about research on human embryos.

Mr. Dick Clements

Mr. Fatchett asked the Secretary of State for Social Services if Mr. Dick Clements, while he was on secondment from his Department to Hospital Hygiene Services, was in contact with officials of his Department about the dismissal of Hospital Hygiene Services from a contract with the local district health authority for the cleaning of Orpington hospital.

Mr. Kenneth Clarke: No. Mr. Clements resigned from our Department in July 1984. We have not been involved in the dispute between Hospital Hygiene Services and Bromley district health authority.

NHS (Leaflets)

Mrs. Renée Short asked the Secretary of State for Social Services if he will place in the Library copies of the responses which he receives from those hospitals and health centres to whom he plans to send leaflets describing progress in the National Health Service under this Administration.

Mr. John Patten [*pursuant to his reply*, 22 April 1985, c. *355*]: Distribution of copies of the leaflet was arranged by regional health authorities. To date, we have received centrally only two responses from any source and I am arranging for copies of these to be placed in the Library.

EMPLOYMENT

Wages

Ms. Clare Short asked the Secretary of State for Employment what number of *(a)* firms and *(b)* workers are covered by wages council orders in each region.

Mr. Peter Bottomley: Estimates of the number of workers covered by wages councils in each region are not available. The number of establishments on the register in each wages inspectorate division is given in the following table.

Establishments on Wages Inspectorate's Register, January 1985

Division	*Number*
London (East)	22,801
London (West)	25,744
South Eastern	24,920
Southern	27,612
Eastern	24,677
South Western	31,161
Midlands (East)	29,946
Midlands (West)	30,534
North West (East)	24,954
North West (West)	24,309
Yorkshire and Humberside	34,401
Northern	20,848
Scotland (East)	18,695
Scotland (West)	17,528
Wales	18,171

Ms. Clare Short asked the Secretary of State for Employment how many firms in the west midlands region covered by wages council orders have been visited for each of the last three years.

Mr. Peter Bottomley: In the west midlands division of the Wages Inspectorate, inspections by visit were carried out at 2,045 establishments in 1982, 1,892 in 1983 and 2,048 (provisional) in 1984. These figures do not include checks of workers' pay by methods not involving a visit.

Ms. Clare Short asked the Secretary of State for Employment how many firms in the west midlands region covered by wages council orders have been found to be underpaying for each of the last three years.

Mr. Peter Bottomley: In the west midlands division of the Wages Inspectorate one or more workers were found to have been underpaid at 666 establishments in 1982, 543 in 1983 and 552 (provisional) in 1984.

Ms. Clare Short asked the Secretary of State for Employment how many firms in the west midlands region have been prosecuted for illegal underpayment of workers in each of the last three years.

Mr. Peter Bottomley: None.

Ms. Clare Short asked the Secretary of State for Employment what procedure is used by the Wages Inspectorate to check on wages paid.

Mr. Peter Bottomley: Inspection procedures include interviewing workers to verify that the amounts shown as paid in the employer's wage record correspond with the amounts received by the workers.

Ms. Clare Short asked the Secretary of State for Employment whether the Wages Inspectorate always interviews employees when it visits firms to check whether wage levels meet the legal minimum.

Mr. Peter Bottomley: Yes.

Ms. Clare Short asked the Secretary of State for Employment whether employers are notified before wages inspectors visit their premises to check on wage levels being paid.

Mr. Peter Bottomley: Whether or not employers are notified in advance depends on the circumstances. However, in most cases no advance warning is given by inspectors.

Ms. Clare Short asked the Secretary of State for Employment how many firms have been prosecuted in each region for failure to keep records of wages paid in each of the last three years.

Mr. Peter Bottomley: In 1982 one employer in the northern division of the Wages Inspectorate was prosecuted under the Wages Councils Act 1979 for failure to keep wage records. There were no prosecutions for this offence in 1983 and 1984.

Information Technology (Training)

Mr. Stuart Holland asked the Secretary of State for Employment how many mode A youth training schemes in the London area provide training primarily in information technology skills.

Mr. Peter Morrison: There are 18 mode A youth training schemes in London which offer training primarily in information technology skills. All youth training schemes contain an introduction to computer literacy and information technology as part of the training programme.

Youth Training

Mr. Stuart Holland asked the Secretary of State for Employment whether the Manpower Services Commission has an ongoing consultation scheme with local schools to establish the current requirements for school leavers on youth training schemes.

Mr. Peter Morrison: The careers service carries out twice-yearly local surveys of the intentions of school leavers. We take account of these surveys when planning youth training scheme provision.

Mr. Sheerman asked the Secretary of State for Employment if he will ensure that monitoring of youth training schemes is adequate to prevent managing agents getting into arrears with trainees' allowances.

Mr. Peter Morrison: When setting up schemes the Manpower Services Commission considers whether the organisation involved has or will have the resources to carry out its financial responsibilities, including the payment of trainee allowances. Regular monitoring visits are made at least three times a year to all managing agents which include ensuring that the calculation and payment of trainee allowances is being carried out properly.

Redundancies

Mr. Woodall asked the Secretary of State for Employment if he will list the number of confirmed redundancies in each of the metropolitan counties, and in each of the metropolitan districts for each quarter since the beginning of 1981; and if he will give a breakdown by industry of these figures.

Mr. Peter Bottomley The available information is as follows. An industrial breakdown of these figures could be provided only at disproportionate cost.

Redundancies confirmed as due to occur from 1981 to 1984 in metropolitan counties† and districts†*

1981

	Q1	Q2	Q3	Q4
West Midlands MC	11,024	10,644	9,774	9,817
Birmingham	3,615	4,899	5,383	3,267
Coventry	2,004	1,362	931	852
Dudley	943	659	794	1,645
Sandwell	1,840	1,704	1,206	1,509
Solihull	243	630	598	647
Walsall	922	510	400	968
Wolverhampton	1,457	880	462	929
South Yorkshire MC	5,862	6,717	5,334	3,543
Barnsley	717	312	867	328
Doncaster	1,108	1,800	1,339	1,012
Rotherham	1,237	313	357	397
Sheffield	2,800	4,292	2,771	1,806
West Yorkshire MC	6,649	5,906	4,956	6,429
Bradford	1,113	1,906	995	1,519
Calderdale	718	741	501	795
Kirklees	1,696	641	1,235	1,031
Leeds	2,503	1,882	1,714	2,083
Wakefield	619	736	511	1,001
Greater Manchester MC‡	10,457	10,441	8,262	8,514
Bolton	1,257	1,701	490	1,189
Bury	473	270	171	252
Manchester	1,630	1,827	2,385	2,123
Oldham	1,012	1,471	885	747
Rochdale	993	838	568	500
Salford	1,457	754	658	831
Stockport	420	264	584	331
Tameside	933	669	910	783
Trafford	1,180	1,617	802	789
Wigan‡	1,142	1,088	873	1,054
Merseyside MC‡	5,370	7,355	4,363	3,787
Knowsley	945	885	608	641
Liverpool	2,279	4,390	1,871	1,497
St. Helens	904	909	781	828
Sefton	467	471	191	294
Wirral	735	642	848	442
Tyne and Wear MC	3,659	4,070	3,264	3,821
Gateshead	1,299	921	682	944
Newcastle	659	625	1,322	1,133
North Tyneside	492	591	361	760
South Tyneside	617	484	315	221
Sunderland	592	1,449	584	763
Greater London	14,411	14,509	12,770	13,308

1982

	Q1	Q2	Q3	Q4
West Midlands MC	6,682	6,209	6,866	9,182
Birmingham	1,622	2,771	3,397	3,128
Coventry	870	547	702	1,024
Dudley	435	996	568	1,869
Sandwell	579	799	842	1,575
Solihull	1,737	181	219	165
Walsall	729	483	681	531
Wolverhampton	710	432	457	890
South Yorkshire MC	2,499	3,810	3,202	5,968
Barnsley	625	459	739	640

	Q1	Q2	Q3	Q4
Doncaster	435	711	533	1,141
Rotherham	242	550	461	125
Sheffield	1,197	2,090	1,469	4,062
West Yorkshire MC	5,589	5,411	4,732	5,367
Bradford	992	1,066	1,193	1,501
Calderdale	571	1,187	585	535
Kirklees	1,661	1,025	956	840
Leeds	1,796	1,747	1,210	1,689
Wakefield	569	386	788	802
Greater Manchester MC‡	6,242	7,907	6,035	7,387
Bolton	599	688	624	659
Bury	412	561	206	364
Manchester	2,065	1,591	1,139	1,805
Oldham	300	1,127	152	222
Rochdale	314	896	391	454
Salford	791	747	682	986
Stockport	371	493	518	680
Tameside	343	480	394	743
Trafford	801	836	1,391	703
Wigan‡	255	541	599	805
Merseyside MC‡	4,644	4,039	3,375	3,936
Knowsley	1,024	240	324	406
Liverpool	1,498	1,921	1,268	1,627
St. Helens	1,458	987	599	1,112
Sefton	168	213	672	194
Wirral	487	625	451	526
Tyne and Wear MC	2,247	3,418	3,682	3,429
Gateshead	481	1,337	434	1,095
Newcastle	194	104	753	267
North Tyneside	646	618	446	538
South Tyneside	168	756	1,260	436
Sunderland	758	603	789	1,093
Greater London	13,220	12,851	12,503	10,819

1983

	Q1	Q2	Q3	Q4
West Midlands MC	8,605	6,107	7,635	5,540
Birmingham	2,767	2,294	2,616	2,450
Coventry	914	873	1,375	505
Dudley	1,920	394	1,424	526
Sandwell	1,203	819	826	374
Solihull	318	439	442	191
Walsall	773	696	323	647
Wolverhampton	710	592	629	847
South Yorkshire MC	4,772	3,951	3,171	3,159
Barnsley	262	594	837	661
Doncaster	728	802	831	613
Rotherham	763	1,108	220	784
Sheffield	3,019	1,447	1,283	1,101
West Yorkshire MC	3,967	3,528	2,895	4,314
Bradford	916	678	425	864
Calderdale	475	532	404	223
Kirklees	764	355	391	252
Leeds	1,419	1,322	1,053	1,196
Wakefield	393	641	622	1,779
Greater Manchester MC‡	6,254	5,217	5,715	5,978
Bolton	350	598	488	1,311
Bury	334	351	382	251
Manchester	1,229	1,057	1,095	775
Oldham	386	555	418	348
Rochdale	303	240	142	475
Salford	690	490	913	902
Stockport	784	196	266	201
Tameside	511	602	544	705
Trafford	844	660	780	530
Wigan‡	886	595	733	518
Merseyside MC‡	2,825	4,227	3,367	3,193
Knowsley	257	91	975	696
Liverpool	1,101	3,025	1,135	1,004
St. Helens	897	234	618	452
Sefton	296	448	364	191
Wirral	211	302	229	812
Tyne and Wear MC	2,405	3,683	2,663	3,176
Gateshead	645	452	205	256
Newcastle	304	492	504	393
North Tyneside	646	991	370	977
South Tyneside	204	313	408	301
Sunderland	606	1,435	1,176	1,249
Greater London	8,803	9,167	7,512	8,596

1984

	Q1	Q2	Q3	Q4
West Midlands MC	5,395	4,880	5,568	4,205
Birmingham	2,658	1,788	2,163	1,889
Coventry	719	527	696	584
Dudley	347	567	678	563
Sandwell	438	534	190	230
Solihull	239	73	769	247
Walsall	414	808	454	296
Wolverhampton	580	583	618	396
South Yorkshire MC	3,156	2,876	2,047	1,840
Barnsley	395	501	340	455
Doncaster	701	261	248	322
Rotherham	372	483	435	310
Sheffield	1,688	1,631	1,024	753
West Yorkshire MC	3,021	2,579	2,614	2,127
Bradford	622	660	760	502
Calderdale	238	285	185	161
Kirklees	410	361	349	91
Leeds	1,010	515	1,156	939
Wakefield	741	758	164	434
Greater Manchester MC‡	3,932	3,892	3,165	4,564
Bolton	334	279	273	241
Bury	323	111	106	275
Manchester	1,067	806	821	704
Oldham	227	775	194	564
Rochdale	134	204	237	552
Salford	522	143	230	360
Stockport	120	131	270	250
Tameside	346	348	313	321
Trafford	609	616	503	557
Wigan‡	367	491	284	752
Merseyside MC‡	3,596	2,778	2,521	2,833
Knowsley	305	272	453	235
Liverpool	641	1,271	990	1,731
St. Helens	522	273	165	291
Sefton	909	113	117	437
Wirral	1,102	837	730	127
Tyne and Wear MC	2,403	4,670	2,483	2,139
Gateshead	258	1,546	890	270
Newcastle	330	925	504	252
North Tyneside	708	949	368	687
South Tyneside	610	887	333	513
Sunderland	497	363	388	417
Greater London	4,106	5,129	8,525	6,479

Notes:

* Confirmed by the Manpower Services Commission as due to occur and based on notifications of impending redundancies involving ten or more workers.

† The figures for these areas have been obtained by a best fit of

jobcentre areas. The accuracy of this approximation in some instances will be poor and it is for this reason that figures for the London boroughs are not shown.

‡ The Ashton-in-Makerfield joboentre area is included in the approximation to the Wigan local authority area but is excluded from the approximation to Greater Manchester and included in Merseyside.

Diving Operations (Decompression Techniques)

Mr. Ward asked the Secretary of State for Employment if he will take steps to prohibit the use of surface decompression techniques during North sea diving operations except in the case of an emergency.

Mr. Peter Bottomley: A Government-sponsored research project is currently being undertaken to examine the problems associated with decompression practices in North sea diving operations and, as necessary, to advise on modification and safe procedures. Further action will be considered in the light of the research results.

Accounting and Financial Records

Mr. Sheerman asked the Secretary of State for Employment if he will instruct the Manpower Services commission to require that all companies in receipt of funds from them have complied with company law in respect of accounting and financial records.

Mr. Peter Morrison: In setting up schemes the Manpower Services Commission makes thorough checks on the financial position of managing agents, including reference to Companies House records. The Registrar of Companies is ultimately responsible, of course, for ensuring compliance with the requirements of the Companies Act.

KBS Manpower Ltd.

Mr. Sheerman asked the Secretary of State for Employment if he will hold an inquiry into the circumstances of the withdrawal of Manpower Services Commission funding from KBS Manpower.

Mr. Peter Morrison: No. I am satisfied that the Manpower Services Commission was right to terminate its agreement with KBS Manpower Ltd.

Health and Safety

Mr. Barry Jones asked the Secretary of State for Employment how many health and safety inspectors there were in Wales in 1978 and 1984.

Mr. Peter Bottomley: In April 1978 there were 80 inspectors employed by the Health and Safety Executive in Wales. In April 1984 there were 66.

Beer

Mr. Ward asked the Secretary of State for Employment what has been the increase in real terms for the price of beer over the last five years.

Mr. Alan Clark: In the five years to March 1985 the price of beer increased by 74 per cent. compared with an increase of 45 per cent. in the "all items" retail prices index.

Mr. Ashley asked the Secretary of State for Employment how many workplaces came under the jurisdiction of the Health and Safety Executive; what percentage have been visited by health and safety inspectors; what percentage of those visited were issued with improvement or prohibition notices; what percentage of those issued with notices responded satisfactorily; what percentage were monitored, and in what way, so as to assess the level of the response; and if in each case he will distinguish between: *(a)* Crown and *(b)* non-Crown work places.

Mr. Peter Bottomley [*pursuant to his reply*, 19 April 1985, c. *298*]: In 1983 there were some 614,000 establishments on the registers of the Health and Safety Executive's inspectors; there was also an unknown number of unregistered premises and transport sites. HSE inspectors made 241,000 visits in 1983 including visits to previously unregistered premises and transient sites. Information on Crown and non-Crown premises and on the number of separate establishments visited could be obtained only at disproportionate costs.

Compliance with all notices is monitored, usually through follow-up visits to the workplace concerned. 8,608 notices were issued in 1983. Of those which have expired and the final outcome of which has been recorded centrally, 98 per cent. of Crown notices and 99 per cent. of non-Crown notices were complied with.

Written Answers to Questions

Friday 26 April 1985

WALES

Educational Expenditure (Clwyd)

Mr. Raffan asked the Secretary of State for Wales if he will provide a table showing *(a)* the current educational expenditure excluding meals and milk in constant 1983-84 cost terms, *(b)* the pupil numbers in full-time equivalents, *(c)* the teacher numbers in service in full-time equivalents *(d)* the pupil-teacher ratio overall, for each year in Clwyd from 1979-80 to the latest available year.

Mr. Nicholas Edwards: The information is as follows:

Clwyd County Council
*(a) Education Current Expenditure excluding Meals and Milk (1983-84 real terms)**

	£ million
1979-80	75·9
1980-81	80·0
1981-82	82·4
1982-83	84·1
1983-84	86·4

* Cash deflated to 1983-84 prices using the GDP deflator which measures changes in prices in the economy as a whole.

(b) Pupil and Teacher Numbers (full-time equivalents) and overall Pupil Teacher Ratios (Nursery, Primary and Secondary Schools)

	Pupils (fte)	*Teachers in service (fte)*	*PTR overall*
1979-80	74,765	3,914	19·1
1980-81	73,474	3,882	18·9
1981-82	71,439	3,787	18·9
1982-83	69,983	3,799	18·4
1983-84	68,881	3,869	17·8

Mentally Handicapped People

Mr. Best asked the Secretary of State for Wales whether he has received the 1984 report of the all Wales advisory panel for the development of services for mentally handicapped people.

Mr. Wyn Roberts: Yes. The report emphasises that one of the most significant contributions of the strategy is that the amount of discussion and commitment to the rights of mentally handicapped people has risen to an unprecedented level throughout Wales. The report highlights many of the central concerns raised by the strategy, but in particular stresses the importance of people at all levels and from all agencies being able to plan, train and work together with mentally handicapped people and their representatives. I fully endorse that view and believe it is only in this manner that appropriate services will be provided to enable mentally handicapped people to live normal lives in their own communities. The report is to be widely distributed and I hope that all those involved in the mental handicap strategy throughout Wales will read it and take due note of the panel's advice on the priorities for the coming year.

NORTHERN IRELAND

Job Creation

Mr. McNamara asked the Secretary of State for Northern Ireland if he will publish for 1984 the number of jobs created by the Industrial Development Board and Local Enterprise Development Unit distinguishing between jobs resulting from new inward investment, new indigenous investment, expansion of existing concerns and total investment for the Industrial Development Board and new companies from within Northern Ireland, expanding companies and the total for the Local Enterprise Development Unit distinguished between manufacturing and service industries.

Dr. Boyson: In the calendar year 1984 the Industrial Development Board and Local Enterprise Development Unit provided a total of 8,840 jobs. The breakdown is as follows:

IDB

Jobs from new Inward Investment in
- *(a)* Manufacturing Industry=653.
- *(b)* Service Industry=19.

Jobs from new indigenous investment in
- *(a)* Manufacturing Industry=264.
- *(b)* Service Industry=Nil.

Jobs from expansions of existing concerns in
- *(a)* Manufacturing Industry=4,091.
- *(b)* Service Industry=92.

Note: The Industrial Development Board normally accounts for its achievements on a financial year basis, ending on 31 March, and it is intended to publish the results for the 1984-85 year on 1 May 1985.

LEDU

Jobs from new companies within Northern Ireland in
- *(a)* Manufacturing Industry=1,652.
- *(b)* Service Industry=724.

Jobs from expansions of existing companies in
- *(a)* Manufacturing Industry=814.
- *(b)* Service Industry=141.

Total jobs arising from Enterprise Grant Scheme=390.

Social Conditions

Mr. Sean Hughes asked the Secretary of State for Northern Ireland what studies have been conducted by his Department concerning social conditions in Northern Ireland in the last five years.

Dr. Boyson: The Government have conducted a wide range of studies of different aspects of social conditions; the following have been published:

Department of Finance and Personnel, Northern Ireland:
- Occasional Papers by the Policy Planning and Research Unit:
  - Paper No. 1 – "Family Finance Survey (Northern Ireland)".
  - Paper No. 2 – "Take-up of Family Income Supplement".
  - Paper No. 4 – "Domestic Fuel Use and Expenditure among Low Income Groups".
  - Paper No. 6 – "Families Sharing Poverty".
- Annual Northern Ireland Continuous Household Survey.
- Annual Family Expenditure Survey.
- Northern Ireland Annual Abstract of Statistics.

The Department of Health and Social Services, Northern Ireland:
- Report of Advisory Committee on Infant Mortality and Handicap in Northern Ireland (the Baird Report).

Drinking Practices in Northern Ireland.
Children Smoking in Northern Ireland.
Childrens' Dental Health.

The Department of Education for Northern Ireland:
Several Studies on Persistent Non-Attendance at School.

Department of Economic Development, Northern Ireland:
Annual Labour Force Survey.

HOME DEPARTMENT

Hand-held Radar Gun

Mr. Roger King asked the Secretary of State for the Home Department what modifications in construction and usage have been introduced to the hand-held radar gun following the criticism by a Gwent court in south Wales four years ago.

Mr. Giles Shaw: A report published in 1984 by the Scientific Research and Development Branch of the Home Office, concluded that the hand-held radar speedmeters were accurate and reliable and that the probability of an inaccurate reading was very low when the devices were used in accordance with instructions by a trained officer.

Following the report's recommendations the Association of Chief Police Officers has taken action aimed at ensuring common training standards and the following minor modifications are being made to the devices:

(1) the removal of the HI/LO switch.
(2) the removal of the recall facility.
(3) the fitting of a cut out device which prevents the operation of the speedmeter when the battery supply falls below the minimum operating voltage specified by the manufacturer.

These changes are being made in the interests of simplicity of operation.

Local Government (Grant Applications)

Mr. Cohen asked the Secretary of State for the Home Department what is the current average time applications for grant under section 11 of the Local Government Act 1966 are with his Department.

Mr. Waddington: In normal circumstances, a decision can be taken on a straightforward application which is accompanied by appropriate supporting information within about three months. Currently, however, the Department is engaged on a review of all posts approved for section 11 grant under the arrangements in force before 1 January 1983 to see if they meet current criteria. In consequence, new applications have been taking somewhat longer to process. A survey of the 51 applications on which a decision was taken between 1 February and 19 April 1985 shows that the average time taken to reach a decision in those cases was six and a half months.

Charity Commission

Mr. Yeo asked the Secretary of State for the Home Department how many staff are employed by the Charity Commission.

Mr. Mellor: On 1 April 1985 the number of staff employed was 330.

Prisons (Mail Bags)

Mr. Tom Cox asked the Secretary of State for the Home Department if he will list the dates when visits to prisons in England and Wales where work still takes place on mail bags have been made during the last 12 months by members of Her Majesty's Inspectorate of Factories.

Mr. Mellor: During the last 12 months Factory Inspectors of the Health and Safety Executive have visited the following prisons where mail bags are manufactured: Dorchester (9.8.84); Haverigg (17.1.85); Winchester (19.7.84); and Wormwood Scrubs (4.2.85).

Police (Humberside)

Mr. Hickmet asked the Secretary of State for the Home Department (1) on how many occasions his Department has made repesentations to Humberside county council to appoint a suitably qualified officer to the post of assistant chief constable; and if he will make a statement;

(2) if he will make a statement about the failure of Humberside county council police committee to appoint a suitably qualified officer to the post of assistant chief constable for Humberside police; and what information he has received of the effect of that failure on policing in Humberside.

Mr. Giles Shaw: I regret that one of the two assistant chief constable posts has been vacant for over a year. The Department has written seven times to Humberside police authority since December 1983 to urge them to make an appointment. It remains our view that two posts at this level are necessary in Humberside and the chief constable has had to arrange for essential duties to be carried out by other officers. The force remains efficient.

Mr. Hickmet asked the Secretary of State for the Home Department what representations his Department and Her Majesty's Inspectorate of Constabulary have made to Humberside police committee about its cuts in the police budget and further proposed cuts; and if he will make a statement.

Mr. Giles Shaw: The police authority has a statutory duty to maintain an adequate and efficient force for the area. No representations have been made by the Department about the force budget. The advice of Her Majesty's Inspectors of Constabulary to my right hon. and learned Friend and to police authorities is given in confidence.

Mr. Hickmet asked the Secretary of State for the Home Department if he will make a statement about the report on the 1984 annual inspection by Her Majesty's Inspector of Constabulary of Humberside police to the Humberside police committee; what recommendations were contained therein with reference to the appointment of a suitably qualified assistant chief constable; and whether those recommendations have been observed.

Mr. Giles Shaw: Under section 38 of the Police Act 1964, Her Majesty's Inspectors of Constabulary report to my right hon. and learned Friend: their reports are made in confidence, as are any recommendations they make a police authority on matters within its statutory responsibilities.

Mr. Hickmet asked the Secretary of State for the Home Department what representations he has received about the execution of statutory duties by those responsible for the policing in Humberside.

Mr. Giles Shaw: My right hon. and learned Friend has received a number of representations from my hon. Friend, from other hon. Members and from a Conservative member of the Humberside police authority.

PRIME MINISTER

Ministers (Collective Responsibility)

Mr. Deakins asked the Prime Minister to what extent she requires Ministers of non-Cabinet rank to observe the doctrine of collective responsibility; and if she will make a statement.

The Prime Minister: All members of the Government are bound by the collective responsibility of Ministers for the policies, decisions and actions of the Government.

East Timor

Mr. Deakins asked the Prime Minister if the subject of the Indonesian invasion and continued occupation of East Timor was raised during her recent visit to Indonesia; and if she will make a statement.

The Prime Minister: East Timor was among the subjects I discussed in Indonesia but the details of the talks must of course remain confidential.

Civil Servants (Political Affiliations)

Mr. Cohen asked the Prime Minister how many employees of Government Departments and in other work subject to Civil Service rules and regulations are known to have had Fascist affiliations.

The Prime Minister: It would not be appropriate to give information relating to the political affiliations of such employees.

FOREIGN AND COMMONWEALTH AFFAIRS

Broadcast Group

Mr. Lester asked the Secretary of State for Foreign and Commonwealth Affairs how soon he will be able to make a statement on the future of the Foreign and Commonwealth Office broadcast group.

Mr. Renton: My right hon. and learned Friend hopes to be able to make an announcement soon.

ATTORNEY-GENERAL

Scheduled Offences (Northern Ireland)

Mr. McNamara askd the Attorney-General how many cases concerning scheduled offences for each year since 1973 have been referred to *(a)* the Northern Ireland Court of Appeal and *(b)* the House of Lords; and in how many cases the original conviction has been quashed, upheld or upheld with a reduced sentence.

The Attorney-General: Records kept by the Department of the Director of Public Prosecutions for Northern Ireland of persons who appealed to the court of Appeal against conviction and/or sentence in respect of conviction for scheduled offences since 1973 show the position to be as in the chart:

Year	*Appeals Against Conviction*		
	Withdrawn	*Dismissed*	*Upheld*
1973	Nil	1	Nil
1974	8	7	5
1975	9	12	4
1976	5	13	4
1977	6	29	4
1978	29	23	4
1979	65	13	4
1980	34	16	10
1981	14	14	8
1982	21	15	2
1983	3	6	1
1984	7	7	15

Year	*Appeals Against Sentence*		
	Withdrawn	*Dismissed*	*Upheld*
1973	Nil	3	Nil
1974	30	42	17
1975	37	48	11
1976	43	28	4
1977	30	54	23
1978	55	38	9
1979	104	27	8
1980	61	35	19
1981	37	29	4
1982	40	36	11
1983	35	29	5
1984	28	19	27

Records kept by the Department of the Director of Public Prosecutions for Northern Ireland of appeals to the House of Lords arising from convictions for scheduled offences since 1973 show the position to be as follows:

Year	*Persons*	*Result*
1978	1	Appeal dismissed
1981	1	Appeal dismissed

There is no consolidated record of the variations in sentences ordered by the Court of Appeal.

NATIONAL FINANCE

Public Sector Borrowing Requirement

Mr. Gould asked the Chancellor of the Exchequer whether he will publish in the *Official Report* a table showing the public sector borrowing requirement as a percentage of gross domestic product in each year since 1955 in the United Kingdom compared with the United States of America, Germany, France, Italy and Japan.

Mr. Peter Rees: Public sector borrowing requirements are not generally available for other countries. In any case, the figures would not be comparable owing to differences in institutional coverage of public sector accounts.

Comparisons of general Government financial balances are less problematic but should still be interpreted with caution. The OECD publishes comparable statistics of general Government financial balance as a proportion of GDP/GNP. The IMF statistics published in the "International Financial Statistics Yearbook" are based mainly on national definitions of central Government and are thus not strictly comparable. The OECD figures for

United Kingdom, United States, Germany, France, Italy and Japan are only published for 1960 and 1965-83, and are as in the table shown.

General Government financial balances as percentage of GDP/GNP (market prices)

	United States of America	Japan	Germany	France	United Kingdom	Italy
1960	1·1	0·6	3·0	0·9	−1·0	−0·9
1955	−0·5	0·6	−0·4	0·4	−2·1	−3·2
1966	−0·5	0·2	−0·1	0·3	−0·3	−3·3
1967	−2·3	1·2	−1·3	−0·3	−1·5	−1·7
1968	−0·1	−2·7	−0·8	−0·8	−0·5	−2·8
1969	1·6	−1·6	1·1	0·9	−0·6	−3·1
1970	−1·1	1·9	0·2	0·9	3·0	−5·0
1971	−1·8	1·4	−0·2	0·7	1·5	−7·1
1972	−0·3	0·4	−0·5	0·8	−1·2	−9·2
1973	0·6	0·5	1·2	0·9	−2·6	−8·5
1974	−0·3	0·4	−1·3	0·6	−3·7	−8·1
1975	−4·2	−2·7	−5·7	−2·2	−4·5	−11·7
1976	−2·1	−3·7	−3·4	−0·5	−4·9	−9·0
1977	−0·9	−3·8	−2·4	−0·8	−3·1	−8·0
1978	0·2	−5·5	−2·5	−1·9	−4·2	−9·7
1979	0·6	−4·8	−2·7	−0·7	−3·2	−9·5
1980	−1·2	−4·5	−3·1	0·2	−3·8	−8·0
1981	−0·9	−4·0	−3·8	−1·8	−3·1	−11·9
1982	−3·8	−3·4	−3·4	−2·5	−2·4	−12·7
1983	−4·1	−3·3	−2·7	−3·4	−3·3	−11·8

− indicates deficit.

Sources: 1960, 1968-69 OECD Historical Statistics 1960-1981 (1983)
1965-1967 OECD Occasional Studies (July 1976)
1970-1979 OECD Economic Studies (Autumn 1984)
1980-1983 OECD Economic Outlook (December 1984)

Consolidated Fund (Unused Balances)

Mr. Faulds asked the Chancellor of the Exchequer if he will indicate, pursuant to the answer of 18 April, *Official Report*, column 244, whether a symbol relating to non-surrender to the Consolidated Fund of unused balances was likewise omitted in error from the Supply Estimates in respect of the Votes sought for the purposes specified in Class V, 10, C2, and in Class VIII, 4, B5; and whether he will make a statement.

Mr. Peter Rees: I shall let the hon. Member have a reply as soon as possible.

Betting Duty

Mr. Charles Morrison asked the Chancellor of the Exchequer what conclusions he reached as a result of the review of betting duty promised in Standing Committee on the Finance Bill 1984.

Mr. Hayhoe: After a careful review taking account of representations received, my right hon. Friend the Chancellor of the Exchequer concluded that these duty rates should remain unchanged.

Public Sector (Expenditure)

Mr. Pawsey asked the Chancellor of the Exchequer what has been the percentage of gross domestic product disbursed by the public sector in each year since 1960; and if he will publish a graph showing this data in the *Official Report*.

Mr. Peter Rees: General Government expenditure on goods and services, which constitutes the Government contribution to the expenditure measure of the gross domestic product, is published on page 153 of the 1985 *Economic Trends* annual supplement. The table also includes statistics on Government transfer payments, net lending and total expenditure. The gross domestic product at market prices is shown on page 8 of the same publication.

THE ARTS

Calke Abbey

Mr. Faulds asked the Parliamentary Under-Secretary of State answering in respect of the Arts if, pursuant to his answer of 18 April, *Official Report*, column 257, he will state *(a)* how many of the contents of Calke Abbey accepted in satisfaction of capital transfer tax possessed a tax-discharge value of over £20,000 each; and whether he will specify the items heading that category, up to the number of 20, together with the amounts of tax satisfied in respect of each of them and *(b)* how many of the contents of Calke Abbey accepted in satisfaction of capital transfer tax possessed a tax-discharge value of less than £2,000 each, and what percentage this category represented in relation to the total number of items accepted.

Mr. Waldegrave: The information requested is:

(a) Twelve of the items accepted from Calke Abbey in lieu of tax possessed—tax discharge values over £20,000 and the total amount of tax satisfied in this way was £347,000.

Items	*Amount of tax satisfied £'000s*
George II gold cup	20
3 paintings by John Ferneley Senior	125
Painting by William Davis	23
Painting by J. Linnell Senior	23
Portrait by Tilly Kettle	36
4 Paintings by Gabriel Ricciardelli	84
Painting by Salamon Van Rvysdael	36
	347

(b) About 1,400 of the items accepted from Calke possessed a tax discharge value of less than £2,000 each; these represented about 90 per cent. of the total number of items accepted.

ENERGY

Sizewell Reactor

Mr. Weetch asked the Secretary of State for Energy whether his Department has had any discussions with the Westinghouse Corporation about the choice and construction of a reactor at Sizewell.

Mr. Goodlad: The choice of a Westinghouse design of the PWR and the selection of contractors are the responsibility of the CEGB, subject, of course, to the need for statutory consents and the outcome of the inquiry being conducted by Sir Frank Layfield.

As was made clear at the time, on 1 July 1981, at column 373-74, Westinghouse was involved in the task force established by the National Nuclear Corporation and the CEGB to carry forward work on the design so that it could meet United Kingdom safety requirements. My Department was kept informed of the progress made by that task force.

My Department has had occasional informal contacts with Westinghouse, as with other companies in the nuclear

industry, about the possible contractual arrangements for the construction of Sizewell B, should I decide to grant the CEGB's application.

TRANSPORT

Felixstowe Dock and Railway Bill

Mr. Weetch asked the Secretary of State for Transport if he has any plans to report formally on the Felixstowe Dock and Railway Bill; and if he will make a statement.

Mr. David Mitchell: I have nothing to add to my reply of 25 April 1985, at column 541-42.

Worksop Bypass

Mr. Ashton asked the Secretary of State for Transport whether the plans at the public inquiry for the A57 Worksop bypass showed the height of the road as 14ft above ground level at Rufford street; if this has subsequently been changed; and if he will make a statement.

Mrs. Chalker: Plans at the public inquiries held into the A57 Worksop bypass in 1978 and 1982 showed the maximum height of the short embankment adjacent to Rufford street as 6·56 metres (about 21ft 6in) above existing ground level. This has not been changed and the embankment has now been built.

DEFENCE

Team Spirit Manoeuvres

Mr. Parry asked the Secretary of State for Defence if he will make a statement on the British observers' attendance at the Team Spirit manoeuvres in South Korea.

Mr. Stanley: It is a normal part of the duties of our defence attachés to observe, when possible, military exercises conducted by the forces of the countries to which they are accredited.

Falkland Islands

Mr. McNamara asked the Secretary of State for Defence what is the estimated cost of sending two staff cars to the Falklands; and how many miles of metalled road they will be used upon in the Islands.

Mr. Stanley: I understand that the cost would be approximately £700 but no staff cars have been sent to the Falklands and there are no present plans to send any.

Mr. Foulkes asked the Secretary of State for Defence, pursuant to the answer of 22 April, *Official Report*, column 386, if the cost to be charged by British Airways for the transportation of troops to the Falkland Islands is less than the current cost to his Department, when the effect of the completion of the airport runway is taken into account.

Mr. Stanley: A direct cost comparison is not possible. As I said to the hon. Member in my reply on 22 April it is not possible to separate the cost of moving military personnel and freight from that of civilian personnel and freight, and this applies to the cost of movements by both air and sea.

Mr. Foulkes asked the Secretary of State for Defence on what basis British Airways has been awarded a contract to transport troops to the Falkland Islands.

Mr. Stanley: I refer the hon. Member to the reply given by my right hon. Friend the Secretary of State for Defence to the hon. Member for Kingston upon Hull, East (Mr. Prescott) on 30 October 1984 at c. *932*. As I said to the hon. Member in my reply of the 17 April, discussions with British Airways are being concluded for the award of a six-month contract for the carriage of passengers and freight by wide-bodied aircraft to Mount Pleasant airport from next month.

Mr. Foulkes asked the Secretary of State for Defence how many civilian personnel have been transported to the Falkland Islands in each month since January 1984; what charges have been made for this transport; and by whom such cost is met.

Mr. Stanley: Central records are not maintained in this form. The level of charge, if any, will depend on the category of the passenger. The costs may be met by the Ministry of Defence, the Foreign and Commonwealth Office, the individual's employer or the individual himself.

Mr. Foulkes asked the Secretary of State for Defence if he will list the nature, tonnage and cost of all civilian freight transported to the Falkland Islands in the last year; and what charges were made for the cost of transportation.

Mr. Stanley: This information is not available within the Department and could not be assembled except at disproportionate cost.

Defence Estimates

Mr. Viggers asked the Secretary of State for Defence when he intends to publish the "Statement on the Defence Estimates 1985."

Mr. Heseltine: I intend to publish this year's "Statement on the Defence Estimates" on Wednesday 1 May.

SOCIAL SERVICES

Mentally Ill Persons (West Midlands)

Mrs. Renée Short asked the Secretary of State for Social Services if he will list the number of places which have been available in day centres for the mentally ill in the west midlands region in each year since 1979; what specific assistance he proposes to give to health authorities to enable them to achieve the targets of provision laid down in the 1971 White Paper entitled "Better Services for the Mentally Handicapped"; and what additional resources he will allocate in order to effect the recommendations of the recent report of the Social Services Committee on the care of the mentally ill and the mentally handicapped in the community.

Mr. John Patten: Information, relating to 31 March 1984, on the numbers of places in day centres for mentally ill people in each of the local authorities in the west midlands region, is given in the table. Information for previous years is given in the Department's annual publication entitled "Day Centres for the Mentally Ill, the Elderly and the Younger Physically Handicapped — England", copies of which are in the Library.

West Midlands (Local Authorities)	Number of Places	Net Number of Places*
Hereford and Worcester	190	190
Shropshire	20	20
Staffordshire	259	259
Warwickshire	0	121
Birmingham	100	100
Coventry	100	150
Dudley	70	70
Sandwell	50	50
Solihull	25	25
Walsall	0	30
Wolverhampton	50	50

* Includes places made available to local authorities by voluntary and other organisations.

We have asked health authorities to give priority to the development of community based services for people with mental handicap or mental illness from within their existing resources. Progress has been assisted by a number of centrally funded initiatives; £9 million has been made available over four years from 1983-84 to help health authorities with special problems move mentally handicapped children out of long-stay hospitals into more appropriate forms of care. Total joint finance allocations will amount to about £100 million this year.

The Government are still considering the recommendations of the Social Service Committee's report. We expect to provide a full response to the report in May.

Mentally Handicapped Children

Mrs. Renée Short asked the Secretary of State for Social Services if he will make special provision for social services departments to enable them to expand care facilities for mentally handicapped children who no longer have parents or grandparents to look after them.

Mr. John Patten: It is for each local authority to determine the appropriate level of care facilities for individual mentally handicapped children, as they are best placed to decide on priorities in the light of overall local circumstances. We are neither empowered, nor persuaded that there is a need, to make special allocations to local authorities, but NHS joint finance is available for selected personal social service schemes including schemes for mentally handicapped children. As indicated in my hon. Friend's reply on 6 February to my hon. Friend the Member for Halifax (Mr. Galley) at column *611* the recommendations in the recent report on services for handicapped children by the Department's Social Work Service — a copy of which is in the Library — are designed to assist local authorities to remedy known deficiencies by making more cost-effective use of the resources available.

NHS (Hospital Hygiene)

Mr. Evennett asked the Secretary of State for Social Services if he will make a statement on the adequacy of current hygiene standards in National Health Service hospital kitchens; and how such standards are monitored.

Mr. John Patten: The maintenance of standards in particular kitchens is the responsibility of individual health authorities and we expect them to comply with the relevant food hygiene regulations and to allow environmental health officers open access to catering departments and food handling areas in their premises. Recommendations by these officers should be considered immediately within authorities to decide what action is needed.

National Insurance (Earnings Limit)

Mr. Austin Mitchell asked the Secretary of State for Social Services if he will estimate the yield from abolishing the upper earnings limit for employees for national insurance; and what is his estimate of the numbers affected.

Mr. Whitney: The Government Actuary estimates that abolition of the upper earnings limit for primary class 1 national insurance contributions would yield around £700 million in a full year at 1985-86 rates. Some 1·7 million contributors would be affected.

School Leavers

Mrs. Beckett asked the Secretary of State for Social Services whether the Chief Adjudication Officer has issued any recent instructions to adjudication officers concerning the treatment of school leavers; and if he will make a statement.

Mr. Whitney: I refer the hon. Member to my hon. Friend's reply to the hon. Member for Cambridgeshire, North-East (Mr. Freud) on 24 April at column *502*.

Fluoride

Mr. Best asked the Secretary of State for Social Services why it has not been considered appropriate for the chemicals normally used to add fluoride ion to the public water supply to be submitted to the Committee on Safety of Medicines and if he will make a statement.

Mr. John Patten [*pursuant to his reply*, 26 February 1985, c. *140*]: I am advised that this substance when used as an addition to the public water supply has not been regarded as a medicinal product and the only other basis on which it might be referred to the Committee on Safety of Medicines is on the question whether an order should be made applying the provisions of the Medicines Act to that substance.

Nuclear War (Medical Supplies)

Mrs. Renée Short asked the Secretary of State for Social Services what specific progress has been made during the last five years by his Department in establishing methods for stockpiling medical supplies in the event of a nuclear war.

Mr. John Patten [*pursuant to his reply*, 22 April 1985, c. *353*]: Medical supplies for use in emergencies have been held in central stores for a number of years. The supplies, which are maintained in good useable condition, include beds and bedding, surgical equipment and dressings. Dispersal of these supplies is considered to be necessary to deal with local peacetime emergencies as well as those arising from war, either conventional or nuclear. Some small dispersal programmes have recently been undertaken but, mainly because of the difficulty in identifying suitable local storage accomodation, alternative proposals for dispersing the supplies are being actively considered.

Pharmaceuticals present a different problem because of restricted shelf life and the resource implications of

holding perishable stock. Some studies of this separate issue have been undertaken and officials currently have the policy under review.

ENVIRONMENT

Cadmium

Mr. Cartwright asked the Secretary of State for the Environment what steps he proposes to take in order to control and reduce environmental contamination by cadmium; and if he will make a statement.

Mr. Waldegrave: The Government's policy as set out in pollution paper No. 17 is to keep man's total intake of cadmium as low as practicable and to take every opportunity to reduce exposure while taking into account the technical advantages of cadmium and the merits and availability of alternatives. With this in mind, the Government have welcomed the Community Directive on cadmium discharges to water 83/513/EEC as a valuable additional means of reducing environmental contamination by this metal. My Department has issued guidance to the water authorities on the implementation of this directive and will keep the results under review.

No immediate need is foreseen for further measures but the subject is being kept under review and other actions to reduce exposure will be considered as opportunities arise. This is in line with the preventive approach implicit in the Government policy.

Nitrates

Mr. Kilroy-Silk asked the Secretary of State for the Environment what evidence he has of damage to the environment and to wildlife by the use of nitrates by farmers.

Mr. Waldegrave: I am advised by the Nature Conservancy Council that research carried out by the University of East Anglia has shown that some damage to aquatic vegetation in ditches and rivers within the broads area may have occurred as a result of high levels of nitrate. Further research is to be undertaken.

Areas of Outstanding Natural Beauty

Mr. Weetch asked the Secretary of State for the Environment what criteria his Department uses, in applying its statement of policy of 29 July 1982, *Official Report*, column 708, for establishing the national interest in decisions regarding the possible exemption of major industrial and commercial developments from the restrictions imposed in respect of areas of outstanding natural beauty.

Mr. Macfarlane: There are no formal criteria. Our statement explains the necessity of determining each case on its merits, and it is in that context that questions concerning the national interest would be assessed.

Herons

Mr. Kilroy-Silk asked the Secretary of State for the Environment what is his estimate of the number of herons; and if their number is declining.

Mr. Waldegrave: In 1983 the British Trust for Ornitholiogy estimated the population of herons in England and Wales as 5,150 breeding pairs which showed a slight fluctuation but no significant decline. No comparable figures exist for Scotland, but a figure of 1,500-2,000 breeding pairs has been estimated.

I understand that later this year the BTO will be undertaking a complete census of the heron population, which will provide up to date information for the whole of the United Kingdom.

Humberside

Mr. Hickmet asked the Secretary of State for the Environment by how much Humberside county council has overspent since 1981-82; and if he will make a statement.

Mr. Waldegrave: The information is as follows:

*Humberside county council's overspend against target**

	£ million
1981-82	14·7
1982-83	48·7
1983-84	10·7
1984-85	†8·1
1985-86	‡6·1

* Targets were defined in "total" expenditure terms in cash in 1982-83 and subsequent years. In 1981-82, they were in terms of current expenditure at November 1980 prices.
† Revised estimate.
‡ Budget.

Mr. Hickmet asked the Secretary of State for the Environment by how much rates have increased on average in all county councils since 1981-82; and by how much they have increased in Humberside.

Mr. Waldegrave: Non-metropolitan county councils have on average increased their precepts by 37 per cent. between 1981-82 and 1985-86. Humberside county council has increased its precept by 60 per cent. over this period. The 1981-82 precepts on which these figures are based include any supplementary precepts levied during the year.

London Lesbian and Gay Centre

Mr. Martin Stevens asked the Secretary of State for the Environment when he will announce his decision on the grant application made on behalf of the London lesbian and gay centre in Smithfield, EC1.

Mr. Kenneth Baker: I shall answer this question shortly.

Rates

Mr. Yeo asked the Secretary of State for the Environment what is the estimated yield from rates for 1984-85.

Mr. Waldegrave: Based on local authorities' returns, the estimated yield from rates in England in 1984-85 (net of domestic rate relief grant and rate rebates) is £11·1 billion.

Royal Parks Constabulary

Mr. Peter Bruinvels asked the Secretary of State for the Environment what is the total strength of the Royal Parks constabulary; what is its establishment figure; and if he will break down the figures by posting.

Mr. Macfarlane [*pursuant to his reply*, 25 April 1985, c. *550*]: The current establishment of the Royal Parks constabulary is 152. The current strength is 148, as follows:

	Superintendent	*Chief Inspector*	*Inspector*	*Sergeant*	*Constable*	*Total*
Headquarters						
Central parks	1	1	2	1	1	6
St. James's park	—	—	1	3	31	35
Kensington Gardens	—	—	—	3	13	16
Brompton Cemetary	—	—	—	—	1	1
Regent's Park	—	—	1	2	20	23
Greenwich park	—	—	—	4	11	15
Hampton Court	—	—	1	2	20	23
Richmond						
Richmond' Park	—	—	1	3	18	22
Osterley Park	—	—	—	—	3	3
Training school	—	—	—	—	4	4
	1	1	6	18	122	148

Water Authorities (Members)

Mr. Wareing asked the Secretary of State for the Environment if he will list the names, along with their occupations, of the members of the North-West and Welsh water authorities.

Mr. Macfarlane [*pursuant to his reply* 25 April 1985, c.*550*]: Details of the members of North-West water and their occupations are as follows.

Membership of the Welsh water authority is however a matter for my right hon. Friend the Secretary of State for Wales.

North-West Water Authority

G Mann—Chairman;
T A F Barnes—Chartered Surveyor;
D J Coyles—Retired master painter and decorator;
J A Cropper—Chairman, James Cropper PLC (paper makers);
J D Hamilton—Retired school master;
G E Lowe—Retired production and marketing executive, ICI Ltd Pharmaceuticals Division;
D H McAuslan — Retired technical and services director, Unilever Merseyside Ltd;
J B Oldfield—Chief Executive;
K W Palmer—Retired headmaster;
A Richardson—Farmer and company director;
J B Robinson—Farmer;
F Sanderson—Retired chairman and chief executive, Ames Crosta Babcock Ltd;
R E Weston—Retired refinery manager, Shell UK Ltd

High Technology Site, Bickenhill

Mr. Iain Mills asked the Secretary of State for the Environment if he will delay the public inquiries proposed for planning applications concerning the high technology site in Bickenhill until the final determination of the west midlands structure plan and the Marston green and Bickenhill district plan; and if he will make a statement.

Mr. Macfarlane [*pursuant to his reply* 25 April 1985, c. *550*]: There has been no change in the Government's policy towards green belt. There continues to be a strong presumption against development in the green belt and only in exceptional circumstances will development be permitted. The Government's commitment to the preservation of the green belt is set out in Circular 14/84. If the proposal in the "West Midlands Structure Plan; Proposals for Alteration for new technology development in the general location of the M6/M42 Motorway Interchange", is approved by the Secretary of State, then this will be an approval to the principle of development taking place in this vicinity. The precise location of the development will be determined through other elements of the planning system.

Mr. Iain Mills asked the Secretary of State for the Environment what information he has as to the progress that has been made with the process of preparing the Marston green and Bickenhill district plan for submission to him for determination.

Mr. Macfarlane [*pursuant to his reply*, 25 April 1985, c. *550*]: The Marston green and Bickenhill local plan has been prepared in draft by West Midlands county council. It is the county council who are responsible for processing it through to adoption. Although my right hon. Friend the Secretary of State has reserve powers to call in a local plan for his own determination these are rarely exercised.

Mr. Iain Mills asked the Secretary of State for the Environment what is his policy, arising from his review of the west midlands structure plan, concerning the release of green belt land in the west midlands; and if he will make a statement on his proposed application of this policy regarding the precise location of release of green belt land for a high-technology site in Bickenhill.

Mr. Macfarlane [*pursuant to his answer*, 25 April 1985, c. *550*]: No. It would not be reasonable to postpone the public inquiries already arranged to start on 14 May to await decisions on the structure and local plans. I am writing to my hon. Friend about the relationship between the proposals for development and the plans.

"Hill Farming and Birds"

Mr. Kilroy-Silk asked the Secretary of State for the Environment if he will make a statement on the report by the Royal Society for the Protection of Birds entitled "Hill Farming and Birds", a copy of which has been sent to him.

Mrs. Fenner: I have been asked to reply.

We expressed our thanks to the RSPB for this report when it was published last summer at a time when policies for the hills and uplands were under review both nationally and in the Community. The Community discussions have now led to agreement on new farm structures measures which include a new approach for environmentally sensitive areas for which we pressed strongly. We shall be taking careful account of the RSPB recommendations in implementing the new measures.

TRADE AND INDUSTRY

COCOM Regulations

Mr. Batiste asked the Secretary of State for Trade and Industry when the new COCOM regulations will be published; what period of time will elapse after publication before they come into effect; and what is the reason for the delay in publication.

Mr. Channon: I expect to make a new Export of Goods (Control) Order shortly; and to publish it on or about 12 June. It will enter into force six weeks after publication. It has not proved possible to publish the order earlier because of certain technical difficulties in its preparation.

British Overseas Trade Board

Dr. Michael Clark asked the Secretary of State for Trade and Industry why the funding of the services of the British Overseas Trade Board is being reduced by more than 10 per cent. in real terms in 1986-87; and what effect this will have on exports.

Mr. Channon: The budget of the British Overseas Trade Board is to remain broadly constant in cash terms at about £27·5 million in 1984-5 and £27·4 million in 1986-7.

All aspects of Government policy are naturally subject to public expenditure constraint. But I am confident this will not seriously affect British export activity. It is essential to ensure that the funds provided are being used most effectively. I believe that the changes now made by the BOTB will do this, helping newcomers into overseas markets, and that the assistance will be of particular help to smaller and medium sized firms.

Manufactured Goods (Trade Imbalance)

Mr. Gould asked the Secretary of State for Trade and Industry what is the statistical basis for the figures given for group 418 starch on pages 10 and 15 of the memorandum submitted by his Department to the Trade and Industry Committee and reproduced in its report on the growth in the imbalance of trade in manufactured goods, Session 1983-84.

Mr. Channon: The component series used in the calculation of the ratios given in the UK memorandum submitted to the Trade and Industry Committee are series for sales by UK manufacturers of the principal products classified to each activity heading in the standard industrial classification (Revised 1980) and the "Overseas Trade Statistics" analysed by industry. Home demand is calculated as sales by UK manufacturers plus imports less exports.

In the case of starch, group 418 of the standard industrial classification, sales by UK manufacturers of the principal products of the industry are extracted from the results of the *Quarterly Sales Inquiry* conducted by the business statistics office. Sales of waste products and receipts for work done are excluded, and an estimate is made for the sales of establishments not contributing to the inquiry.

In the published analysis of overseas trade by industrial category each tariff code in the "Overseas Trade Statistics" is allocated to the appropriate activity heading in the standard industrial classification. For the starch industry, therefore, the estimates of overseas trade represent total trade in all tariff codes thought to be principal products of group 418 of the standard industrial classification. The ratios in table B1 of the memorandum are constructed using trade figures calculated on this basis. In the analysis of trade performance published in "Business Monitor MQ12", "Import Penetration and Export Sales Ratios for Manufacturing Industry", a further refinement is incorporated. Tariff codes identified to be waste products or second hand goods are excluded from imports and exports in order to bring the trade figures as near as possible to the same coverage as sales by UK manufacturers. The ratios given in table B2 of the memorandum are compiled on this basis.

In most industries, trade identified as waste products or second hand goods is negligible and even more so when import penetration (or export performance) is broken down by country. Consequently as a result the figures in table B1 are normally consistent with those in table B2 in the memorandum. However, in the case of the starch industry, more than half of the 1982 imports were of waste products. The ratios given in table B1 for this industry are therefore not directly comparable with those given in table B2. Deduction of waste products from EC imports gives a ratio of EC imports (including Spain and Portugal) to home demand of 20 per cent. for the starch industry in 1982. This figure is consistent with those given for the starch industry in table B2 of the memorandum.

US Export Administration Acts

Mr. Ashdown asked the Secretary of State for Trade and Industry what information he has, including names and sums involved, of instances of United Kingdom companies which are in the process of being penalised, which have been penalised or which have settled as a result of being threatened with penalties by the United States Government under the United States Export Administration Acts.

Mr. Channon: Information of this kind is sometimes to be found in official United States Government publications or from press reports. More often it comes to my Department through a confidential approach by the United Kingdom company concerned. It would not be appropriate, or helpful to the companies, to give details of such cases.

Timber

Mr. Skeet asked the Secretary of State for Trade and Industry if he will give the figures for the imports of *(a)* hardwoods and *(b)* softwoods into the United Kingdom during each of the past five years and for the trend in the prices of timber.

Mr. Channon: The information is as follows:

Table A *United Kingdom imports of hardwoods and softwoods*
Value: £ millions (cif)
Weight: Metric tonnes (thousands)

	1980	1981	1982	1983	*1984
Hardwoods					
Value	114	133	136	213	228
Weight	531	549	545	743	642
Softwoods					
Value	563	464	529	716	767
Weight	3,698	3,191	3,677	4,275	4,084

* Provisional.

Source: For *hardwoods*, SITC/R2 Sub-groups 247.2, 247.9 (part) and 248.3 and Item 246.01 (part); and for *softwoods*, SITC/R2 Sub-groups 247.1, 247.9 (part) and 248.2 and Item 246.01 (part), in the United Kingdom Overseas Trade Statistics.

Table B
Wholly or mainly imported timber price index (annual averages)

Wood sawn lengthwise	1980	1981	1982	1983	1984
Hardwoods	100	106·7	116·2	127·6	137·1
Softwoods	100	98·6	98·3	112·6	128·3

Source: Business Statistics Office.

Mr. Skeet asked the Secretary of State for Trade and Industry what is the consumption of timber per capita compared with the Federal Republic of Germany, France and Italy.

Mr. Channon: The consumption of timber, measured in cubic metres per capita is shown in the table. The figures relate to 1982, the latest year for which full information is available. Timber is defined as including sawn wood, logs, fuelwood, pulpwood and industrial wood but excluding manufactured board, wood pulp, newsprint, paper and paper board.

Consumption of Timber 1982

	Cubic metres per capita
United Kingdom	0·34
Federal Republic of Germany	0·85
France	0·88
Italy	0·47

Source: UN and FAO.

Enterprise Agencies

Mr. Roy Hughes asked the Secretary of State for Trade and Industry if he has requested the Confederation of British Industry to ask member firms to assist enterprise agencies in their areas through the secondment of key personnel.

Mr. Trippier: Although my right hon. Friend has made no representations to the Confederation of British Industry on the secondment of staff to local enterprise agencies, the CBI is a member of Business in the Community and is well aware of the important contribution secondments can make both to the LEAs and to the career development of the secondees themselves.

Mr. Roy Hughes asked the Secretary of State for Trade and Industry if he intends to publish a Green Paper on enterprise agencies in the near future.

Mr. Trippier: There are no plans to publish a Green Paper on this topic.

Mr. Roy Hughes asked the Secretary of State for Trade and Industry if he will assess the effect on the work of enterprise agencies of the Budget proposals for the elimination of the tax concession on industrial buildings below 1,250 sq ft.

Mr. Trippier: No, but I shall keep the supply of small workshops under review.

Antifouling Paints

Mr. Viggers asked the Secretary of State for Trade and Industry what estimate he has made of the effect there would be on the production, home sales and export sales of marine antifouling paints if a ban were imposed on organo-tin based compounds.

Mr. Trippier: The Government has proposed to restrict the availability of antifouling paints based on organo-tin compounds for boats under 12 metres in length. No more widespread ban is contemplated. I am aware of the views of the industry but no precise estimate can be made in view of the possibility of substituting alternative antifouling paints.

Regional Development

Mr. Bevan asked the Secretary of State for Trade and Industry if he has decided upon the amount of grant in aid he is making available to each of the five English regional development organisations in 1985-86; and if he will make a statement.

Mr. Norman Lamont: On the basis of the programmes of promotional activities which each of the five English Regional Development Organisations have submitted to me, I am making available the following amounts of grant in aid in 1985-86:

	£
North of England Development Council (NEDC)	760,000
Yorkshire & Humberside Development Association (YHDA)	400,000
Devon & Cornwall Development Bureau (DCDB)	210,000
West Midlands Industrial Development Association (WMIDA)	130,000
North West Industrial Development Association (NORWIDA)	75,575*

* For six months.

The NEDC, YHDA and DCDB are meeting the conditions which I laid down for non-matching funding, and their grant in aid is therefore not linked to pound for pound matching arrangements with the local authorities. WMIDA has been established for only one full year and its grant in aid, which has been increased to £130,000, remains conditional on matching funding. The grant in aid to NORWIDA will also remain conditional on the local authorities continuing to match the DTI contribution on a pound-for-pound basis. I shall be prepared to enter into

further discussions about the provision of additional grant in aid for NORWIDA or a successor body for the second half of 1985-86.

Battery-powered Dog Collars

Dr. David Clark asked the Secretary of State for Trade and Industry if he will seek to ban the import of battery-powered dog collars which deliver an electric shock when the dog barks.

Mr. Channon [*pursuant to the reply*, 24 April 1985; c. *460*]: It is an offence under the Protection of Animals Act 1911 to cause any unnecessary suffering to a domestic or captive animal. If these collars caused cruelty to a dog it would be illegal to use them. If the use of the collars is found to be illegal a ban on their imports could be considered. But at present it is not illegal to use or sell the collars in the United Kingdom, and, unless the situation changes, it would not be appropriate to ban their import.

AGRICULTURE, FISHERIES AND FOOD

EC (Surplus Products)

Mr. Gould asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing the amount spent by the EC in 1984 on storing surpluses of milk products, sugar, cereals, beef, wine, fruit, and so on and other products, respectively.

Mr. MacGregor: The following table sets out provisional figures for expenditure in 1984 from the European Agricultural Guidance and Guarantee Fund on public storage, including losses on sale and private storage by commodity. Community statistics do not differentiate between the cost of storing surpluses and storage costs incurred on produce which is subsequenly consumed within the Community.

	(mecu)
Cereals	356·0
Sugar	429·8
Olive oil	66·6
Oilseeds	2·1
Wine	135·6
Tobacco	28·2
Milk products	1,606·0
Beef	814·5
Pigmeat	38·9

Source: EC Commission figures.

Nitrates

Mr. Kilroy-Silk asked the Minister of Agriculture, Fisheries and Food (1) if he will take steps to encourage farmers to reduce the use of nitrates;

(2) what guidance his Department issues to farmers on the use of nitrates.

Mrs. Fenner: So as to ensure the efficient use of nitrates and other nitrogenous fertilisers while reducing as far as practicable the risks of pollution, farmers are encouraged by my Department to restrict application of such fertilisers to those times when the crops can utilise the nitrogen. Autumn and winter applications should therefore be avoided unless there is a specific crop requirement.

Mr. Kilroy-Silk asked the Minister of Agriculture, Fisheries and Food what information he has as to the amount of nitrates used on farms in each of the last 10 years, and the purposes for which it was used.

Mrs Fenner: The table gives the amount of all forms of nitrogen applied by farmers in England and Wales as inorganic fertiliser (straights and compounds) in each of the years 1974-75 to 1983-84:

	'000 tonnes plant food
1974-75	787·5
1975-76	850·8
1976-77	879·0
1977-78	924·0
1978-79	941·0
1979-80	1,031·0
1980-81	1,100·0
1981-82	1,180·0
1982-83	1,227·0
1983-84	1,316·0

The Survey of Fertiliser Practice, compiled jointly by the Agricultural Development and Advisory Service, the Fertiliser Manufacturers Association and Rothamsted experimental station, contains details of fertiliser use. The following information is taken from the latest edition (1983) and relates to average nitrogen applications:

All nitrogen use on tillage and grass 1974-83 (overall kg/ha)
England and Wales

	Tillage	*Grass*	*All crops and grass*
1974	85	94	91
1975	86	99	94
1976	96	98	97
1977	99	110	105
1978	104	113	107
1979	112	117	114
1980	121	119	120
1981	135	125	130
1982	141	123	132
1983	154	125	139

In 1984 the average application on all crops and grass amounted to 147 Kg N/ha.

Poultry

Mr. Skeet asked the Minister of Agriculture, Fisheries and Food to what extent he estimates that the replacement of meat by poultry consumption in the United Kingdom is due to its low cholesterol content.

Mrs. Fenner: My Department has no estimates of the influence of cholesterol content on the replacement of meat by poultry in the United Kingdom diet. However, since the cholesterol contents of both meat and poultry are similar, it is unlikely to be the reason for increased poultry consumption.

Mr. Skeet asked the Minister of Agriculture, Fisheries and Food how many diseases are known by his Department to affect poultry; whether the pattern is changing with the continued application of existing drugs; and to what extent biotechnology through genetic engineering has provided more resilient strains.

Mrs. Fenner: There are three notifiable diseases of poultry — Newcastle disease, fowl plague and paramyxovirus of pigeons, and innumerable other non-notifiable diseases. There is no evidence that the pattern

of any of the diseases is being influenced by the application of drugs. Genetic engineering has been applied to the production of new vaccines in animal disease but to date no improved vaccines have been produced in the poultry field.

Mr. Skeet asked the Minister of Agriculture, Fisheries and Food whether factory methods of poultry production show diminishing returns of output with the length of performance of this type of farming.

Mr. MacGregor: In all laying poultry, egg production reaches a peak some six to eight weeks after commencement of lay; thereafter the rate of egg production slowly declines. Research undertaken over a number of years indicates that the rate of decline in egg laying is lower in birds housed in cage systems than in those kept under other conditions.

Dairy Farming

Dr. Roger Thomas asked the Minister of Agriculture, Fisheries and Food what representations he has made at EC deliberations to have direct income aids made available to small dairy farmers attempting to remain in this category of farming.

Mr. MacGregor: When the Council agreed on measures for the introduction of milk quotas in 1984 it agreed at the same time to the continuation for two years of the Community scheme to aid small milk producers. Under this scheme in the United Kingdom payments of £209.20 were made in December 1984 to individual producers delivering less than 200,000 litres in 1983. Under the existing provisions further payments will become due in the 1985-86 marketing year.

Dr. Roger Thomas asked the Minister of Agriculture, Fisheries and Food if he will set up a departmental working party as to the future profitable use of land taken out of dairy production by the milk production outgoers scheme.

Mr. MacGregor: No. Producers opting for the outgoers scheme will have thought carefully about the alternatives available to them. In addition the staff of the Agricultural Development and Advisory Service are available to offer advice to individual producers.

Agricultural Holdings

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food whether he will publish in the *Official Report* a table showing for each year since 1955 the number of agricultural holdings larger than the threshold below which minor holdings have been excluded from the census from time to time; and if he will distinguish the number of tenanted holdings.

Mrs. Fenner: I will publish the available information in the *Official Report* as soon as possible.

Farm Holdings (Payments)

Mr. Austin Mitchell asked the Minister of Agriculture, Fisheries and Food what is his estimate of the proportion of public expenditure on agriculture devoted to farm holdings of more than 1,000 standard man-days.

Mrs. Fenner: I regret that this information is not available.

Beef

Dr. Roger Thomas asked the Minister of Agriculture, Fisheries and Food if he will publish the latest figures available of the intervention stocks of beef in each member country of the EC; and how such figures compare with those at a comparable time one and three years ago.

Mr. MacGregor: The information requested is given in the following table:

Stocks of beef in public intervention

	28 February 1982	*29 February 1984*	*28 February 1985*
Belgium	8	3,456	4,474
Denmark	8,107	23,000	28,138
Germany	19,344	35,177	*79,210
Greece	—	429	—
France	56,561	97,863	188,235
Ireland	29,279	55,445	85,044
Italy	8,137	107,628	153,080
Luxembourg	—	—	—
Netherlands	2,291	10,144	18,625
United Kingdom	6,169	11,228	49,511
EC 10	129,896	344,370	606,317

* As at 3 March 1985.

Source: European Commission Working documents.

Milk (Outgoers Scheme)

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food if any record is maintained by his Department of the use to which farmers put land in respect of which payments have been made under the outgoers scheme relating to cessation of milk production; and if he will make a statement.

Mr. MacGregor [*pursuant to his reply*, 23 April 1985, c. *387*]: A successful applicant under the outgoers scheme is not required to inform my Department of the use to which he puts his land once he ceases production. Each farmer's circumstances are very different and we did not consider it desirable to seek to direct them into particular sectors. We took the view that each individual should be free to determine the direction of his business in the light of his own commercial judgment.

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food if any savings will be made in the expenditure of the common agricultural policy in circumstances where farmers compensated under the outgoers scheme relating to the cessation of milk production use the land in question for the production of beef; and if he will make a statement.

Mr. MacGregor [*pursuant to his reply*, 23 April 1985, c. *387*]: It is not possible to make a reliable estimate of the effect on expenditure under the CAP. The outgoers scheme involves a reallocation of quota from outgoing producers to certain other producers. The effect on beef production depends partly upon whether producers who receive additional quota generate the same supply of calves for fattening as had been supplied by the outgoing producers and partly upon whether the resources released by outgoers are used to produce different commodities from those which would otherwise have been produced by those receiving additional quota. Given the likely wide variety of responses between producers, due to differences in circumstances, it is not possible to estimate reliably the overall effect on beef production.

Mr. Teddy Taylor asked the Minister of Agriculture, Fisheries and Food what estimate he has made of the amount which will fall to be paid to farmers seeking payments under the outgoers scheme under which agreement is secured that milk will not be produced; how many applications have been received for payments under this scheme; and what acreage and what number of cows he estimates will be affected by the applications likely to be approved.

Mr. MacGregor [*pursuant to his reply*, 23 April 1985, c. *387*]: In England and Wales, we are aiming to buy in 289 million litres of milk quota, at a cost of just over £37·5 million. By 19 April 1985, some 1,469 producers had submitted claims for payment in respect of 240·5 million litres.

The quota bought up from outgoers will be re-allocated to other producers, who will adjust their production accordingly. It is not possible to estimate the net effect of this, if any, on total cow numbers or on the area used for milk production. This will depend upon whether the husbandry methods of producers benefiting from the re-allocation of quota differ from those of the outgoers.

EMPLOYMENT

Labour Statistics

Mr. Kilroy-Silk asked the Secretary of State for Employment how many men on Merseyside who have been unemployed for over 12 months have been accepted for full-time training by the Manpower Services Commission in the last year.

Mr. Peter Morrison: Some 570 men who had been unemployed for over 12 months have been accepted for full-time training by the Manpower Services Commission in the last year.

In addition, some long-term unemployed people, including some 700 in temporary jobs under the community programme, will be undertaking part-time training.

Information Technology Centres

Mr. Stuart Holland asked the Secretary of State for Employment what is the basis for the levels of salaries for computing and electronics instructors in information technology centres; and what information he has as to the equivalent salaries paid by the training establishments in industry and commerce.

Mr. Peter Morrison: The Manpower Services Commission provides funding for the salaries of computing and electronics instructors in information technology centres up to maximum limits which are based on local authority rates for non-manual workers. However the actual level of salary an instructor receives is of course a matter for individual sponsors.

Information on salaries paid by training establishments in industry and commerce is not held centrally.

Mr. Stuart Holland asked the Secretary of State for Employment how many information technology centres have earned revenue in excess of £10,000 during their third year of operation.

Mr. Peter Morrison: I shall reply to the hon. Member as soon as possible.

TOPS Language Courses

Ms. Richardson asked the Secretary of State for Employment whether the Manpower Services Commission intends to continue the provision of English as a second language TOPS course.

Mr. Peter Morrison: We plan to continue to provide this training where it is a necessary and cost effective means of improving employment prospects.

Youth Training Scheme

Mr. Stuart Holland asked the Secretary of State for Employment (1) on what criteria the Manpower Services Commission evaluates local requirements for youth training scheme places;

(2) whether the Manpower Services Commission evaluates local requirements for youth training scheme places on both a borough basis and Inner London education authority divisions;

(3) what consideration is given to the academic or non-academic content of the school leaving population in Manpower Services Commission evaluations of local requirements for youth training scheme places;

(4) whether local job opportunities are related to training facilities for the incoming labour force in youth training schemes.

Mr. Peter Morrison: The number and type of youth training scheme places in each locality is determined in consultation with local careers services, on the basis of estimates of the number of young people likely to require places and their training needs, and with local job opportunities kept in mind. In London such planning is undertaken at borough and Inner London Education Authority division level.

Mr. Stuart Holland asked the Secretary of State for Employment whether the Manpower Services Commission is making provision to monitor the proportion of places taken up in mode A schemes by *(a)* inner city, *(b)* black and *(c)* female young people.

Mr. Peter Morrison: Statistical information on the participation of ethnic groups and female youngsters in the youth training scheme is recorded on the Manpower Services Commission's computerised management information system. This system is based on local authority districts and does not, therefore, specifically record information about inner cities except in the case of London, where all the inner city boroughs are local authority districts. The information is regularly monitored by Manpower Services Commission staff.

National Freight Corporation, Sheffield (Fire)

Mr. Caborn asked the Secretary of State for Employment in connection with the fire at the warehouse of the National Freight Corporation in Sheffield on 14 to 16 December 1984, if he will list the dates on which witness statements were taken by the Health and Safety Executive; which specialist branches of the Health and Safety Executive have become involved in the Health and Safety Executive investigation and on which date each specialist branch first became involved; and if any photographs of the fire were taken by the Health and Safety Executive on and after 14 December 1984.

Mr. Peter Bottomley: The Health and Safety Executive began its investigation into the causes of the fire and the reasons for its rapid spread on the day after the fire occurred. The investigation was subsequently broadened to include the circumstances in which the fire was fought. The actual fire was not photographed by HSE photographers but photographs were taken subsequently of damage to buildings.

On 17 December 1984 civil engineering inspectors of HSE were called in to advise on the stability of the damaged structure. Other branches of HSE including the field consultant groups, Employment Medical Advisory Service and the research division have been brought in to the investigation as required. A number of witnesses have been interviewed and inquiries continue. The HSE will publish its report as soon as possible but a thorough inquiry of this magnitude and preparation of a report for publication takes several months.

Labour Statistics

Mr. Deakins asked the Secretary of State for Employment what proportion of young people aged 16 to 19 years are in employment in the London borough of Waltham Forest; and what has been the trend in the past four years.

Mr. Alan Clark: The latest available information comes from the 1981 "Census of Population" which showed that 52·5 per cent. of young people aged 16 to 19 years living in the London borough of Waltham Forest were in employment.

Mr. Kilroy-Silk asked the Secretary of State for Employment how many women have been unemployed *(a)* on Merseyside and *(b)* in Knowsley for more than 12 months.

Mr. Alan Clark: The following information is in the Library. It is provisionally estimated that there were 14,771 females in the Merseyside metropolitan county who had been unemployed for more than 12 months on 14 March. The corresponding figure for the borough of Knowsley was 2,153. The figures include estimates for those whose claims are not dealt with by computer.

Mr. Kilroy-Silk asked the Secretary of State for Employment how many young people by age and sex have been unemployed for more than 12 months *(a)* on Merseyside, *(b)* in Knowsley and *(c)* in Kirkby.

Mr. Alan Clark: The following information is in the Library. The figures relate to unemployed claimants on 10 January 1985, the latest date for which an analysis of unemployment by age and duration is available.

Young persons under 18 years, unemployed over 12 months

	Male	*Female*
Merseyside metropolitan county*	405	298
Borough of Knowsley*	68	40
Kirkby jobcentre area	15	12

* Figures are given for best fit jobcentre areas. The area covered by the Kirkby, Prescot and Huyton jobcentres corresponds closely to the Borough of Knowsley.

Mr. Hancock asked the Secretary of State for Employment what is the number of persons unemployed in the county of Hampshire; and how many of these are young people who have never experienced normal employment.

Mr. Alan Clark: The following information is in the Library. On 14 March 1985 the number of unemployed claimants in the best fit of jobcentre areas to the county of Hampshire was 60,669. Of these 1,127 were under the age of 18 years and had not entered employment since terminating full-time education.

Mr. Hancock asked the Secretary of State for Employment what is the latest figure for youth unemployment in the Portsmouth travel-to-work area.

Mr. Alan Clark: The following information is in the Library. On 10 January 1985, the number of unemployed claimants in the old Portsmouth travel-to-work area under 18 years of age was 1,471. This information is not yet available for the new Portsmouth travel-to-work area.

Mr. Hancock asked the Secretary of State for Employment (1) what are the latest figures for female unemployment in the Portsmouth travel-to-work area;

(2) what are the latest figures for male unemployment in the Portsmouth travel-to-work area.

Mr. Alan Clark: The following information is in the Library. On 14 March there were 5,773 unemployed females and 13,538 unemployed males in the Portsmouth travel-to-work area.

Mr. Parry asked the Secretary of State for Employment if he will make a statement on the latest unemployment figures.

Mr. Alan Clark: The fall in unemployment in March of 56,000 was a significant improvement on previous months, and although the seasonally adjusted figure increased, that increase was lower than for the previous three months.

The March figures were encouraging, particularly when the employment figures, published on 17 April, showed over 600,000 more people in jobs in December 1984 than in March 1983.

Departmental Achievements

Mr. Pawsey asked the Secretary of State for Employment if he will list his Department's principal achievements since 1979.

Mr. Tom King [*pursuant to his reply*, 4 April 1985, c. *774*]: I have recently published a White Paper, "Employment, The Challenge for the Nation", which describes the wide range of measures we are taking to help revive the economy, to improve the working of the labour market and to aid the unemployed.

We have made the improvement of Britain's education and training system one of our top priorities and now plan to spend £1·2 billion on training in 1985-86 compared with just £380 million in 1979. We have successfully launched the youth training scheme which offers a year's planned training and work experience to all 16 and some 17-year-old school leavers. Around 700,000 young people have benefited from the Scheme so far and our current estimates show that two-thirds have moved on from the scheme to jobs or further training or education. We have also opened 160 information technology centres to train young people under the youth training scheme in computing and electronic assembly skills. We have now announced a major expansion of the youth training scheme. We aim to provide by 1986 two years training for all 16-year-old school leavers who do not continue in full time education

and one year for 17-year-olds—leading to a recognised vocational qualification. We have asked the Manpower Services Commission to begin discussions on a possible scheme with all concerned and to put forward detailed proposals by the end of June. We intend to provide extra funds of £125 million in 1986-87 and £300 million in 1987-8 for this purpose bringing the Government's total investment in youth training to some £1,100 million by 1987-8.

We are also taking a number of other steps to improve education and training for the 14-18 age group.

We have launched the technical and vocational education initiative to broaden the curriculum for 14 to 18-year-olds and relate it more closely to employment needs. Sixty-two projects began in 1983 and 1984 and by 1986 every local education authority which wishes to participate will have had the opportunity to do so.

We have made available £25 million over the next two years for in-service training of teachers to promote developments, particularly related to TVEI.

We have asked the MSC to set in hand a review of vocational qualifications in England and Wales, to ensure that we have a readily understandable system which provides opportunities for people to progress to higher skills and which is really relevant to the world of industry and commerce.

We have enabled the MSC to purchase a more significant proportion of work-related non-advanced further education courses provided by local education authorities in England and Wales to help bring training provision more into line with local employment needs. Discussions are now under way about full implementation of this change from 1986-87 onwards.

The Government's strategy for the 14 to 18-year-old age group is set out in our recently puplished White Paper on education and training for young people.

In the field of adult training we have launched an adult training strategy to make training and retraining for adults more widespread, more flexible and more relevant to modern needs. This involves:

more than doubling, to 250,000 by 1986/7, the number of people assisted by MSC adult training programmes;

—launching the open tech programme to make flexible training facilities more widely available and to help adults who wish to acquire or up-date skills in technical or supervisory occupations;

—establishing the skillcentre network on a commercial basis in order to release resources for this expansion of adult training;

—a major campaign to bring home to everyone, employers, trade unions and individuals, the vital importance to our future economic well being of investment and training.

We also published a consultative paper last autumn to seek views on a new pilot scheme to help up to 10,000 adults finance their own training through a Government supported loan scheme.

We have also taken action to assist the mobility of labour. The Manpower Services Commission's placement services have been improved to provide better access for the public and a national computerised vacancy-circulation system has been introduced. The number of jobcentres will be increased to 1065—the highest ever. The MSC has also extended its employment transfer and job search schemes to cover a wide range of skilled jobs.

The professional and executive recruitment was put on a full cost-recovery basis from April 1983. It met that requirement in 1983-84 and again in 1984-85. PER staffing has been reduced from about 800 to around 300 since 1979.

We have conducted a wide-ranging scrutiny to identify burdens on business which may prevent employers taking on new employees. We have already taken a number of steps to reduce the burdens on employers imposed by employment protection law including extending from one to two years the qualifying period for the right to claim unfair dismissal, where the employer has 20 or fewer employees. We have now announced that the two-year qualifying period should apply to all employees, whatever the size of the company. This will come into effect in June.

We have also published a consultation paper on the options for reforming the wages council system (including exempting young people or controlling their rates, and reducing the scope of regulation) or alternatively on whether the system should be abolished. We have asked for comments by the end of May. Subject to the outcome of consultations, we propose to end ratification of International Labour Convention No. 26 which could restrict our freedom to act in the council area of policy.

We have continued with our step-by-step approach to industrial relations reform designed to redress the previous imbalance in collective bargaining and to make trade unions more accountable to their members.

The Employment Acts of 1980 and 1982 have removed trade unions' statutory immunity in relation to a number of unacceptable forms of industrial action, including secondary picketing and secondary action and have increased the protection for individuals against the abuses of the closed shop. From November 1984 no closed shop is enforceable unless it has been approved by an overwhelming majority of employees voting in a secret ballot.

The Trade Union Act 1984 is designed to secure the holding of secret ballots in three areas of crucial importance to trade union members; for elections to union governing bodies, for pre-strike consultations and over the question of trade union involvement in party politics. There are already indications that the Act is having a significant influence on the practices and attitudes of trade unions.

We have taken a wide range of steps to help those hardest hit by unemployment.

We have introduced the job-splitting scheme and the part-time job release scheme to increase opportunities for part-time work, and continued the job release scheme which encourages older people to retire early and vacate their job for a younger unemployed person.

We have also established the community programme which will provide up to 130,000 places for long-term unemployed people on projects of value to the community. I have recently announced a major expansion of the programme by 100,000 places to 230,000 places by May 1986. We have also asked the MSC to examine the scope for greater involvement of the private sector in the programme and to consider whether charities and voluntary organisations would play a better part in helping the long term unemployed.

We have set up the young workers scheme, covering some 61,000 young people and providing an incentive to employers to take on young people at more realistic wage rates which improve their chances of employment by allowing realistically for their age and relative inexperience. This scheme will close for applications in March 1986 so that its resources can contribute to a major expansion in training for young people under an extended youth training scheme.

We have established the voluntary projects programme which has already helped 55,000 people in the past year, including some of the most disadvantaged to undertake useful voluntary work. We have now asked the MSC to consider ways in which the programme could provide further help for the long term unemployed.

The MSC has introduced a new service, the disablement advisary service, to provide advice and assistance to employers on disabled people's employment matters and has also recently launched a voluntary code of good practice on the employment of disabled people.

Expenditure on all these employment and training measures will be an estimated £2,115 million in 1984-85. Spending of £2,391 million has been allocated for 1985-86.

My Department is continuing to play a full part in the work of the European Community bearing on employment and related issues and allocations to the United Kingdom from the European Social Fund have increased from £130 million in 1979 to £353 million in 1984.

The efficiency and effectiveness of all my Department's services have been kept under close scrutiny. The unemployment benefit service has made steady progress in improving its cost-effectiveness through better management practices and more effective use of its resources. Work is well advanced for the introduction, early in 1986, of a more advanced computerised system in unemployment benefit offices involving the installation of some 10,500 visual display units linked to the national benefit computers. This will improve both the quality and speed of service to the customer and result in some 2,000 staff savings when the project is complete.

During the 6 years to April 1985 the total number of permanent staff in the MSC has been reduced by about 4,500 to just under 21,000 over a period when the commission has successfully introduced several major new programmes like the youth training scheme and the community programme.

Reviews have been carried out in the Department which will lead to better use both of accommodation and of management services and new financial information on budgeting systems have been introduced. A second report on implementing the financial management initiative during 1984 was published recently.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 77**

SESSION 1984–85

15th April—26th April 1985

SCOPE OF THE INDEX, ARRANGEMENT AND ABBREVIATIONS

This index is derived from the House of Commons Library's Parliamentary On-Line Information System (POLIS), and the subject terms used are based on those used in POLIS. There are often changes in column numbering, etc., between the daily part or weekly Hansard (which simply collects together the daily parts without revision) and the bound volume. The index for the bound volume is revised to take account of these changes.

Scope and arrangement of the Index

Oral and Written Parliamentary Questions are indexed under subject headings and the names of Members asking and Ministers replying to them. Questions are not listed under the names of Departments replying. Departmental listings can be arrived at indirectly by looking under the names of the Minister(s) of that Department. There will, however, be headings 'Northern Ireland', 'Scotland', and 'Wales' under which one will find not only most Questions answered by the Northern Ireland Office, Scottish Office, Welsh Office but also Questions about these areas of the United Kingdom which are answered by other Departments. Ministerial statements are indexed under subject headings, under 'Ministerial statements' and the names of Ministers making them and Members speaking on them. General debates are indexed under broad subject headings and under the names of all Members and Ministers taking part. Debates on legislation (Bills, Orders, Regulations etc.) are indexed under the name of the Bill, Statutory Instrument etc., under subject headings and under the names of those taking part.

Rulings and Statements by Mr. Speaker and his deputies are brought together under the heading 'Speakers rulings and statements'.

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Members' names are given in the form by which they prefer to be known and are printed in bold italics. Under their names, entries are arranged under one of the two headings *Debates etc.* (to include interventions on statements, points of order and so on) or *Questions*.

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Bills 1R=first reading, 2R=second reading, Money res=money resolution, Com=Committee stage, Rep=Report stage, 3R=third reading, amendt/amendts=amendment/amendments, *=matter taken formally, without debate.

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